AGENDA

N.C. WILDLIFE RESOURCES COMMISSION
July 7, 2011, 9:00 a.m.
1751 Varsity Drive
NCWRC Conference Room, 5th Floor
Raleigh, North Carolina

CALL TO ORDER - Chairman Steve Windham

PLEDGE OF ALLEGIANCE

INVOCATION - Commissioner Wes Seegars

RECOGNITION OF VISITORS

MANDATORY ETHICS INQUIRY - North Carolina General Statute 138A-15(e) mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also inquire 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 Steve Windham

APPROVAL OF MINUTES - Take action on the May 12, 2011 Wildlife Resources Commission meeting minutes as written in the exhibit and distributed to members (EXHIBIT A)
NOTICES OF COMMISSIONER REAPPOINTMENT - Receive notice of reappointment by Governor Beverly Perdue of Wes Seegars for term ending April 25, 2017 (EXHIBIT B)

ADMINISTRATION

Financial Status Report - Receive a financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund - Tommy Clark, Budget Officer - Budget, Planning and Audit (EXHIBIT C)

SPECIAL RECOGNITION

National Fishing and Boating Week Lifetime License Presentation - Present Lifetime Fishing License to grand prize winner from fishing events held during the 2011 National Fishing and Boating Week – Chairman Windham

Break for Photographs

INLAND FISHERIES

Spotlight – Receive an update on the Trout Management Plan – Jake Rash, Coldwater Research Coordinator

Inland Fisheries Update - Receive a staff update on activities of the Division of Inland Fisheries - Bob Curry, Inland Fisheries Division Chief

2012-2013 Fishing Proposals – Consider staff recommendations for proposed changes in 2012-2013 fishing rules to be presented at state-wide public hearings – Bob Curry (EXHIBIT D)

WILDLIFE MANAGEMENT


Property Acquisition, Halifax County - Consider approval for staff coordination with the State Property Office to pursue the acquisition of the Forestry Investment Associates - Daniel Whitaker Tract in Halifax County by donation for inclusion into the Game Land program – David Cobb (EXHIBIT E)
2011-2012 Webless Migratory Birds, Resident Canada Goose, and Falconry Seasons - Receive information concerning the status of the mourning dove population, status of woodcock population, consider federal frameworks, receive results of early season internet comments, and select the 2011-2012 seasons and bag limits for webless migratory game birds, resident Canada geese, and falconry - David Cobb (EXHIBITS F-1, F-2, F-3, F-4, F-5, F-6)

2012-2013 Hunting and Trapping Proposals – Review staff recommendations for proposed changes in the 2012-2013 hunting, trapping, falconry, and captive cervid rules for presentation at public hearings – David Cobb (EXHIBITS G-1, G-2)

RULES

Temporary Rulemaking –
Consider staff recommendations for temporary rulemaking to revise 15A NCAC 10B .0215 and 15A NCAC 10B .0219 to be consistent with House Bill 432 (Allow electronic calls for the take of crows and coyotes) – David Cobb (EXHIBIT H-1)

Consider staff recommendations for temporary rulemaking to revise 15A NCAC 10B .0223 to be consistent with House Bill 432 (Swine in Transport/Regulate Feral Swine) – David Cobb (EXHIBIT H-2)

Rule Proposal - Wildlife Service Agent Agreement Changes

Public Comment Summary – Receive summary of public comments on proposed changes to Wildlife Service Agent Agreement rules from public hearing held March 31, 2011 in Raleigh, and from the WRC internet portal and written correspondence – Cecilia Edgar, Deputy Director of Administration (EXHIBIT I-1)

Proposed Wildlife Service Agent Agreement Rules Amendments – Consider adoption of proposed rule changes to Wildlife Service Agent agreements under 15A NCAC 10G .0402, 15A NCAC 10G .0403, and 15A NCAC 10G .0405, to eliminate the requirement for the NCWRC to provide internet access, computer equipment and equipment support to Wildlife Service Agents – Cecilia Edgar (EXHIBIT I-2)

No Wake Zone Request- Tyrrell County – Consider adoption of a request by Tyrrell County for an amendment to 15A NCAC 10F .0365 to establish a no wake zone in the waters of the canal leading to Taylor’s Beach in Columbia – Erik Christofferson, Engineering Services Division Chief (EXHIBIT J)
RESOLUTION – RECIPROCAL HUNTING LICENSE FEES FOR NONRESIDENTS -
Consider adoption of a resolution to allow changes in nonresident hunting license fees for
neighboring states to establish parity, under the authority of NCGS 113-275(a1) – Lisa Hocutt,
Customer Services Support Manager (EXHIBIT K)

COMMITTEE REPORTS

Small Game Committee Report – Bobby Purcell, Chairman

Big Game Committee Report - David Hoyle, Jr., Chairman

Habitat, Nongame, Endangered Species Committee Report - Chuck Bennett,
Chairman

Committee of the Whole Report – Steve Windham, Chairman

SPECIAL RECOGNITIONS – Chairman Windham

ELECTION OF OFFICERS - Pursuant to North Carolina General Statute 143-243, at the first
scheduled meeting of the Commission after July 1 of each odd-numbered year, the Wildlife
Resources Commission shall select from among its membership a chairman and a vice-chairman
who shall serve for terms of two years or until their successors are elected and qualified.

COMMENTS BY COMMISSION CHAIRMAN

COMMENTS BY EXECUTIVE DIRECTOR – Gordon Myers

ADJOURN
EXHIBIT A
July 7, 2011

MINUTES
May 12, 2011
N. C. Wildlife Resources Commission Meeting
Raleigh, North Carolina

_Commission Chairman_ Steve Windham called the meeting of the North Carolina Wildlife Resources Commission to order on May 12, 2011, at 9:00 a.m. in the Commission Room at Wildlife Resources Commission headquarters in Raleigh. Commissioners absent were Randy Allen and John Litton Clark.

Commissioner David Hoyle, Jr. led the Pledge of Allegiance. Commissioner Ray White gave the invocation.

Chairman Windham welcomed Commissioners and guests including the Lawrence G. Diedrick Small Game Award winners and Gloria Price, wife of Commissioner Eugene Price. Windham announced that Executive Director Gordon Myers was absent because he was testifying before a Congressional Committee in Washington regarding the transfer of McKinney Lake Fish Hatchery to the State of North Carolina.

COMMISSIONER ATTENDANCE

Steve Windham  Wes Seegars  Mitch St. Clair
Chuck Bennett  Eugene Price  Martin Lewis
David Hoyle, Jr.  Dalton Ruffin  Durwood Laughinghouse
Joe Barker  Berkley Skinner  Dell Murphy
Doug Parsons  Maughan Hull  Ray White
Bobby Purcell  Nat Harris
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VISITORS

Tim Booras  
David Yow  
Tom Williamson, Jr.  
Ernie Koury  
Judy Adams – South East NC Quail Forever  
Dennis Adams – South East NC Quail Forever  

J.R. Stone – NC Bowhunters Association  
Mickey Strader - NCBA  
T. Jerry Williams - NCBA  
Johnny Miller  
Harold Dorsett  
Gloria Price

MANDATORY ETHICS INQUIRY

Chairman Windham advised the Commission of the mandatory ethics inquiry as presented in the agenda.

MINUTES

Commissioner Durwood Laughinghouse made a motion to approve the March 10, 2011 Wildlife Resources Commission Meeting minutes. The motion was seconded by Commissioner Berkley Skinner and carried. The Minutes, titled Exhibit A, are hereby incorporated into the official record of this meeting.

ADMINISTRATION

Tommy Clark, Budget Officer, gave the financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund as of March 31, 2011. The Operating Fund balance was $21,441,152.56. The Endowment Fund balance was $81,163,006.44. The Financial Status Report, titled Exhibit B, is hereby incorporated into the official record of this meeting.

PRESENTATION OF THE 2010 LAWRENCE G. DIEDRICK SMALL GAME AWARD

Dr. David Cobb, Wildlife Management Division Chief, and Commissioner Bobby Purcell, Chairman of the Small Game Committee, presented the 2010 Lawrence G. Diedrick Small Game Award to recipients in the organization and individual categories. The organizational award was presented to Dennis Adams of the South East North Carolina Chapter of Quail Forever. Dr. Cobb thanked Adams for Quail Forever’s efforts in funding fire lines, conducting surveys, and assisting with longleaf pine restoration. Adams was presented with a plaque, a book and a drip torch. The individual award was presented to Ernie Koury of Alamance County. Koury oversees thousands of acres of private land. For 22 years he has worked to produce healthy quail populations and has developed over 60 miles of fire lines. Koury was presented with a plaque, a book and a drip torch.
The Commission recessed at 9:15 a.m. so that photographs of the winners could be taken. The meeting reconvened at 9:20.

**ENFORCEMENT UPDATE**

Colonel Dale Caveny, *Enforcement Division Chief*, presented an update about the summer 2011 joint law enforcement campaign to prevent operation of motor vehicles and boats while under the influence of intoxicants. Caveny stated that the NCWRC Enforcement Division has been nationally recognized as one of the top two law enforcement agencies in the U.S. in making OWI (Operating While Impaired) arrests. Caveny recognized Geoff Cantrell, *Public Information Officer*, and Carla Osborne, *Graphic Designer*, for their assistance in developing materials for the “Operation On the Road, On the Water, Don’t Drink and Drive” campaign and in helping with a public service announcement that highlights the joint law enforcement operation to prevent driving while impaired on the roads and waterways. Caveny showed the short PSA, which will be delivered to television stations across the state.

**DIVISION OF WILDLIFE MANAGEMENT**

**Spotlight - “Controlling Problem Wildlife Situations”**

Chris Turner, *District One Biologist*, presented a Division of Wildlife Management Spotlight about nuisance wildlife issues. Turner said that the state’s ballooning population starting in the 1990s has resulted in changes in the land, with far fewer rural areas, and in attitudes about coexisting with wildlife. Turner mentioned problems with non-native species such as coyotes, feral swine and nutria, agricultural losses, and property damage as issues of concern to the WRC and to constituents. From 2004-2010 the WRC has doubled the amount of time and money spent working on nuisance wildlife issues. Turner stated that the agency message is to co-exist with wildlife and to work toward management versus control of the resource.

**Wildlife Management Update**

Dr. David Cobb, *Wildlife Management Division Chief*, gave an update about the activities of the Division of Wildlife Management. Cobb referred Commissioners to CDs that contain reports on tundra swan, the NE Canada Goose hunt zone, 2010 bear harvest report, and other articles and reports.
Property Related Issues

- **Right of Way Request, Rowan County** - Dr. Cobb presented Exhibit C, a request from Transco Pipeline for a permanent right of way across Second Creek Game Land in Rowan County to accommodate expansion of an existing natural gas pipeline system. Upon a motion by Chuck Bennett and second by Eugene Price, the Commission approved the request and stipulations listed in the exhibit that will mitigate potential impacts with one addition:
  1. Any painted boundary tree damaged or removed by Transco will be replaced by a carsonite post supplied by the NCWRC. *The Commission voted to require Transco to pay for the carsonite posts.*

Exhibit C is hereby incorporated into the official record of this meeting.

- **Property Disposal Request, Hyde County** – Dr. Cobb presented the staff recommendation in Exhibit D to seek State Property Office assistance for the disposal of a very narrow 21-acre strip of property adjoining the Carter Tract of Gull Rock Game Land in Hyde County. The narrow strip is of no value to the Wildlife Resources Commission.

  *Commissioner Wes Seegars recused himself from discussion and vote on Exhibit D, stating that he is an adjacent landowner.*

  On a motion by David Hoyle, Jr. and second by Ray White the Commission approved the sale of the property as surplus. *Exhibit D* is hereby incorporated into the official record of this meeting.

Land Acquisitions Update

Dr. Cobb presented a regular staff update on the status of land acquisition projects in Exhibit E. It is hereby incorporated into the official record of this meeting.

DIVISION OF INLAND FISHERIES

Inland Fisheries Update

Bob Curry, *Inland Fisheries Division Chief,* reported on the activities of the Inland Fisheries Division. Curry said that the Education Centers conducted over four hundred hours of educational programs and distance learning in April. National Boating and Fishing Week is in June, with more than 43 events planned state-wide. Curry announced that a big head carp, an invasive fish, has been found in a pound net in North Carolina.
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**Property Lease Request, Ashe County**

Bob Curry presented a staff recommendation in Exhibit F to expand the Memorandum of Agreement between the Wildlife Resources Commission and the Ashe County Wildlife Club to pursue a no-cost lease of Trout Lake located east of Jefferson, to be managed with Delayed Harvest trout regulations. The WRC has managed the lake, which is owned by the Ashe County Wildlife Club, for public fishing through a MOA since 1993. The motion to expand the MOA and formalize the lease agreement was made by David Hoyle, Jr., seconded by Chuck Bennett and carried. Exhibit F is hereby incorporated into the official record of this meeting.

**Rule Proposal – Establish Size and Creel Limits by Reference to Marine Fisheries Commission Regulations for Saltwater Fishes Caught in Inland Waters**

Bob Curry presented Exhibit G-1, a summary of public comments received from local public hearings, the WRC internet portal and written correspondence, on the rule change proposals under 15A NCAC 10C .0305 and 10C .0401 to establish by reference to Marine Fisheries Commission regulations the size and creel limits for saltwater fishes caught in inland waters. Included in the summary of comments was a letter of support from Louis B. Daniel III, Director of the NC Division of Marine Fisheries. Exhibit G-1, which did not require action by the Commission, is hereby incorporated into the official record of this meeting.

Bob Curry then presented Exhibit G-2, proposed rule changes to inland fishing regulations that establish size and creel limits for certain saltwater species caught in inland fishing waters by reference to Marine Fisheries Commission regulations.

**Sea Trout (spotted or speckled), Flounder, and Red Drum**

1) Establish seasons, size limits and creel limits in inland fishing waters by referencing those regulations established by the Marine Fisheries Commission rule or proclamation in adjacent joint or coastal fishing waters.

*Amend the following rule:*

15A NCAC 10C .0305 OPEN SEASONS: CREEL AND SIZE LIMITS

**Gray Trout (weakfish)**

2) Establish seasons, size limits and creel limits in inland fishing waters by referencing those regulations established by the Marine Fisheries Commission rule or proclamation in adjacent joint or coastal fishing waters.

*Amend the following rules:*

15A NCAC 10C .0305 OPEN SEASONS: CREEL AND SIZE LIMITS
15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE
Curry noted a change in the text from what was presented at public hearings under 15A NCAC 10C .0305(b) (19), highlighted:

(19) No red drum greater than 27 inches in length may be possessed. In inland fishing waters, sea trout (spotted or speckled), flounder, and red drum recreational seasons, size limits and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.

and (25):

(25) In inland fishing waters the minimum length for gray trout (weakfish) is 12 inches and the daily creel limit is one fish. In inland fishing waters, gray trout (weakfish) recreational seasons, size limits and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.

Curry noted similar changes in the text of 15A NCAC 10C .0401(a) (6), highlighted:

(6) The minimum size limit for gray trout (weakfish) is 12 inches and the daily creel limit is one fish. In inland fishing waters, gray trout (weakfish) recreational seasons, size limits and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.

In response to a question from the floor Curry said that proclamations can be issued by the Marine Fisheries Director at any time, which may present challenges to recreational anglers who are not aware of the changes. Wildlife Enforcement Officers will give a warning ticket to an angler who is caught unaware of the proclamation change. Upon a motion by Maughan Hull and second by Joe Barker, the Commission adopted the changes as presented in Exhibit G-2. Exhibit G-2, which includes rule text in its entirety, is hereby incorporated into the official record of this meeting.

**House Bill 353 (Designation of Coastal Game Fish)**

Chairman Windham recognized Commissioner Eugene Price. Price made a motion for the Wildlife Resources Commission to endorse House Bill 353, to designate certain coastal fishes as game fish. That motion died for lack of a second.
ENGINEERING SERVICES

Activity Update

Erik Christofferson, Engineering Services Division Chief, presented an update about the boating access areas and fishing access areas that recently have been constructed and renovated by Engineering Services. Construction on boating and fishing access areas in the mountains has included the addition of some canoe and kayak areas. Christofferson mentioned the recently completed Emerald Isle boating access area which has 116 parking spaces. The BAA at the Washington Baum Bridge still is under construction. Christofferson announced that the High Rock Lake dam has been replaced and was approved by the Department of Dam Safety.

Boating Access Area Renovation Request, Henderson County

Erik Christofferson presented Exhibit H, a request from the Henderson County Parks and Recreation Department to partner with them to renovate a boating access area on the French Broad River at Westfeldt Park. David Hoyle, Jr. made a motion to adopt the request. The motion was seconded by Nat Harris and carried. Exhibit H is hereby incorporated into the official record of this meeting.

Boating Access Area Construction Request, Greene County

Erik Christofferson presented Exhibit I, a staff recommendation to partner with the Town of Hookerton in Greene County to build a boating access area on Contentnea Creek. Funding to build the boating access area will come from vessel registration sales. The motion to approve the boating access area was made by David Hoyle, Jr., seconded by Wes Seegars, and carried. Exhibit I is hereby incorporated into the official record of this meeting.

Property Acquisition Request, Brunswick County

Erik Christofferson presented Exhibit J, the staff recommendation made after site assessments and meetings with various regulatory agencies, to purchase two parcels on Bricklanding Road in Brunswick County for the purpose of constructing a boating access area. The BAA will provide access to the Intracoastal Waterway. A portion of the $1.7 million cost for the land and construction of the BAA will come from a Coastal Recreational Fishing License (CRFL) grant. The motion to adopt was made by Eugene Price, seconded by Durwood Laughinghouse and carried. Exhibit J is hereby incorporated into the official record of this meeting.
Property Acquisition Request, Currituck County

Erik Christofferson presented in Exhibit K the staff recommendation to work with the State Property Office to purchase .12 acres at a cost of $13000.00 on Currituck Sound adjacent to the WRC Poplar Branch Access Area in Currituck County. The property will be used in the redesign of the ramp and parking area. The motion to adopt was made by Maughan Hull, seconded by Eugene Price and carried. Exhibit K is hereby incorporated into the official record of this meeting.

No Wake Zone Request, Town of Emerald Isle, Carteret County

Erik Christofferson presented in Exhibit L a request from the Town of Emerald Isle for an amendment to 15A NCAC 10F .0376, to establish a no wake zone in the waters of Bogue Sound adjacent to Archer Point, south of and including a portion of the Emerald Isle channel in the vicinity of the new Emerald Isle Boating Access Area. In response to public input that the proposed no wake zone as noticed in the North Carolina Register was longer and more restrictive than necessary, staff made technical corrections to the description and boundaries of the no wake zone and shortened it to approximately 1300 feet long as shown in the exhibit. The NCWRC agreed as part of the construction of the Emerald Isle Boating Access Area and channel to be responsible for the purchase and placement of the no wake markers. The fiscal note for the proposed rule amendment was approved by the Office of State Budget and Management. A motion to approve the no wake zone amendment was made by David Hoyle, Jr. and seconded by Berkley Skinner. The motion carried. Exhibit L is hereby incorporated into the official record of this meeting.

COMMITTEE REPORTS

Small Game Committee Meeting Report

Committee Chairman Bobby Purcell reported that the Small Game Committee met on May 11, 2011. Discussions included issues with decreasing quail populations. A Coopers Hawk survey is being conducted. Depending upon the findings the Small Game Committee will decide whether to conduct other surveys. Information is being shared with other states about the quail populations.
Migratory Birds and Waterfowl Committee Meeting Report

Committee Chairman Maughan Hull reported that the committee met on May 11, 2011. David Gossett of the East Carolina Wildfowl Guild presented an overview of the ECWG’s annual Waterfowl Conservation Stamp Competition and asked the WRC for its continued support of the competition.

The Commission adopted a motion from the Migratory Birds and Waterfowl Committee, made by Maughan Hull and seconded by Martin Lewis, to continue the support for three more years at the current level.

Hull reported that the committee discussed the WRC’s support of Ducks Unlimited’s conservation efforts toward migratory bird breeding habitats in the Maritime Provinces of Canada.

The Commission adopted a motion from the Migratory Birds and Waterfowl Committee, made by Maughan Hull and seconded by Doug Parsons, to continue support at the same level as last year ($50000.00), provided that the state budget will allow for that level. If the budget is not adequate, the WRC will continue to support the DU program at the statutory level of approximately fifteen thousand dollars.

The committee discussed lengthening the tundra swan season but found that lengthening the season could impact the timely distribution of swan permits. The committee approved issuing twenty tundra swan permits for the combination youth/adult hunt.

Joint Coastal Recreational Fishing License Committee Meeting Report

Ray White reported that he, Maughan Hull and Joe Barker, members of the agency CRFL Committee, met with their Division of Marine Fisheries counterparts on April 14, 2011. The joint committee approved fifth, third, and second year funding of projects. Requests for Proposal will be advertised in June. White reported that the CRFL funding depends upon the agents who sell the CRFL licenses. The agents get reimbursed thirty cents per sale, a very small amount. White asked that consideration by the Commission be given to increasing agent compensation for selling CRFL licenses.

Committee of the Whole Meeting Report

Chairman Steve Windham reported that the Committee of the Whole met on May 11, 2011. Division Chiefs Bob Curry and David Cobb reviewed the rule change proposals to take to public hearings depending upon the vote of the Commission at the July meeting. Windham encouraged Commissioners to contact Curry and Cobb with their questions or suggestions about the rule proposals. The C.O.W. discussed the schedule for the 2011 public hearings with consideration of changing the format and number of hearings to cut costs.

Upon a motion by Dalton Ruffin and second by Chuck Bennett, the Commission voted to adopt the 2011 public hearing schedule as presented at the committee meeting and shown in the following attachment, and asked staff to look at alternative presentation formats and less staff travel to future hearings.
ADOPTED SCHEDULE FOR THE SEPTEMBER 2011
HUNTING, TRAPPING AND FISHING PUBLIC HEARINGS
HEARING TIME: 7:00 p.m.

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<td>Dublin</td>
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<tr>
<td>September 7, 2011 (Wednesday)</td>
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<td>Graham</td>
<td>Courthouse</td>
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<td>September 8, 2011 (Thursday)</td>
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<td>Raleigh</td>
<td>Centennial Campus Auditorium</td>
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Public Hearing to present proposed changes to Falconry Permitting Rules

COMMENTS BY THE CHAIRMAN

Chairman Windham expressed condolences to Commissioner John Litton Clark and his family. Clark is attending the funeral of his cousin who was killed in an automobile accident. He asked that all keep Commissioner Maughan Hull and his wife Kay in prayers while Kay Hull undergoes cancer treatment. Windham announced that the chairman and vice chairman of the Commission will be elected for two-year terms at the July meeting. Because there are three Governor appointee terms ending and eight House and Senate appointee terms ending before the July meeting, nominations and consideration of officers must be deferred until that time.
COMMENTS BY THE CHIEF DEPUTY DIRECTOR

Chief Deputy Director Mallory Martin announced the recent decision by Caldwell County to rescind the Memorandum of Understanding and lease agreement regarding day uses at the Lutz Tract, due to their inability under the current budgetary constraints to get matching funds. Martin gave a brief update on the consideration of the PCS Phosphate conservation easement. A meeting was held on April 6 with the U.S. Army Corps of Engineers and PCS Phosphate about the 8000 acres at Aurora. A final draft of the conservation easement will be ready by December 31, 2011. He mentioned the Governor’s proclamation of May 21-27 as Safe Boating Week in North Carolina, which complements our Enforcement Division's “On the Road On the Water” campaign. Martin announced that Officer Gary Caulk Jr. was recently recognized by Safari International as Officer of the Year. Martin thanked staff members for their work on the successful Southeast Regional Federal Assistance Coordinators Workshop in Wilmington that was attended by 85 people. He mentioned a successful meeting of the 20th Eastern Black Bear Workshop in Hendersonville. Martin presented Betsy Foard, Executive Officer, with a certificate in recognition of five years with the Wildlife Resources Commission.

FINAL COMMENTS

David Hoyle, Jr., Big Game Committee Chairman reminded the assembly that the July meeting of the Big Game Committee will be at 10 am on Wednesday, July 6. The bear hunters have been invited to talk about issues concerning bear hunting.

ADJOURNMENT

The next meeting of the Wildlife Resources Commission will be held on Thursday, July 7, 2011. There being no further business, the meeting was adjourned by Chairman Windham at 10:50 a.m.

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

Steve Windham, Chairman

Mallory Martin, Chief Deputy Director
Notice is given that **Mr. Neal W. Seegars**

is hereby appointed to the following public office:
**North Carolina Wildlife Resources Commission**

Citation to Law or Other Authority Authorizing the Appointment:
**General Statute §143-241**

Specific Statutory Qualification for the Public Office (if applicable):
**3rd Wildlife District Representative**

Address of Appointee:
401 Patetown Road Goldsboro, NC 27530

County of Residence of the Appointee: **Wayne**

Date Term of Appointment Began: **8/11/1999**

Date Term of Appointment Ends: **4/25/2017**

Name of Person the Appointee replaces, if applicable:
**Mr. Lawrence G. Diedrick**

Date of Appointment: **5/4/2011**

Signature: 
**s/ Bev Perdue**

Office of Appointing Authority:
**Office of the Governor, Boards and Commissions**

Distribution:
**Governor**
**Secretary of State**
**Senate President Pro Tempore**
**Speaker of the House**
**Historical Publications**
**Board of Ethics**
**Board Contact**
### Balance July 1
- Plus: Receipts to Date: $19,866,967.31
- Less: Disbursements To Date: $62,214,064.86

### Balance May 31
- $18,751,353.24

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### Summary and Analysis of Expenditure By Purpose - Code 24350, 24351, 24352 and 24353

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<th>Expenditures</th>
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<th>Authorized Budget 2010-11</th>
<th>Expenditures</th>
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<td>97.73%</td>
<td>$8,332,338.00</td>
<td>$8,195,249.96</td>
<td>98.35%</td>
</tr>
</tbody>
</table>

**TOTAL**

<table>
<thead>
<tr>
<th>Authorized Budget 2009-10</th>
<th>Expenditures</th>
<th>% of Budget Expended</th>
<th>Authorized Budget 2010-11</th>
<th>Expenditures</th>
<th>% of Budget Expended</th>
</tr>
</thead>
<tbody>
<tr>
<td>$76,359,100.00</td>
<td>$63,329,678.93</td>
<td>82.94%</td>
<td>$85,447,813.00</td>
<td>$71,947,156.85</td>
<td>84.20%</td>
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</tbody>
</table>
NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

ENDOWMENT FUND YEAR-TO-DATE

<table>
<thead>
<tr>
<th></th>
<th>May 2010</th>
<th>May 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Balance May 1</strong></td>
<td>$ 74,562,228.49</td>
<td>$ 81,733,776.18</td>
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<tr>
<td>Plus: Revenues from Sales</td>
<td>165,889.30</td>
<td>162,006.30</td>
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<tr>
<td>Return on Investment</td>
<td>352,675.63</td>
<td>427,198.20</td>
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<tr>
<td></td>
<td><strong>75,080,793.42</strong></td>
<td><strong>82,322,980.68</strong></td>
</tr>
<tr>
<td>Less: Transfers Out</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Balance May 31</strong></td>
<td><strong>$ 75,080,793.42</strong></td>
<td><strong>$ 82,322,980.68</strong></td>
</tr>
<tr>
<td>Market Value</td>
<td><strong>$ 76,200,749.88</strong></td>
<td><strong>$ 88,369,118.92</strong></td>
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### Endowment Fund Interest

<table>
<thead>
<tr>
<th>Sources of Interest Available</th>
<th>Expendable</th>
<th>Non Expendable</th>
<th>Budgeted Obligation</th>
<th>Transferred to Operations</th>
<th>Transferred to Capital Projects</th>
<th>Expendable Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADULT Licenses</td>
<td>$ 6,289,413.01</td>
<td>$ -</td>
<td>$ 3,315,811.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 2,973,602.01</td>
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<tr>
<td>INFANT Licenses</td>
<td>$ -</td>
<td>$ 7,870,318.97</td>
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<tr>
<td>YOUTH Licenses</td>
<td>$ -</td>
<td>$ 594,931.59</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>Magazine Subscriptions</td>
<td>$ 382,954.73</td>
<td>$ -</td>
<td>$ 179,485.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 203,469.73</td>
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<tr>
<td>Contributions</td>
<td>$ 328,847.36</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 328,847.36</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 7,001,215.10</strong></td>
<td><strong>$ 8,465,250.56</strong></td>
<td><strong>$ 3,495,296.00</strong></td>
<td><strong>$ -</strong></td>
<td><strong>$ -</strong></td>
<td><strong>$ 3,505,919.10</strong></td>
</tr>
</tbody>
</table>

**2010-11 Budgeted Obligated**

| Allocation of Endowment Interest - Sportsman Fund | $ 3,315,811.00 |
| Allocation of Endowment Interest - Magazine Fund | $ 179,485.00 |

**2010-11 Transferred To Date**

| To Sportsman Fund | - |
| To Magazine Fund  | - |
| To Capital Projects | - |
| **$ 3,495,296.00** | **$ -** |
EXHIBIT D
July 7, 2011

PROPOSED CHANGES IN FISHING REGULATIONS FOR
2012-2013 RECOMMENDED BY AGENCY STAFF FOR PUBLIC
NOTICE AND PRESENTATION AT NINE PUBLIC HEARINGS

District Hearings

Trout
1) Cedar Cliff Lake (Jackson County) - Classify this 146-acre lake as Hatchery-Supported Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)

2) Catawba River (McDowell County) - Classify 0.6 miles of this stream as Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)

3) Elk Creek (Wilkes County) - Classify 1.5 miles of this stream as Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 11 and 16)

4) Shawneehaw Creek (Avery County) - Classify 0.5 miles of this stream as Wild Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 12)

5) Laurel Creek (Watauga County) - Classify 0.3 miles of this stream as Catch and Release/Artificial Lures Only Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 13 and 14)

6) Little River (Alleghany County) - Reclassify the upper 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)

7) Big Horse Creek (Ashe County) - Reclassify the lower 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)

8) Elk Creek (Watauga) - Clarify the boundaries of the Hatchery-Supported Trout Waters section of this stream adding approximately 2.0 miles.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 11)
9) North Toe River (Avery County) - Divide the Hatchery-Supported Trout Waters on this stream into an upper and lower section and remove 10.1 miles of this stream from the Public Mountain Trout Waters.

   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 6)

10) Long Creek (Graham County) - Remove 4.2 miles of this stream from Public Mountain trout Waters.

   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 7)

11) Little Hungry River (Henderson County) - Remove 5.9 miles of this stream from Public Mountain Trout Waters.

   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)

12) Little Creek (Madison County) - Remove 2.0 miles of this stream from Public Mountain Trout Waters.

   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)

13) Mill Creek (Madison County) - Remove 2.4 miles of this stream from Public Mountain Trout Waters, and reclassify the section on Game Lands as Wild Trout Waters.

   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)

14) Cane Creek (Mitchell County) - Remove 2.7 miles of this stream from Public Mountain Trout Waters.

   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)

15) French Broad River (Transylvania County) - Remove 10.3 miles of this stream from Public Mountain Trout Waters.

   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 10)

**Striped Bass**

1) Establish a 4-fish creel limit and a 20-inch size limit on striped bass in lakes Rhodhiss, Hickory, and Lookout Shoals.

   Amend the following rule:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 18)

2) Increase the minimum size limit for striped bass and hybrid striped bass in B. Everett Jordan Reservoir from 20 to 24 inches.

   Amend the following rule:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)
Black Bass
1) Establish a statewide 14-inch, 5-fish limit for black bass in aggregate, allowing 2 undersized fish to be harvested.
   Amend the following rule:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 19)

2) Remove the exception to the statewide black bass length limit for District 9 waters and Public Mountain Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)

3) Establish a 10-fish daily creel limit of which no more than two fish greater than 14 inches may be possessed in Lake Cammack (Alamance County) and Lake Holt (Granville County).
   Amend the following rule:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 21)

4) Establish a maximum size limit for largemouth bass in Randleman Reservoir where only one fish greater than 20 inches can be retained in the 5-fish daily creel and establish a 2-fish exception to the minimum size limit such that 2 fish within the 5-fish daily creel can be less than 14 inches.
   Amend the following rule:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)

American Shad
1) Reduce the possession limit of American shad to 1 fish per day within the aggregate daily creel of 10 fish for American and hickory shad in inland fishing waters and tributaries of the Neuse River.
   Amend the following rule:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20)

Catfish
1) Clarify that channel, white, or blue catfish may only be taken legally by hook and line and the daily creel limit is six fish in aggregate in waters that are stocked and managed for catfish and located on game lands, on other Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program. The effected water bodies will be identified by posting instead of being listed in the NCAC.
   Amend the following rules:
   15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20);
   15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22);
   15A NCAC 10E .0104 Use of Areas Regulated (page 26)

Other
1) Add Lake Tillery to the list of reservoirs where possession of grass carp is prohibited except those legally taken with bow and arrow.
   Amend the following rule:
   15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22)
2) Allow the take of nongame fishes with crossbow and arrow from all inland fishing waters other than impounded waters located on the Sandhills Game Land and designated public mountain trout waters.

*Amend the following rule:*

15A NCAC 10C .0404 Special Device Fishing (page 23)

3) Classify eleven tributaries to the Neuse River, one tributary to the Pamlico River, and one tributary to the Cape Fear River as inland primary nursery areas.

*Amend the following rule:*

15A NCAC 10C .0503 Descriptive Boundaries (page 24)

4) Allow individuals who possess a valid concealed handgun permit to carry that handgun concealed on public fishing and boating access areas.

*Amend the following rule:*

15A NCAC 10E .0104 Use of Areas Regulated (page 26)
15A NCAC 10C .0205  PUBLIC MOUNTAIN TROUT WATERS

(a) Designation of Public Mountain Trout Waters. For the purposes of this Rule, artificial lure is defined as a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell. Natural bait is defined as any living or dead organism (plant or animal), or parts thereof, or prepared substances designed to attract fish by the sense of taste or smell. The waters listed herein or in 15A NCAC 10D .0104 are designated as Public Mountain Trout Waters and further classified as Wild Trout Waters or Hatchery Supported Waters. For specific classifications, see Subparagraphs (1) through (6) of this Paragraph. These waters are posted and lists thereof are filed with the clerks of superior court of the counties in which they are located:

1. Hatchery Supported Trout Waters. The listed waters in the counties in Subparagraphs (a)(1)(A) through (Y) are classified as Hatchery Supported Public Mountain Trout Waters. Where specific watercourses or impoundments are listed, indentation indicates that the watercourse or impoundment listed is tributary to the next preceding watercourse or impoundment listed and not so indented. This classification applies to the entire watercourse or impoundment listed except as otherwise indicated in parentheses following the listing. Other clarifying information may also be included parenthetically. The tributaries of listed watercourses or impoundments are not included in the classification unless specifically set out therein.

(A) Alleghany County:

New River (not trout water)

Little River (Whitehead to McCann Dam) [Delayed Harvest Regulations apply to portion between Whitehead and a point 275 yards downstream of the intersection of SR 1128 and SR 1129 as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]

Brush Creek (except where posted against trespass)

Big Pine Creek

(Big) Glade Creek

Bledsoe Creek

Pine Swamp Creek

South Fork New River (not trout water)

Prather Creek

Cranberry Creek

Piney Fork

Meadow Fork

Yadkin River (not trout water)

Roaring River (not trout water)

East Prong Roaring River (that portion on Stone Mountain State Park) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

(B) Ashe County:

New River (not trout waters)

North Fork New River (Watauga County line to Sharp Dam)

Helton Creek (Virginia State line to New River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Big Horse Creek (Mud Creek at SR 1363 to confluence with North Fork New River) [Delayed Harvest Regulations apply to portion between SR 1324 bridge and North Fork New River. See Subparagraph (a)(5) of this Rule.]

Buffalo Creek (headwaters to junction of NC 194-88 and SR 1131)

Big Laurel Creek

Three Top Creek (portion not on game lands)

South Fork New River (not trout waters)

Cranberry Creek (Alleghany County line to South Fork New River)

Nathans Creek

Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)

Trout Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Roan Creek

Beaver Creek

Pine Swamp Creek (all forks)
Old Fields Creek  
Mill Creek (except where posted against trespass)  
(C) Avery County:  
Nolichucky River (not trout waters)  
North Toe River (headwaters to Mitchell County line, upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park), except where posted against trespass)  
North Toe River, lower (Sr 1164 to Mitchell Co. line, except where posted against trespass)  
Squirrel Creek  
Elk River (SR 1305 crossing immediately upstream of Big Falls to the Tennessee State line, including portions of tributaries on game lands)  
Wildcat Lake  
Catawba River (not trout water)  
Johns River (not trout water)  
Wilson Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]  
Lost Cove Creek [not Hatchery Supported trout water, see Subparagraph (a)(4) of this Rule.]  
Buck Timber Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]  
Cary Flat Branch [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]  
Boyd Coffee Lake  
Linville River [Land Harbor line (below dam) to Blue Ridge Parkway boundary line, except where posted against trespass]  
Milltimber Creek  
(D) Buncombe County:  
French Broad River (not trout water)  
Ivy Creek (Ivy River) (Dillingham Creek to US 19-23 bridge)  
Dillingham Creek (Corner Rock Creek to Ivy Creek)  
Stony Creek  
Corner Rock Creek (including tributaries, except Walker Branch)  
Reems Creek (Sugar Camp Fork to US 19-23 bridge, except where posted against trespass)  
Swannanoa River (SR 2702 bridge near Ridgecrest to Wood Avenue Bridge, intersection of NC 81W and US 74A in Asheville, except where posted against trespass)  
Bent Creek (headwaters to N.C. Arboretum boundary line, including portions of tributaries on game lands)  
Lake Powhatan  
Cane Creek (headwaters to SR 3138 bridge)  
(E) Burke County:  
Catawba River (Muddy Creek to the City of Morganton water intake dam) [Special Regulations apply. See Subparagraph (a)(7) of this Rule.]  
South Fork Catawba River (not trout water)  
Henry Fork (lower South Mountains State Park line downstream to SR 1919 at Ivy Creek)  
Jacob Fork (Shinny Creek to lower South Mountain State Park boundary) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]  
Johns River (not trout water)  
Parks Creek (portion not on game lands not trout water)  
Carroll Creek (game lands portion above SR 1405 including tributaries)  
Linville River (portion within Linville Gorge Wilderness Area, including tributaries, and portion below Lake James powerhouse from upstream bridge on SR 1223 to Muddy Creek)
(F) Caldwell County:
  Catawba River (not trout water)
  Johns River (not trout water)
  Wilson Creek (game lands portion downstream of Lost Cove Creek to
  Brown Mountain Beach Dam, except where posted against trespass)
  [Delayed Harvest Regulations apply to game lands portion between Lost
  Cove Creek and Phillips Branch. See Subparagraph (a)(5) of this Rule.)
  Estes Mill Creek (not trout water)
  Mulberry Creek (portion not on game lands not trout water)
  Boone Fork [not Hatchery Supported trout water. See Subparagraph (a)(2)
  of this Rule.]
  Boone Fork Pond
  Yadkin River (Happy Valley Ruritan Community Park to SR 1515)
  Buffalo Creek (mouth of Joes Creek to McCloud Branch)
  Joes Creek (first falls upstream of SR 1574 to confluence with Buffalo
  Creek)

(G) Cherokee County:
  Hiwassee River (not trout water)
  Shuler Creek (Joe Brown Highway (SR 1325) bridge to Tennessee line)
  Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
  Valley River (headwaters to US 19 business bridge in Murphy)
  Hyatt Creek (including portions of tributaries on game lands)
  Junaluska Creek (Ashturn Creek to Valley River, including portions of
  tributaries on game lands)

(H) Clay County:
  Hiwassee River (not trout water)
  Fires Creek (foot bridge in the US Forest Service Fires Creek Picnic Area to SR
  1300)
  Tusquitee Creek (headwaters to lower SR 1300 bridge)
  Nantahala River (not trout water)
  Buck Creek (game land portion downstream of US 64 bridge)

(I) Graham County:
  Little Tennessee River (not trout water)
  Calderwood Reservoir (Cheoah Dam to Tennessee State line)
  Cheoah River (not trout water)
  Yellow Creek
  Santeetlah Reservoir (not trout water)
  West Buffalo Creek
  Little Buffalo Creek
  Santeetlah Creek (Johns Branch to mouth including portions of
  tributaries within this section located on game lands, excluding Johns
  Branch and Little Santeetlah Creek)
  (Big) Snowbird Creek (old railroad junction to SR 1127 bridge,
  including portions of tributaries on game lands)
  Mountain Creek (game lands boundary to SR 1138 bridge)
  Long Creek (portion not on game lands)
  Tulula Creek (headwaters to lower bridge on SR 1275)
  Cheoah Reservoir
  Fontana Reservoir (not trout water)
  Stecoah Creek
  Panther Creek (including portions of tributaries on game lands)

(J) Haywood County:
  Pigeon River (Stamey Cove Branch to upstream US 19-23 bridge)
  Cold Springs Creek (including portions of tributaries on game lands)
  Jonathan Creek (upstream SR 1302 bridge to Pigeon River, except where posted
  against trespass)
  Richland Creek (Russ Avenue (US 276) bridge to US 23-74 bridge)
West Fork Pigeon River (Tom Creek to the first game land boundary upstream of Lake Logan) [Delayed Harvest Regulations apply to the portion from Queen Creek to the first game land boundary upstream of Lake Logan. See Subparagraph (a)(5) of this Rule.]

(K) Henderson County:
- (Rocky) Broad River (Rocky River Lane to Rutherford County line)
- Green River - upper (mouth of Joe Creek to mouth of Bobs Creek)
- Green River - lower (Lake Summit Dam to I-26 bridge)
- (Big) Hungry River
  - Little Hungry River

French Broad River (not trout water)
- Cane Creek (SR 1551 bridge to US 25 bridge)
- Mud Creek (not trout water)
  - Clear Creek (SR 1591 bridge at Jack Mountain Lane to SR 1582)
- Mills River (not trout water)
  - North Fork Mills River (game lands portion below the Hendersonville watershed dam). [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

(L) Jackson County:
- Tuckasegee River (confluence with West Fork Tuckasegee River to SR 1534 bridge at Wilmot) [Delayed Harvest Regulations apply to that portion between the downstream NC 107 bridge and the falls located 275 yards upstreams of US 23-441 bridge as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]
- Scott Creek (entire stream, except where posted against trespass)
  - Dark Ridge Creek (Jones Creek to Scotts Creek)
- Savannah Creek (Headwaters to Bradley's Packing House on NC 116)
  - Greens Creek (Greens Creek Baptist Church on SR 1730 to Savannah Creek)
- Cullowhee Creek (Tilley Creek to Tuckasegee River)
  - Cedar Cliff Lake
  - Bear Creek Lake
- Wolf Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Wolf Creek Lake
  - Balsam Lake
- Tanasee Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Tanasee Creek Lake

(M) Macon County:
- Little Tennessee River (not trout water)
  - Nantahala River (Nantahala Dam to Swain County line) [Delayed Harvest Regulations apply to the portion from Whiteoak Creek to the Nantahala hydropower discharge canal. See Subparagraph (a)(5) of this Rule.]
  - Queens Creek Lake
  - Burningtown Creek (including portions of tributaries on game lands)
  - Cullasaja River Sequoyah Dam to US 64 bridge near junction of SR 1672, including portions of tributaries on game lands, excluding those portions of Buck Creek and Turtle Pond Creek on game lands. [Wild Trout Regulations apply. See Subparagraphs (a)(2) and (a)(6) of this Rule.]
  - Skitty Creek
  - Cliffside Lake
- Cartoogechaye Creek (downstream US 64 bridge to Little Tennessee River)

(N) Madison County:
- French Broad River (not trout water)
  - Shut-In Creek (including portions of tributaries on game lands)
  - Spring Creek upper (junction of NC 209 and NC 63 to US Forest Service road 223)
Spring Creek-lower (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Avenue) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Meadow Fork Creek

Roaring Fork (including portions of tributaries on game lands)

Little Creek

Max Patch Pond

Big Laurel Creek (Mars Hill Watershed boundary to the SR 1318 bridge, also known as Big Laurel Road bridge, downstream of Bearpen Branch)

Big Laurel Creek (NC 208 bridge to US 25-70 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Spillcorn Creek (entire stream, excluding tributaries)

Shelton Laurel Creek (confluence of Big Creek and Mill Creek to NC 208 bridge at Belva)

Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Mill Creek (headwaters to confluence with Big Creek)

Puncheon Fork (Hampton Creek to Big Laurel Creek)

Big Pine Creek (SR 1151 bridge to French Broad River)

Ivy Creek (not trout waters)

Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence with Ivy Creek at Forks of Ivy)

(O) McDowell County:

Catawba River - upper (Catawba Falls Campground to Old Fort Recreation Park)

Catawba River - lower (portion adjacent to Marion Greenway) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Buck Creek (portion not on game lands, not trout water)

Little Buck Creek (game land portion including portions of tributaries on game lands)

Curtis Creek game lands portion downstream of US Forest Service boundary at Deep Branch. [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

North Fork Catawba River (headwaters to SR 1569 bridge)

Armstrong Creek (Cato Holler line downstream to upper Greenlee line)

Mill Creek (upper railroad bridge to I 40 bridge, except where posted against trespass) [Delayed Harvest Regulations apply to that portion between US 70 bridge and I 40 bridge. See Subparagraph (a)(5) of this Rule.]

(P) Mitchell County:

Nolichucky River (not trout water)

Big Rock Creek (headwaters to NC 226 bridge at SR 1307 intersection)

Little Rock Creek (Green Creek Bridge to Big Rock Creek, except where posted against trespass)

Cane Creek (SR 1219 to NC 226 bridge)

Cane Creek (NC 226 bridge to NC 80 bridge(SR 1219 to SR 1278 bridge) [Delayed Harvest Regulations apply to that portion from NC 226 bridge to SR 1278 bridge. See Subparagraph (a)(5) of this Rule.]

Grassy Creek (East Fork Grassy Creek to mouth)

East Fork Grassy Creek

North Toe River (Avery County line to SR 1121 bridge)

North Toe River (US 19E bridge to NC 226 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

(Q) Polk County:

Broad River (not trout water)

North Pacolet River (Joels Creek to NC 108 bridge)
Green River (Fishtop Falls Access Area to the natural gas pipeline crossing)
[Delayed Harvest Regulations apply to the portion from Fishtop Falls Access
Area to Cove Creek. See Subparagraph (a)(5) of this Rule.]

(R) Rutherford County:
(Rocky) Broad River (Henderson County line to US 64/74 bridge, except where
posted against trespass)

(S) Stokes County:
Dan River (Virginia State line downstream to a point 200 yards below the end of SR
1421)

(T) Surry County:
Yadkin River (not trout water)
Ararat River (SR 1727 bridge downstream to the NC 103 bridge)
Aarat River (NC 103 bridge to US 52 bridge) [Delayed Harvest Regulations
apply. See Subparagraph (a)(5) of this Rule.]
Stewarts Creek (not trout water)
Pauls Creek (Virginia State line to 0.3 mile below SR 1625 bridge -
lower Caudle property line)
Fisher River (Cooper Creek) (Virginia State line to Interstate 77)
Little Fisher River (Virginia State line to NC 89 bridge)
Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge
below Kapps Mill Dam) [Delayed Harvest Regulations apply. See
Subparagraph (a)(5) of this Rule.]

(U) Swain County:
Little Tennessee River (not trout water)
Calderwood Reservoir (Cheoah Dam to Tennessee State line)
Cheoah Reservoir
Fontana Reservoir (not trout water)
Alarka Creek (game lands boundary to Fontana Reservoir)
Nantahala River (Macon County line to existing Fontana Reservoir water
level)
Tuckasegee River (not trout water)
Deep Creek (Great Smoky Mountains National Park boundary line to
Tuckasegee River)
Connelly Creek (including portions of tributaries on game lands)

(V) Transylvania County:
French Broad River (junction of west and north forks to US 276 bridge) (confluence
of North Fork French Broad River and West Fork French Broad River to the Island
Ford Road (SR 1110) Access Area)
Davidson River (Avery Creek to lower US Forest Service boundary line)
East Fork French Broad River (Glady Fork to French Broad River) [Delayed
Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
Little River (confluence of Lake Dense outflow to 100 yards downstream of
Hooker Falls) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of
this Rule.]
Middle Fork French Broad River
West Fork French Broad River (SR 1312 and SR 1309 intersection to junction
of west and north forks, including portions of tributaries within this section
located on game lands)

(W) Watauga County:
New River (not trout waters)
North Fork New River (from confluence with Maine and Mine branches to Ashe
County line)
Maine Branch (headwaters to North Fork New River)
South New Fork River (not trout water)
Meat Camp Creek
Norris Fork Creek
Howard Creek (downstream from lower falls)
Middle Fork New River (Lake Chetola Dam to South Fork New River)
Yadkin River (not trout water)
Stony Fork (headwaters to Wilkes County line)
Elk Creek (headwaters to gravel pit on SR 1510 bridge at Triplett to Wilkes County line, except where posted against trespass)
Watauga River (adjacent to the intersection of SR 1557 and SR 1558 to NC 105 bridge and SR 1114 bridge to NC 194 bridge at Valle Crucis). [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
Beech Creek
Buckeye Creek Reservoir
Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
Coffee Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an unnamed tributary adjacent to the intersection of SR 1201 and SR 1203)
Laurel Creek
Cove Creek (SR 1233 bridge at Zionville to SR 1233 bridge at Amantha)
Dutch Creek (second bridge on SR 1134 to mouth)
(Y) Wilkes County:
Yadkin River (not trout water)
Roaring River (not trout water)
East Prong Roaring River (Bullhead Creek to Brewer's Mill on SR 1943) [Delayed Harvest Regulations apply to portion on Stone Mountain State Park. See Subparagraph (a)(5) of this Rule.]
Stone Mountain Creek [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
Middle Prong Roaring River (headwaters to second bridge on SR 1736)
Bell Branch Pond
Boundary Line Pond
West Prong Roaring River (not trout waters)
Pike Creek
Pike Creek Pond
Cub Creek (0.5 miles upstream of SR 2460 bridge to SR 1001 bridge)
Reddies River (Town of North Wilkesboro water intake dam to confluence with Yadkin River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
Middle Fork Reddies River (Clear Prong) (headwaters to bridge on SR 1580)
South Fork Reddies River (headwaters to confluence with Middle Fork Reddies River)
North Fork Reddies River (Vannoy Creek) (headwaters to Union School bridge on SR 1559)
Darnell Creek (North Prong Reddies River) (downstream ford on SR 1569 to confluence with North Fork Reddies River)
Lewis Fork Creek (not trout water)
South Prong Lewis Fork (headwaters to Lewis Fork Baptist Church)
Fall Creek (except portions posted against trespass)
Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue Ridge development) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
Elk Creek - lower (portion on Leatherwood Mountains development) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
(Y) Yancey County:
Nolichucky River (not trout water)
Cane River [Bee Branch (SR 1110) to BowLens Creek]
Bald Mountain Creek (except portions posted against trespass)
Indian Creek (not trout water)
(2) Wild Trout Waters. All waters designated as Public Mountain Trout Waters on the game lands listed in Subparagraph (b)(2) of 15A NCAC 10D .0104, are classified as Wild Trout Waters unless specifically classified otherwise in Subparagraph (a)(1) of this Rule. The trout waters listed in this Subparagraph are also classified as Wild Trout Waters.

(A) Alleghany County:
   Big Sandy Creek (portion on Stone Mountain State Park)
   Stone Mountain Creek (that portion on Stone Mountain State Park)

(B) Ashe County:
   Big Horse Creek (Virginia State Line to Mud Creek at SR 1363) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
   Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game Land) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]

(C) Avery County:
   Birchfield Creek (entire stream)
   Cow Camp Creek (entire stream)
   Cranberry Creek (headwaters to US 19E/NC 194 bridge)
   Elk Hollow Branch (entire stream)
   Elk River (portion on Lees-McRae College property, excluding the millpond) [Catch and Release/Artificial Flies Only Regulations apply. See Subparagraph (a)(4) of this Rule.]
   Gragg Prong (entire stream)
   Horse Creek (entire stream)
   Jones Creek (entire stream)
   Kentucky Creek (entire stream)
   North Harper Creek (entire stream)
   Plumtree Creek (entire stream)
   Roaring Creek (entire stream)
   Rockhouse Creek (entire stream)
   Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
   South Harper Creek (entire stream)
   Webb Prong (entire stream)
   Wilson Creek [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]

(D) Buncombe County:
   Carter Creek (game land portion) [Catch and Release/Artificial Lures only Regulations apply. See Subparagraph (a)(3) of this Rule.]

(E) Burke County:
   All waters located on South Mountain State Park, except the main stream of Jacob Fork Between the mouth of Shiny Creek and the lower park boundary where Delayed Harvest Regulations apply, and Henry Fork and tributaries where Catch and Release/Artificial Lures Only Regulations apply. See Subparagraphs (a)(3) and (a)(5) of this Rule.
   Nettle Branch (game land portion)

(F) Caldwell County:
   Buffalo Creek (Watauga County line to Long Ridge Branch including tributaries on game lands)
   Joes Creek (Watauga County line to first falls upstream of the end of SR 1574)
   Rockhouse Creek (entire stream)

(G) Cherokee County:
   Bald Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
   Dockery Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
North Shoal Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

(H) Graham County:
Franks Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Little Buffalo Creek (entire stream)
South Fork Squally Creek (entire stream)
Squally Creek (entire stream)

(I) Haywood County
Hemphill Creek [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of the Rule.]
Hurricane Creek (including portions of tributaries on game lands) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

(J) Jackson County:
Buff Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Gage Creek (entire stream)
North Fork Scott Creek (entire stream)
Shoal Creek (Glenville Reservoir pipeline to mouth) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Tanasee Creek (entire stream)
West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville Lake) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Whitewater River (downstream from Silver Run Creek to South Carolina State line)

(K) Madison County:
Big Creek (headwaters to the lower game land boundary, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

(L) Mitchell County:
Green Creek (headwaters to Green Creek Bridge, except where posted against trespass)
Little Rock Creek (headwaters to Green Creek Bridge, including all tributaries, except where posted against trespass)
Wiles Creek (game land boundary to mouth)

(M) Transylvania County:
All waters located on Gorges State Park
Whitewater River (downstream from Silver Run Creek to South Carolina State line)

(N) Watauga County:
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries. Anglers must check in at the development security office on Tripplett Road prior to fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See Subparagraph (a)(3) of this Rule.]
Dutch Creek (headwaters to second bridge on SR 1134)
Howards Creek (headwaters to lower falls)
Laurel Creek (portions on Reynolds Blue Ridge Mountain developments, including tributaries. Anglers must check in at the development Reynolds Blue Ridge security office on Tripplett Road prior to fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See Subparagraph (a)(3) of this Rule.]
Pond Creek (headwaters to Locust Ridge Road bridge, excluding the pond adjacent to Coffee Lake) [Catch and Release/Artificial Lure Only Trout Waters Regulations. See Subparagraph (a)(3) of this Rule.]
Watauga River (Avery County line to steel bridge at Riverside Farm Road)
Winkler Creek (lower bridge on SR 1549 to confluence with South Fork New River)
(O) Wilkes County:
Big Sandy Creek (portion on Stone Mountain State Park)
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.
Anglers must check in at the development security office on Triplett Road prior to
fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See
Subparagraph (a)(3) of this Rule.]
Garden Creek (portion on Stone Mountain State Park)
Harris Creek and tributaries (portions on Stone Mountain State Park) [Catch and Release
Artificial Lures Only Regulations apply. See Subparagraph (a)(4) of this Rule.]
Widow Creek (portion on Stone Mountain State Park)

(P) Yancey County:
Cattail Creek (Bridge at Mountain Farm Community Road (Private) to NC 197 bridge)
Lickskillet Creek (entire stream)
Middle Creek (game land boundary to mouth)

(3) Catch and Release/Artificial Lures Only Trout Waters. Those portions of designated wild trout
waters as listed in this Subparagraph, including tributaries except as noted, are further classified as
Catch and Release/Artificial Lures Only waters. Only artificial lures having one single hook may
be used. No trout may be harvested or be in possession while fishing these streams:

(A) Ashe County:
Big Horse Creek (Virginia State line to Mud Creek at SR 1363 excluding tributaries)
Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game
Lands)

(B) Avery County:
Wilson Creek (game land portion)

(C) Buncombe County:
Carter Creek (game land portion)

(D) Burke County:
Henry Fork (portion on South Mountains State Park)

(E) Jackson County:
Flat Creek
Tuckasegee River (upstream of Clarke property)

(F) McDowell County:
Newberry Creek (game land portion)

(G) Watauga County:
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.
Anglers must check in at the development security office on Triplett Road prior to
fishing)
Laurel Creek (portions on Reynolds Blue Ridge development, and Powder Horn
Mountain developments, including tributaries. Anglers fishing the upper section of
Laurel Creek must check in at the development security office on Triplett Road prior to
fishing. Anglers fishing the lower section of Laurel Creek must access the creek
from the parking area on Powder Horn Mountain property adjacent to Laurel Creek on
Triplett Road.)
Pond Creek (headwaters to Locust Ridge bridge, excluding the pond adjacent to Coffee
Lake)

(H) Wilkes County:
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.
Anglers must check in at the development security office on Triplett Road prior to
fishing)
Harris Creek (portion on Stone Mountain State Park)

(4) Catch and Release/Artificial Flies Only Trout Waters. Those portions of designated wild trout
waters as listed in this Subparagraph, including tributaries except as noted, are further classified as
Catch and Release/Artificial Flies Only waters. Only artificial flies having one single hook may
be used. No trout may be harvested or be in possession while fishing these streams:

(A) Avery County:
Elk River (portion on Lees-McRae College property, excluding the millpond)
Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)
(B) Transylvania County:
  Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek and Grogan Creek)
(C) Yancey County:
  South Toe River (headwaters to Upper Creek, including tributaries)
  Upper Creek (entire stream)

(5) Delayed Harvest Trout Waters. Those portions of designated Hatchery Supported Trout Waters as listed in this Subparagraph, excluding tributaries except as noted, are further classified as Delayed Harvest Waters. Between 1 October and one-half hour after sunset on the Friday before the first Saturday of the following June, inclusive, it is unlawful to possess natural bait, use more than a single hook on an artificial lure, or harvest or possess trout while fishing these waters. These waters are closed to fishing between one-half hour after sunset on the Friday before the first Saturday in June and 6:00 a.m. on the first Saturday in June. At 6:00 a.m. on the first Saturday in June these waters are open for fishing under Hatchery Supported Waters rules for youth anglers only. Youth is defined as a person under 16 years of age. At 12:00 p.m. on the first Saturday in June these streams open for fishing under Hatchery Supported Waters rules for all anglers:

(A) Alleghany County:
  Little River (Whitehead to a point 275 yards downstream of the intersection of SR 1128 and SR 1129 as marked by a sign on each bank)

(B) Ashe County:
  Trout Lake
  Helton Creek (Virginia state line to New River)

(C) Burke County:
  Big Horse Creek (SR 1324 bridge to North Fork New River)

(D) Caldwell County:
  Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)

(E) Caldwell County:
  Wilson Creek (game lands portion downstream of Lost Cove Creek to Phillips Branch)

(F) Haywood County:
  West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)

(G) Jackson County:
  North Fork Mills River (game land portion below the Hendersonville watershed dam)

(H) Jackson County:
  Tuckasegee River (downstream NC 107 bridge falls located 275 yards upstream of the US 23-441 bridge as marked by a sign on each bank)

(I) Macon County:
  Nantahala River (Whiteoak Creek to the Nantahala hydropower discharge canal)

(J) Madison County.
  Big Laurel Creek (NC 208 bridge to the US 25-70 bridge)
  Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek)
  Spring Creek (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Avenue)

(K) McDowell County:
  Catawba River (portion adjacent to Marion Greenway)

(L) Mitchell County:
  Curtis Creek (game lands portion downstream of U.S. Forest Service boundary at Deep Branch
  Mill Creek (US70 bridge to I 40 bridge)

(M) Mitchell County:
  Cane Creek (NC 226 bridge to NC-80 SR 1278 bridge)
  North Toe River (US 19E bridge to NC 226 bridge)

(N) Polk County:
  Green River (Fishtop Falls Access Area to confluence with Cove Creek)

(M) Surry County:
  Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge below Kapps Mill Dam)

(L) Ararat River (NC 103 bridge to US 52 bridge)
Transylvania County:
- East Fork French Broad River (Glady Fork to French Broad River)
- Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)

Watauga County:
- Watauga River (adjacent to intersection of SR 1557 and SR 1558 to NC 105 bridge and SR 1114 bridge to NC 194 bridge at Valle Crucis)
- Coffee Lake

Wilkes County:
- East Prong Roaring River (from Bullhead Creek downstream to the Stone Mountain State Park lower boundary)
- Stone Mountain Creek (from falls at Allegheny County line to confluence with East Prong)
- Roaring River and Bullhead Creek in Stone Mountain State Park
- Reddies River (Town of North Wilkesboro water intake dam to confluence with Yadkin River)

**Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue Ridge development)**
- Elk Creek - lower (portion on Leatherwood Mountains development)

Wild Trout/Natural Bait Waters. Those portions of designated Wild Trout Waters as listed in this Subparagraph, including tributaries except as noted, are further classified as Wild Trout/Natural Bait Waters. All artificial lures and natural baits, except live fish, are allowed provided they are fished using only one single hook. The creel limit, size limit, and open season are the same as other Wild Trout Waters [see 15A NCAC 10C.0305(a)].

(A) Cherokee County:
- Bald Creek (game land portions)
- Dockey Creek (game land portions)
- North Shoal Creek (game land portions)

(B) Graham County:
- Deep Creek
- Long Creek (game land portion)
- Franks Creek

(C) Haywood County:
- Hemphill Creek (including tributaries)
- Hurricane Creek (including portions of tributaries on game lands)

(D) Jackson County:
- Buff Creek
- Chattooga River (SR 1100 bridge to South Carolina state line)
- (lower) Fowler Creek (game land portion)
- Scotsman Creek (game land portion)
- Shoal Creek (Glenville Reservoir pipeline to mouth)
- West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville Lake)

(E) Macon County:
- Chattooga River (SR 1100 bridge to South Carolina state line)
- Jarrett Creek (game land portion)
- Kimsey Creek
- Overflow Creek (game land portion)
- Park Creek
- Tellico Creek (game land portion)
- Turtle Pond Creek (game land portion)

(F) Madison County:
- Big Creek (headwaters to the lower game land boundary, including tributaries)

(G) Transylvania County:
- North Fork French Broad River (game land portions downstream of SR 1326)
- Thompson River (SR 1152 to South Carolina state line, except where posted against trespass, including portions of tributaries within this section located on game lands)
Special Regulation Trout Waters. Those portions of Designated Public Mountain Trout Waters as listed in this Subparagraph, excluding tributaries as noted, are further classified as Special Regulation Trout Waters. Regulations specific to each water are defined below:

Burke County
    Catawba River (Muddy Creek to City of Morganton water intake dam).
    Regulation: The daily creel limit is 7 trout and only one of which may be greater than 14 inches in length; no bait restrictions; no closed season.

(b) Fishing in Trout Waters

(1) Hatchery Supported Trout Waters. It is unlawful to take fish of any kind by any manner whatsoever from designated public mountain trout waters during the closed seasons for trout fishing. The seasons, size limits, creel limits and possession limits apply in all waters, whether designated or not, as public mountain trout waters. Except in power reservoirs and city water supply reservoirs so designated, it is unlawful to fish in designated public mountain trout waters with more than one line. Night fishing is not allowed in most hatchery supported trout waters on game lands [see 15A NCAC 10D .0104(b)(1)].

(2) Wild Trout Waters. Except as otherwise provided in Subparagraphs (a)(3), (a)(4), and (a)(6) of this Rule, the following rules apply to fishing in wild trout waters.

(A) Open Season. There is a year round open season for the licensed taking of trout.

(B) Creel Limit. The daily creel limit is four trout.

(C) Size Limit. The minimum size limit is seven inches.

(D) Manner of Taking. Only artificial lures having only one single hook may be used. No person shall possess natural bait while fishing wild trout waters except those waters listed in 15A NCAC 10C .0205(a)(6).

(E) Night Fishing. Fishing on wild trout waters is not allowed between one-half hour after sunset and one-half hour before sunrise.

History Note: Authority G.S. 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993; October 1, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2001;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2002 (approved by RRC) on 6/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
**15A NCAC 10C .0305 OPEN SEASONS: CREEL AND SIZE LIMITS**

(a) Generally. Subject to the exceptions listed in Paragraph (b) of this Rule, the open seasons and creel and size limits are as indicated in the following table:

<table>
<thead>
<tr>
<th>GAME FISHES</th>
<th>DAILY CREEL LIMITS</th>
<th>MINIMUM SIZE LIMITS</th>
<th>OPEN SEASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mountain Trout:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wild Trout</td>
<td>4</td>
<td>7 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Hatchery Supported</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trout (exc. 3)</td>
<td>7</td>
<td>None</td>
<td>All year, except</td>
</tr>
<tr>
<td>Waters and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undesignated Waters</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(exc. 3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Muskellunge</td>
<td>1</td>
<td>42 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Pickerel: Chain</td>
<td></td>
<td></td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>and Redfin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walleye</td>
<td>8</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>(exc. 9)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sauger</td>
<td>8</td>
<td>15 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Black Bass:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Largemouth</td>
<td>5</td>
<td>14 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Smallmouth</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and Spotted</td>
<td>(exc. 21&amp;26)</td>
<td>(exc. (8, 10&amp;21, 21&amp;26)) (exc. (17))</td>
<td></td>
</tr>
<tr>
<td>Smallmouth</td>
<td>5</td>
<td>12 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>and Spotted</td>
<td>(exc. 21)</td>
<td>(exc. (8, 10&amp;21))</td>
<td></td>
</tr>
<tr>
<td>Roanoke and Rock Bass</td>
<td>None</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>White Bass</td>
<td>25</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Sea Trout (Spotted)</td>
<td>10</td>
<td>14 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>or Speckled</td>
<td>(exc. 24)</td>
<td></td>
<td>(exc. 24)</td>
</tr>
<tr>
<td>Flounder</td>
<td>8</td>
<td>14 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Red drum (channel</td>
<td>1</td>
<td>18 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>bass, red fish,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>puppy drum</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Striped Bass and</td>
<td>8 aggregate</td>
<td>16 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>their hybrids</td>
<td>(exc. 1,2,5,6,11,13)</td>
<td>(exc. 1,2,5,6,11&amp;13)</td>
<td>(exc. 6,13&amp;15)</td>
</tr>
<tr>
<td>Shad: (American and</td>
<td>10 aggregate</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>hickory)</td>
<td>(exc. 22)</td>
<td></td>
<td>(exc. 18)</td>
</tr>
<tr>
<td>Kokanee Salmon</td>
<td>7</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Crappie and</td>
<td>None</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>sunfish</td>
<td>(exc. 4,12&amp;16)</td>
<td>(exc. (12))</td>
<td>(exc. (4))</td>
</tr>
<tr>
<td>NONGAME FISHES</td>
<td>None</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
</tbody>
</table>

(b) Exceptions

(1) In the Dan River upstream from its confluence with Bannister River to the Brantly Steam Plant Dam and in John H. Kerr Reservoir the creel limit on striped bass and Morone hybrids is two in the aggregate and the minimum size limit is 26 inches from October 1 through May 31. From June 1 through September 30 the daily creel limit on striped bass and Morone hybrids is four in the aggregate with no minimum size limit.

(2) In Lake Rhodhiss, Lake Hickory, and Lookout Shoals Reservoir, the creel limit on striped bass and Morone hybrids is four in the aggregate and the minimum size limit is 20 inches. In the Cape Fear River upstream of Buckhorn Dam and the Deep and Haw rivers to the first impoundment and in B.-Everett Jordan Reservoir, the creel limit on striped bass and Morone hybrids is four in the
aggregate and the minimum size limit is 20 inches. In Lake Gaston and Roanoke Rapids Reservoir the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum size limit of 20 inches from October 1 through May 31 and no minimum size limit from June 1 through September 30. In Lake Norman the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum size limit of 16 inches from October 1 through May 31 and no minimum size limit from June 1 through September 30.

(3) In designated public mountain trout waters the season for taking all species of fish is the same as the trout fishing season. There is no closed season on taking trout from Linville River within Linville Gorge Wilderness Area (including tributaries), Catawba River from Muddy Creek to the City of Morganton water intake dam, and the impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing.

(4) On Mattamuskeet Lake, special federal regulations apply.

(5) In the inland fishing waters of Neuse, Pungo and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95, subject to the exceptions listed in this Paragraph, the daily creel limit for striped bass and their hybrids is two fish in aggregate. The minimum length limit is 18 inches and no striped bass or striped bass hybrids between the lengths of 22 inches and 27 inches may be possessed. In these waters, the season for taking and possessing striped bass is closed from May 1 through September 30. In the inland fishing waters of the Cape Fear River and its tributaries, the season for taking and possessing striped bass is closed year-round. In the Pee Dee River and its tributaries from the South Carolina line upstream to Blewett Falls Dam, the season for taking and possessing striped bass and their hybrids is open year-round, the daily creel limit is three fish in aggregate and the minimum length limit is 18 inches.

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

(7) See 15A NCAC 10C .0407 for open seasons for taking nongame fishes by special devices.

(8) The maximum combined number of black bass of all species that may be retained per day is five fish, no more than two of which may be smaller than the applicable minimum size limit. The minimum size limit for all species of black bass is 14 inches, with no exception in Lake Luke Marion in Moore County, Reedy Creek Park lakes in Mecklenburg County, Lake Rim in Cumberland County, Lake Raleigh in Wake County, Randleman Reservoir in Randolph and Guilford counties, Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other public fishing waters east of Interstate 95 (except Tar River Reservoir in Nash County), South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery and Blewett Falls Lake. In and west of Madison, Buncombe, Henderson and Polk Counties and in designated public mountain trout waters the minimum size limit is 12 inches. In Canee Creek Lake in Union County, and Buckhorn Reservoir in Wilson and Nash counties the minimum size limit for largemouth bass is 16 inches, with no exception. In Lake Phelps and Shearon Harris Reservoir no black bass between 16 and 20 inches shall be possessed. In Lake Norman the minimum size limit for black bass is 14 inches. In Randleman Reservoir only one largemouth bass greater than 20 inches may be possessed.

(9) A minimum size limit of 15 inches applies to walleye taken from Lake James and its tributaries, and the daily creel limit for walleye is four fish in Linville River upstream from the NC 126 bridge above Lake James.

(10) The minimum size limit for all black bass, with no exception, is 18 inches in Lake Thom-A-Lex in Davidson County.
(11) In all impounded inland waters and their tributaries, except those waters described in Exceptions (1) and (4), the daily creel limit of striped bass and their hybrids may include not more than two fish of smaller size than the minimum size limit.

(12) A daily creel limit of 20 fish and a minimum size limit of 10 inches apply to crappie in B. Everett Jordan Reservoir and in the Roanoke River and its tributaries downstream of Roanoke Rapids Dam and in the Cashie, Middle, and Eastmost rivers and their tributaries. A daily creel limit of 20 fish and a minimum size limit of eight inches apply to crappie in the following waters: all public waters west of Interstate 77, South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery, and Blewett Falls Lake, Lake Norman, Lake Hyco, Lake Ramseur, Cane Creek Lake, Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other public fishing waters west of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and Roanoke River and tributaries below Roanoke Rapids Dam, as listed above. In Buckhorn Reservoir in Wilson and Nash counties a daily creel limit of 20 fish applies to crappie.

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

(14) Size and creel limits on regulated areas, including Community Fishing Areas, Public Fishing Areas, and other cooperatively managed public waters. In waters that are stocked and managed for catfish and located on game lands, on other Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take channel, white, or blue catfish (fork-tail catfish) by means other than hook and line; the daily creel limit for fork-tail catfish is six fish in aggregate. Waters to which this creel limit applies shall be posted at each area, as specified in 15A NCAC 10E .0103.

(15) The Executive Director may, by proclamation, suspend or extend the hook-and-line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

(16) In Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, the daily creel limit for sunfish is 30 in aggregate, no more than 12 of which shall be redbreast sunfish.

(17) In Sutton Lake, no largemouth bass shall be possessed from December 1 through March 31.

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

(19) No red drum greater than 27 inches in length may be possessed.

(20) No person shall take or possess herring (alewife and blueback) that are greater than six inches in length from the inland fishing waters of coastal rivers and their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam, Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other inland fishing waters east of Interstate 95.

(21) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) no black bass between 14 and 20 inches in length shall be possessed and only one black bass greater than 20 inches may be possessed in the daily creel limit. No minimum size limit applies to black bass less than 14 inches in length in this section of New River.

(22) In the inland waters of Roanoke River and its tributaries, the daily creel limit for American and hickory shad is 10 in aggregate, only one of which may be an American shad. In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American shad may be possessed.
(23) In Lake Norman and Badin Lake the daily creel limit for blue catfish greater than 32 inches in length is one fish.

(24) In all public fishing waters east of Interstate 77, the minimum length for Roanoke and rock bass is 8 inches and the daily creel limit is two fish in aggregate.

(25) In inland fishing waters the minimum length for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.

(26) In Lake Cammack in Alamance County and Lake Holt in Granville County the daily creel limit for largemouth bass is 10 fish and no more than two fish greater than 14 inches may be possessed.

History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Eff. February 1, 1976;
Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;
Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;
Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;
Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;
Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;
Temporary Amendment Eff. November 1, 1998;
Amended Eff. April 1, 1999;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2001;
Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent amendment effective July 1, 2002 and approved by RRC in May 2001];
Amended Eff. August 1, 2002 (approved by RRC in April 2002);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE

(a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line or grabbling. Nongame fishes may be taken by hook and line or grabbling at any time without restriction as to size limits or creel limits, with the following exceptions:

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

(2) No person shall take or possess herring (alewife and blueback) that are greater than six inches in length from the inland fishing waters of coastal rivers and their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam, Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek, and in all other inland fishing waters east of Interstate 95.

(3) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman, Mountain Island Reservoir, and Lake Wylie, Lake Wyllie and Lake Tillery, except that one fish per day may be taken by bow and arrow.

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

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

(6) The minimum size limit for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.

(b) The season for taking nongame fishes by other hook and line methods in designated public mountain trout waters is the same as the trout fishing season.

(c) Nongame fishes, except alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties), blue crab, and bowfin, taken by hook and line, grabbling or by licensed special devices may be sold. Eels less than six inches in length may not be taken from inland waters for any purpose.

(d) Freshwater mussels, including the Asiatic clam (Corbicula fluminea), may only be taken from impounded waters, except mussels shall not be taken in Lake Waccamaw and in University Lake in Orange County. It is unlawful to possess more than 200 freshwater mussels.

(e) Size and creel limits as set in this Rule on regulated areas, including Community Fishing Areas, Public Fishing Areas, and other cooperatively managed public waters, In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means other than hook and line; the daily creel limit for forked tail catfish is six fish in aggregate. Waters to which this creel limit applies shall be posted at each area, as specified in 15A NCAC 10E .0103.

(f) In Lake Norman and Badin Lake, the daily creel limit for blue catfish greater than 32 inches is one fish.

History Note: Authority G.S. 113-134; 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;
Temporary Amendment Eff. December 1, 1994;
Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;
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. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
15A NCAC 10C .0404 SPECIAL DEVICE FISHING

(a) Bow and Arrow. The use of bow [as defined in 15A NCAC 10B .0116(a)] and arrow as a licensed special device is authorized for taking nongame fishes at any time from all inland fishing waters other than impounded waters located on the Sandhills Game Land and designated public mountain trout waters. Unless specifically prohibited, bow and arrow may be used in joint fishing waters. It is unlawful to take fish with crossbow and arrow in any inland fishing waters.

(b) Nets. Where authorized, manually operated nets, including seines and bow, cast, dip, gill, drift and fyke nets may be used under the special device fishing license. No fixed gill net or other stationary net which may be authorized as a special fishing device may be more than 100 yards in length, nor shall any such net be placed within 50 yards of any other fixed net. Fixed nets must be set so that they run parallel to the nearest shoreline. No anchored or fixed gill net or drift net shall be used unless such net is marked for the protection of boat operators. A net shall be deemed so marked when there is attached to it at each end two separate yellow buoys which shall be of solid foam or other solid buoyant material no less than five inches in its smallest dimensions. The owner shall be identified on a buoy on each end either by using engraved buoys or by attaching engraved metal or plastic tags to the buoys. Such identification shall include one of the following:

(1) owner's N.C. motor boat registration number;
(2) owner's U.S. vessel documentation name; or
(3) owner's last name and initials.

It is unlawful to attach gill nets to any wire, rope, or similar device extended across any navigable watercourse.

(c) Traps. Baskets and traps, excluding collapsible crab traps, may be used under the special device fishing license. Such devices when set and left unattended shall be affixed with a card or tag furnished by the license holder and upon which his name and address shall be legibly and indelibly inscribed. No fish trap may exceed 60 inches in length or 30 inches in depth or width. No lead nets, wing nets, or other device designed to guide or herd fish may be attached to the trap or used or set within 25 feet of the trap.

(d) Spears. Manually operated gigs or under-water spear or harpoon guns may be used under the special fishing device license in the inland waters having a season for their use specified in Rule .0407 of this Section.

(e) Crab pots. It is unlawful to use crab pots in inland fishing waters, except by persons owning property adjacent to the inland fishing waters of coastal rivers and their tributaries who are permitted to set two crab pots to be attached to their property and not subject to special device license requirements.

(f) Eel pots. It is unlawful to use pots with mesh sizes smaller than one inch by one-half inch unless such pots contain an escape panel that is at least four inches square with a mesh size of one inch by one-half inch located in the outside panel of the upper chamber of rectangular pots and in the rear portion of cylindrical pots. Each pot must be marked by attaching a floating buoy which shall be of solid foam or other solid buoyant material and no less than five inches in diameter and no less than five inches in length. Buoys may be of any color except yellow. The owner shall be identified on the attached buoy by using engraved buoys or by engraved metal or plastic tags attached to the buoy. Such identification shall include one of the following:

(1) owner's N.C. motorboat registration number;
(2) owner's U.S. vessel documentation name; or
(3) owner's last name and initials.

(g) Hand-crank electrofisher. For the purposes of this rule, a hand-crank electrofisher is any manually-operated device which is capable of generating a low voltage electrical current not exceeding 300 volts for the taking of catfish. Hand-crank electrofishers may be used only where authorized by local law and only in those waters specified in 15A NCAC 10C .0407.

History Note: Authority G.S. 113-134; 113-272.2; 113-276; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1999; July 1, 1996; December 1, 1995; July 1, 1995; July 1, 1994; July 1, 1993;
Temporary Amendment Effective July 1, 2001;
Amended Eff. May 1, 2008; May 1, 2007; August 1, 2004; July 18, 2002.
The following waters have been designated as primary nursery areas:

1. **North River:**
   - (a) Broad Creek - Camden County - Entire stream;
   - (b) Deep Creek - Currituck County - Entire stream;
   - (c) Lutz Creek - Currituck County - Entire stream.

2. **Alligator River:**
   - (a) East Lake - Dare County - Inland waters portion;
   - (b) Little Alligator River - Tyrrell County - Entire stream.

3. **Currituck Sound:**
   - (a) Martin Point Creek - Dare County - Entire stream (Jean Guite Creek);
   - (b) Tull Creek and Bay - Currituck County - Tull Bay to mouth of Northwest River; Tull Creek from mouth upstream to SR 1222 bridge.

4. **Pamlico River:**
   - (a) Duck Creek - Beaufort County - Entire stream;
   - (b) Bath Creek - Beaufort County - Entire stream;
   - (c) Mixons Creek - Beaufort County - Entire stream;
   - (d) Porter Creek - Beaufort County - Entire stream;
   - (e) Tooleys Creek - Beaufort County - Entire stream;
   - (f) Jacobs Creek - Beaufort County - Entire stream;
   - (g) Jacks Creek - Beaufort County - Entire stream;
   - (h) Bond Creek - Beaufort County - Entire stream;
   - (i) Muddy Creek - Beaufort County - Entire stream;
   - (j) Strawhorn Creek - Beaufort County - Entire stream.

5. **Neuse River:**
   - (a) Slocum Creek - Craven County - Entire stream;
   - (b) Hancock Creek - Craven County - Entire stream;
   - (c) Core Creek - Craven County - Entire stream;
   - (d) Pinetree Creek - Craven County - Entire stream;
   - (e) Green’s Thorofare - Craven County - Entire stream;
   - (f) Grinnel Creek - Pitt and Craven Counties - Entire stream;
   - (g) Little Swift Creek - Craven County - Entire stream;
   - (h) Turkey Quarter Creek - Craven County - Entire stream;
   - (i) Village Creek - Craven County - Entire stream;
   - (j) Taylor Creek - Craven County - Entire stream;
   - (k) Unnamed Tributary (Kidney Creek) - Craven County - Entire stream (35° 18.014'N – 77° 17.407'W);
   - (l) Unnamed Tributary – Craven County – Entire Stream (35° 15.464'N – 77° 13.681'W);

6. **New River:**
   - (a) French Creek - Onslow County - Entire stream;
   - (b) New River - Onslow County - US Highway 17 bridge to NC 24/US 258 bridge.

7. **Roanoke River:**
   - Halifax and Northampton counties - US 258 bridge to Roanoke Rapids dam.

8. **Tar-Pamlico River:**
   - Nash, Edgecombe, Pitt and Beaufort counties - N&S railroad at Washington upstream to Rocky Mount Mills Dam.

9. **Neuse River:**
   - Wake, Johnston, Wayne, Lenoir, Pitt and Craven counties - Pitchkettle Creek upstream to Millburg Dam.

10. **Cape Fear River:**
    - Chatham, Lee, Harnett, Cumberland and Bladen counties - Lock and Dam No. 1 upstream to Buckhorn Dam.

11. **Smith Creek – New Hanover County – Entire stream.**
White Oak River: Onslow and Jones counties – Grants Creek upstream to Gibson Bridge Road (SR 1118).

Northeast Cape Fear River: Pender County – NC 210 bridge upstream to NC 53 bridge.

**History Note:** Authority G.S. 113-132; 113-134; Eff. August 1, 1990; Amended Eff. May 1, 2008; November 1, 2007; August 1, 2004; July 1, 2000; July 1, 1993.
15A NCAC 10E .0104 USE OF AREAS REGULATED

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

(b) No person shall possess a loaded firearm on any public fishing or boating access area except that a handgun may be carried concealed by an individual with a valid concealed handgun permit. The individual carrying a concealed 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. No person shall operate a vehicle on any public fishing or boating access area in a manner so as to endanger life or property.

(c) No person, when using any public fishing or boating access area, shall deposit any debris or refuse anywhere on the grounds of the area. No person, when using any public fishing or boating access area, shall do any act which is prohibited or neglect to do any act which 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. At any time when all designated parking zones on any public fishing or boating access area are fully occupied, any person may enter and use such facilities, provided such person makes other arrangements for parking and violates none of the provisions of this Rule or the signs or markings made or posted pursuant hereto.

(d) 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 at greater than "no wake" speed. For the purpose of this Rule, "no wake" speed shall mean idling speed or a slow speed creating no appreciable wake.

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

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

(g) Size and creel regulations for game and nongame fishes that differ from the general statewide regulations shall be posted at public fishing areas, Community Fishing Program waters, and other cooperatively managed public waters.

(h) It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or boating access areas without prior written authorization of the Wildlife Resources Commission. For the purpose of enforcing 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.

History Note: Authority G.S. 113-134; 113-264; 75A-14;
Eff. February 1, 1976;
Amended Eff. August 1, 2010; May 1, 2009; July 1, 1995; February 1, 1994; September 1, 1992; July 1, 1991.
EXHIBIT D
July 7, 2011

PROPOSED CHANGES IN FISHING REGULATIONS FOR 2012-2013 RECOMMENDED BY AGENCY STAFF FOR PUBLIC NOTICE AND PRESENTATION AT NINE PUBLIC HEARINGS

District Hearings

Trout
1) Cedar Cliff Lake (Jackson County) - Classify this 146-acre lake as Hatchery-Supported Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)

2) Catawba River (McDowell County) - Classify 0.6 miles of this stream as Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)

3) Elk Creek (Wilkes County) - Classify 1.5 miles of this stream as Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 11 and 16)

4) Shawneehaw Creek (Avery County) - Classify 0.5 miles of this stream as Wild Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 12)

5) Laurel Creek (Watauga County) - Classify 0.3 miles of this stream as Catch and Release/Artificial Lures Only Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 13 and 14)

6) Little River (Alleghany County) - Reclassify the upper 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)

7) Big Horse Creek (Ashe County) - Reclassify the lower 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)

8) Elk Creek (Watauga) - Clarify the boundaries of the Hatchery-Supported Trout Waters section of this stream adding approximately 2.0 miles.
   Amend the following rule:
   15A NCAC 10C .0205 Public Mountain Trout Waters (page 11)
9) North Toe River (Avery County) - Divide the Hatchery-Supported Trout Waters on this stream into an upper and lower section and remove 10.1 miles of this stream from the Public Mountain Trout Waters.

Amend the following rule:
15A NCAC 10C .0205 Public Mountain Trout Waters (page 6)

10) Long Creek (Graham County) - Remove 4.2 miles of this stream from Public Mountain trout Waters.

Amend the following rule:
15A NCAC 10C .0205 Public Mountain Trout Waters (page 7)

11) Little Hungry River (Henderson County) - Remove 5.9 miles of this stream from Public Mountain Trout Waters.

Amend the following rule:
15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)

12) Little Creek (Madison County) - Remove 2.0 miles of this stream from Public Mountain Trout Waters.

Amend the following rule:
15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)

13) Mill Creek (Madison County) - Remove 2.4 miles of this stream from Public Mountain Trout Waters, and reclassify the section on Game Lands as Wild Trout Waters.

Amend the following rule:
15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)

14) Cane Creek (Mitchell County) - Remove 2.7 miles of this stream from Public Mountain Trout Waters.

Amend the following rule:
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)

15) French Broad River (Transylvania County) - Remove 10.3 miles of this stream from Public Mountain Trout Waters.

Amend the following rule:
15A NCAC 10C .0205 Public Mountain Trout Waters (page 10)

**Striped Bass**

1) Establish a 4-fish creel limit and a 20-inch size limit on striped bass in lakes Rhodhiss, Hickory, and Lookout Shoals.

Amend the following rule:
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 18)

2) Increase the minimum size limit for striped bass and hybrid striped bass in B. Everett Jordan Reservoir from 20 to 24 inches.

Amend the following rule:
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)
**Black Bass**

1) Establish a statewide 14-inch, 5-fish limit for black bass in aggregate, allowing 2 undersized fish to be harvested.

*Amend the following rule:*
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 19)

2) Remove the exception to the statewide black bass length limit for District 9 waters and Public Mountain Trout Waters.

*Amend the following rule:*
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)

3) Establish a 10-fish daily creel limit of which no more than two fish greater than 14 inches may be possessed in Lake Cammack (Alamance County) and Lake Holt (Granville County).

*Amend the following rule:*
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 21)

4) Establish a maximum size limit for largemouth bass in Randleman Reservoir where only one fish greater than 20 inches can be retained in the 5-fish daily creel and establish a 2-fish exception to the minimum size limit such that 2 fish within the 5-fish daily creel can be less than 14 inches.

*Amend the following rule:*
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)

**American Shad**

1) Reduce the possession limit of American shad to 1 fish per day within the aggregate daily creel of 10 fish for American and hickory shad in inland fishing waters and tributaries of the Neuse River.

*Amend the following rule:*
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20)

**Catfish**

1) Clarify that channel, white, or blue catfish may only be taken legally by hook and line and the daily creel limit is six fish in aggregate in waters that are stocked and managed for catfish and located on game lands, on other Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program. The effected water bodies will be identified by posting instead of being listed in the NCAC.

*Amend the following rules:*
15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20);
15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22);
15A NCAC 10E .0104 Use of Areas Regulated (page 26)

**Other**

1) Add Lake Tillery to the list of reservoirs where possession of grass carp is prohibited except those legally taken with bow and arrow.

*Amend the following rule:*
15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22)
2) Allow the take of nongame fishes with crossbow and arrow from all inland fishing waters other than impounded waters located on the Sandhills Game Land and designated public mountain trout waters.
Amend the following rule:
15A NCAC 10C .0404 Special Device Fishing (page 23)

3) Classify eleven tributaries to the Neuse River, one tributary to the Pamlico River, and one tributary to the Cape Fear River as inland primary nursery areas.
Amend the following rule:
15A NCAC 10C .0503 Descriptive Boundaries (page 24)

4) Allow individuals who possess a valid concealed handgun permit to carry that handgun concealed on public fishing and boating access areas.
Amend the following rule:
15A NCAC 10E .0104 Use of Areas Regulated (page 26)
15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS

(a) Designation of Public Mountain Trout Waters. For the purposes of this Rule, artificial lure is defined as a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell. Natural bait is defined as any living or dead organism (plant or animal), or parts thereof, or prepared substances designed to attract fish by the sense of taste or smell. The waters listed herein or in 15A NCAC 10D .0104 are designated as Public Mountain Trout Waters and further classified as Wild Trout Waters or Hatchery Supported Waters. For specific classifications, see Subparagraphs (1) through (6) of this Paragraph. These waters are posted and lists thereof are filed with the clerks of superior court of the counties in which they are located:

(1) Hatchery Supported Trout Waters. The listed waters in the counties in Subparagraphs (a)(1)(A) through (Y) are classified as Hatchery Supported Public Mountain Trout Waters. Where specific watercourses or impoundments are listed, indentation indicates that the watercourse or impoundment listed is tributary to the next preceding watercourse or impoundment listed and not so indented. This classification applies to the entire watercourse or impoundment listed except as otherwise indicated in parentheses following the listing. Other clarifying information may also be included parenthetically. The tributaries of listed watercourses or impoundments are not included in the classification unless specifically set out therein.

(A) Alleghany County:

New River (not trout water)

   Little River (Whitehead to McCann Dam) [Delayed Harvest Regulations apply to portion between Whitehead and a point 275 yards downstream of the intersection of SR 1128 and SR 1129 as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]
   
   Brush Creek (except where posted against trespass)
   Big Pine Creek
   (Big) Glade Creek
   Bledsoe Creek
   Pine Swamp Creek
   South Fork New River (not trout water)
   Prather Creek
   Cranberry Creek
   Piney Fork
   Meadow Fork

Yadkin River (not trout water)

   Roaring River (not trout water)
   East Prong Roaring River (that portion on Stone Mountain State Park) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

(B) Ashe County:

New River (not trout waters)

   North Fork New River (Watauga County line to Sharp Dam)
   Helton Creek (Virginia State line to New River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
   Big Horse Creek (Mud Creek at SR 1363 to confluence with North Fork New River) [Delayed Harvest Regulations apply to portion between SR 1324 bridge and North Fork New River. See Subparagraph (a)(5) of this Rule.]
   Buffalo Creek (headwaters to junction of NC 194-88 and SR 1131)
   Big Laurel Creek
   Three Top Creek (portion not on game lands)

South Fork New River (not trout waters)

   Cranberry Creek (Alleghany County line to South Fork New River)
   Nathans Creek
   Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)
   Trout Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
   Roan Creek
   Beaver Creek
   Pine Swamp Creek (all forks)
Old Fields Creek
Mill Creek (except where posted against trespass)

(C)  Avery County:
Nolichucky River (not trout waters)
North Toe River [headwaters to Mitchell County line, upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park), except where posted against trespass]
North Toe River, lower (Sr 1164 to Mitchell Co. line, except where posted against trespass)

Squirrel Creek
Elk River (SR 1305 crossing immediately upstream of Big Falls to the Tennessee State line, including portions of tributaries on game lands)
Wildcat Lake
Catawba River (not trout water)
Johns River (not trout water)
Wilson Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
Lost Cove Creek [not Hatchery Supported trout water, see Subparagraph (a)(4) of this Rule.]
Buck Timber Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
Cary Flat Branch [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
Boye Coffey Lake
Linville River [Land Harbor line (below dam) to Blue Ridge Parkway boundary line, except where posted against trespass]
Milltimber Creek

(D)  Buncombe County:
French Broad River (not trout water)
Ivy Creek (Ivy River) (Dillingham Creek to US 19-23 bridge)
Dillingham Creek (Corner Rock Creek to Ivy Creek)
Stony Creek
Corner Rock Creek (including tributaries, except Walker Branch)
Reems Creek (Sugar Camp Fork to US 19-23 bridge, except where posted against trespass)
Swannanoa River (SR 2702 bridge near Ridgecrest to Wood Avenue Bridge, intersection of NC 81W and US 74A in Asheville, except where posted against trespass)
Bent Creek (headwaters to N.C. Arboretum boundary line, including portions of tributaries on game lands)
Lake Powhatan
Cane Creek (headwaters to SR 3138 bridge)

(E)  Burke County:
Catawba River (Muddy Creek to the City of Morgantown water intake dam) [Special Regulations apply. See Subparagraph (a)(7) of this Rule.]
South Fork Catawba River (not trout water)
Henry Fork (lower South Mountains State Park line downstream to SR 1919 at Ivy Creek)
Jacob Fork (Shinny Creek to lower South Mountain State Park boundary) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
Johns River (not trout water)
Parks Creek (portion on game lands not trout water)
Carroll Creek (game lands portion above SR 1405 including tributaries)
Linville River (portion within Linville Gorge Wilderness Area, including tributaries, and portion below Lake James powerhouse from upstream bridge on SR 1223 to Muddy Creek)
(F) Caldwell County:
- Catawba River (not trout water)
- Johns River (not trout water)
  - Wilson Creek (game lands portion downstream of Lost Cove Creek to Brown Mountain Beach dam, except where posted against trespass)
  - [Delayed Harvest Regulations apply to game lands portion between Lost Cove Creek and Phillips Branch. See Subparagraph (a)(5) of this Rule.]
  - Estes Mill Creek (not trout water)
  - Mulberry Creek (portion not on game lands not trout water)
  - Boone Fork [not Hatchery Supported trout water. See Subparagraph (a)(2) of this Rule.]
  - Boone Fork Pond
- Yadkin River (Happy Valley Ruritan Community Park to SR 1515)
  - Buffalo Creek (mouth of Joes Creek to McCloud Branch)
  - Joes Creek (first falls upstream of SR 1574 to confluence with Buffalo Creek)

(G) Cherokee County:
- Hiwassee River (not trout water)
  - Shuler Creek (Joe Brown Highway (SR 1325) bridge to Tennessee line)
  - Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
  - Valley River (headwaters to US 19 business bridge in Murphy)
  - Hyatt Creek (including portions of tributaries on game lands)
  - Junaluska Creek (Ashturn Creek to Valley River, including portions of tributaries on game lands)

(H) Clay County:
- Hiwassee River (not trout water)
  - Fires Creek (foot bridge in the US Forest Service Fires Creek Picnic Area to SR 1300)
  - Tusquitee Creek (headwaters to lower SR 1300 bridge)
  - Nantahala River (not trout water)
  - Buck Creek (game land portion downstream of US 64 bridge)

(I) Graham County:
- Little Tennessee River (not trout water)
  - Calderwood Reservoir (Cheoah Dam to Tennessee State line)
  - Cheoah River (not trout water)
  - Yellow Creek
  - Santeetlah Reservoir (not trout water)
    - West Buffalo Creek
    - Little Buffalo Creek
  - Santeetlah Creek (Johns Branch to mouth including portions of tributaries within this section located on game lands, excluding Johns Branch and Little Santeetlah Creek)
  - (Big) Snowbird Creek (old railroad junction to SR 1127 bridge, including portions of tributaries on game lands)
  - Mountain Creek (game lands boundary to SR 1138 bridge)
  - Long Creek (portion not on game lands)
  - Tulula Creek (headwaters to lower bridge on SR 1275)

  Cheoah Reservoir
  Fontana Reservoir (not trout water)
  Stecoah Creek
  Panther Creek (including portions of tributaries on game lands)

(J) Haywood County:
- Pigeon River (Stamey Cove Branch to upstream US 19-23 bridge)
  - Cold Springs Creek (including portions of tributaries on game lands)
  - Jonathan Creek (upstream SR 1302 bridge to Pigeon River, except where posted against trespass)
  - Richland Creek (Russ Avenue (US 276) bridge to US 23-74 bridge)
West Fork Pigeon River (Tom Creek to the first game land boundary upstream of Lake Logan) [Delayed Harvest Regulations apply to the portion from Queen Creek to the first game land boundary upstream of Lake Logan. See Subparagraph (a)(5) of this Rule.]

(K) Henderson County:
- (Rocky) Broad River (Rocky River Lane to Rutherford County line)
- Green River - upper (mouth of Joe Creek to mouth of Bobs Creek)
- Green River - lower (Lake Summit Dam to I-26 bridge)
- (Big) Hungry River

French Broad River (not trout water)
- Cane Creek (SR 1551 bridge to US 25 bridge)
- Mud Creek (not trout water)
- Clear Creek (SR 1591 bridge at Jack Mountain Lane to SR 1582)
- Mills River (not trout water)
- North Fork Mills River (game lands portion below the Hendersonville watershed dam). [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

(L) Jackson County:
- Tuckasegee River (confluence with West Fork Tuckasegee River to SR 1534 bridge at Wilmot) [Delayed Harvest Regulations apply to that portion between the downstream NC 107 bridge and the falls located 275 yards upstreams of US 23-441 bridge as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]
- Scott Creek (entire stream, except where posted against trespass)
- Dark Ridge Creek (Jones Creek to Scotts Creek)
- Savannah Creek (Headwaters to Bradley's Packing House on NC 116)
- Greens Creek (Greens Creek Baptist Church on SR 1730 to Savannah Creek)
- Cullowhee Creek (Tilley Creek to Tuckasegee River)
- Cedar Cliff Lake
- Bear Creek Lake
- Wolf Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
- Wolf Creek Lake
- Balsam Lake
- Tanasee Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
- Tanasee Creek Lake

(M) Macon County:
- Little Tennessee River (not trout water)
- Nantahala River (Nantahala Dam to Swain County line) [Delayed Harvest Regulations apply to the portion from Whiteoak Creek to the Nantahala hydropower discharge canal. See Subparagraph (a)(5) of this Rule.]
- Queens Creek Lake
- Burningtown Creek (including portions of tributaries on game lands)
- Cullasaja River Sequoyah Dam to US 64 bridge near junction of SR 1672, including portions of tributaries on game lands, excluding those portions of Buck Creek and Turtle Pond Creek on game lands. [Wild Trout Regulations apply. See Subparagraphs (a)(2) and (a)(6) of this Rule.]
- Skitty Creek
- Cliffside Lake
- Cartoogechaye Creek (downstream US 64 bridge to Little Tennessee River)

(N) Madison County:
- French Broad River (not trout water)
- Shut-In Creek (including portions of tributaries on game lands)
- Spring Creek upper (junction of NC 209 and NC 63 to US Forest Service road 223)
Spring Creek-lower (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Avenue) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Meadow Fork Creek

Roaring Fork (including portions of tributaries on game lands)

Little Creek

Max Patch Pond

Big Laurel Creek (Mars Hill Watershed boundary to the SR 1318 bridge, also known as Big Laurel Road bridge, downstream of Bearpen Branch)

Big Laurel Creek (NC 208 bridge to US 25-70 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Spillcorn Creek (entire stream, excluding tributaries)

Shelton Laurel Creek (confluence of Big Creek and Mill Creek to NC 208 bridge at Belva)

Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Mill Creek (headwaters to confluence with Big Creek)

Puncheon Fork (Hampton Creek to Big Laurel Creek)

Big Pine Creek (SR 1151 bridge to French Broad River)

Ivy Creek (not trout waters)

Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence with Ivy Creek at Forks of Ivy)

(O) McDowell County:

Catawba River - upper (Catawba Falls Campground to Old Fort Recreation Park)

Catawba River - lower (portion adjacent to Marion Greenway) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

Buck Creek (portion not on game lands, not trout water)

Little Buck Creek (game land portion including portions of tributaries on game lands)

Curtis Creek game lands portion downstream of US Forest Service boundary at Deep Branch. [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

North Fork Catawba River (headwaters to SR 1569 bridge)

Armstrong Creek (Cato Holler line downstream to upper Greenlee line)

Mill Creek (upper railroad bridge to I 40 bridge, except where posted against trespass) [Delayed Harvest Regulations apply to that portion between US 70 bridge and I 40 bridge. See Subparagraph (a)(5) of this Rule.]

(P) Mitchell County:

Nolichucky River (not trout water)

Big Rock Creek (headwaters to NC 226 bridge at SR 1307 intersection)

Little Rock Creek (Green Creek Bridge to Big Rock Creek, except where posted against trespass)

Cane Creek (SR 1219 to NC 226 bridge)

Cane Creek (NC 226 bridge to NC 80 bridge (SR 1219 to SR 1278 bridge) [Delayed Harvest Regulations apply to that portion from NC 226 bridge to SR 1278 bridge. See Subparagraph (a)(5) of this Rule.]

Grassy Creek (East Fork Grassy Creek to mouth)

East Fork Grassy Creek

North Toe River (Avery County line to SR 1121 bridge)

North Toe River (US 19E bridge to NC 226 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

(Q) Polk County:

Broad River (not trout water)

North Pacolet River (Joels Creek to NC 108 bridge)
Green River (Fishtop Falls Access Area to the natural gas pipeline crossing) [Delayed Harvest Regulations apply to the portion from Fishtop Falls Access Area to Cove Creek. See Subparagraph (a)(5) of this Rule.]

(R) Rutherford County:
(R) Rocky Broad River (Henderson County line to US 64/74 bridge, except where posted against trespass)

(S) Stokes County:
(S) Dan River (Virginia State line downstream to a point 200 yards below the end of SR 1421)

(T) Surry County:
(T) Yadkin River (not trout water)
(T) Ararat River (SR 1727 bridge downstream to the NC 103 bridge)
(T) Araat River (NC 103 bridge to US 52 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
(T) Stewarts Creek (not trout water)
(T) Pauls Creek (Virginia State line to 0.3 mile below SR 1625 bridge - lower Caudle property line)
(T) Fisher River (Cooper Creek) (Virginia State line to Interstate 77)
(T) Little Fisher River (Virginia State line to NC 89 bridge)
(T) Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge below Kapps Mill Dam) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

(U) Swain County:
(U) Little Tennessee River (not trout water)
(U) Calderwood Reservoir (Cheoah Dam to Tennessee State line)
(U) Cheoah Reservoir
(U) Fontana Reservoir (not trout water)
(U) Alarka Creek (game lands boundary to Fontana Reservoir)
(U) Nantahala River (Macon County line to existing Fontana Reservoir water level)
(U) Tuckasegee River (not trout water)
(U) Deep Creek (Great Smoky Mountains National Park boundary line to Tuckasegee River)
(U) Connelly Creek (including portions of tributaries on game lands)

(V) Transylvania County:
(V) French Broad River (confluence of west and north forks to US 276 bridge) (confluence of North Fork French Broad River and West Fork French Broad River to the Island Ford Road (SR 1110) Access Area)
(V) Davidson River (Avery Creek to lower US Forest Service boundary line)
(V) East Fork French Broad River (Glady Fork to French Broad River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
(V) Little River (confluence of Lake Dense outflow to 100 yards downstream of Hooker Falls) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
(V) Middle Fork French Broad River
(V) West Fork French Broad River (SR 1312 and SR 1309 intersection to junction of west and north forks, including portions of tributaries within this section located on game lands)

(W) Watauga County:
(W) New River (not trout waters)
(W) North Fork New River (from confluence with Maine and Mine branches to Ashe County line)
(W) Maine Branch (headwaters to North Fork New River)
(W) South New Fork River (not trout water)
(W) Meat Camp Creek
(W) Norris Fork Creek
(W) Howard Creek (downstream from lower falls)
Middle Fork New River (Lake Chetola Dam to South Fork New River)
Yadkin River (not trout water)
Stony Fork (headwaters to Wilkes County line)
Elk Creek (headwaters to gravel pit on SR 1508 (SR 1510 bridge at Tripplet to
Wilkes County line, except where posted against trespass)
Watauga River (adjacent to the intersection of SR 1557 and SR 1558 to NC 105
bridge and SR 1114 bridge to NC 194 bridge at Valle Crucis). [Delayed Harvest
Regulations apply. See Subparagraph (a)(5) of this Rule.]
Buckeye Creek
Buckeye Creek Reservoir
Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
Coffee Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of
this Rule.]
Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek
to an unnamed tributary adjacent to the intersection of SR 1201 and SR 1203)
Laurel Creek
Cove Creek (SR 1233 bridge at Zionville to SR 1233 bridge at Amantha)
Dutch Creek (second bridge on SR 1134 to mouth)
(X) Wilkes County:
Yadkin River (not trout water)
Roaring River (not trout water)
East Prong Roaring River (Bullhead Creek to Brewer's Mill on SR 1943)
[Delayed Harvest Regulations apply to portion on Stone Mountain State
Park. See Subparagraph (a)(5) of this Rule.]
Stone Mountain Creek [Delayed Harvest Regulations apply. See
Subparagraph (a)(5) of this Rule.]
Middle Prong Roaring River (headwaters to second bridge on SR 1736)
Bell Branch Pond
Boundary Line Pond
West Prong Roaring River (not trout waters)
Pike Creek
Pike Creek Pond
Cub Creek (0.5 miles upstream of SR 2460 bridge to SR 1001 bridge)
Reddies River (Town of North Wilkesboro water intake dam to confluence with
Yadkin River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of
this Rule.]
Middle Fork Reddies River (Clear Prong) (headwaters to bridge on SR
1580)
South Fork Reddies River (headwaters to confluence with Middle Fork
Reddies River)
North Fork Reddies River (Vannoy Creek) (headwaters to Union
School bridge on SR 1559)
Darnell Creek (North Prong Reddies River) (downstream ford on
SR 1569 to confluence with North Fork Reddies River)
Lewis Fork Creek (not trout water)
South Prong Lewis Fork (headwaters to Lewis Fork Baptist Church)
Fall Creek (except portions posted against trespass)
Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue
Ridge development) [Delayed Harvest Regulations apply. See Subparagraph
(a)(5) of this Rule.]
Elk Creek - lower (portion on Leatherwood Mountains development) [Delayed
Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
(Y) Yancey County:
Nolichucky River (not trout water)
Cane River [Bee Branch (SR 1110) to Bowizens Creek]
Bald Mountain Creek (except portions posted against trespass)
Indian Creek (not trout water)
Price Creek (junction of SR 1120 and SR 1121 to Indian Creek)
North Toe River (not trout water)
South Toe River (Clear Creek to lower boundary line of Yancey County recreation park except where posted against trespass)

(2) Wild Trout Waters. All waters designated as Public Mountain Trout Waters on the game lands listed in Subparagraph (b)(2) of 15A NCAC 10D .0104, are classified as Wild Trout Waters unless specifically classified otherwise in Subparagraph (a)(1) of this Rule. The trout waters listed in this Subparagraph are also classified as Wild Trout Waters.

(A) Alleghany County:
Big Sandy Creek (portion on Stone Mountain State Park)
Stone Mountain Creek (that portion on Stone Mountain State Park)

(B) Ashe County:
Big Horse Creek (Virginia State Line to Mud Creek at SR 1363) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game Land) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]

(C) Avery County:
Birchfield Creek (entire stream)
Cow Camp Creek (entire stream)
Cranberry Creek (headwaters to US 19E/NC 194 bridge)
Elk Hollow Branch (entire stream)
Elk River (portion on Lees-McRae College property, excluding the millpond) [Catch and Release/Artificial Flies Only Regulations apply. See Subparagraph (a)(4) of this Rule.]
Gragg Prong (entire stream)
Horse Creek (entire stream)
Jones Creek (entire stream)
Kentucky Creek (entire stream)
North Harper Creek (entire stream)
Plumtree Creek (entire stream)
Roaring Creek (entire stream)
Rockhouse Creek (entire stream)
Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
South Harper Creek (entire stream)
Webb Prong (entire stream)
Wilson Creek [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]

(D) Buncombe County:
Carter Creek (game land portion) [Catch and Release/Artificial Lures only Regulations apply. See Subparagraph (a)(3) of this Rule.]

(E) Burke County:
All waters located on South Mountain State Park, except the main stream of Jacob Fork Between the mouth of Shinny Creek and the lower park boundary where Delayed Harvest Regulations apply, and Henry Fork and tributaries where Catch and Release/Artificial Lures Only Regulations apply. See Subparagraphs (a)(3) and (a)(5) of this Rule.
Nettle Branch (game land portion)

(F) Caldwell County:
Buffalo Creek (Watauga County line to Long Ridge Branch including tributaries on game lands)
Joes Creek (Watauga County line to first falls upstream of the end of SR 1574)
Rockhouse Creek (entire stream)

(G) Cherokee County:
Bald Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Dockery Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
North Shoal Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

(H) Graham County:
Franks Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Little Buffalo Creek (entire stream)
South Fork Squally Creek (entire stream)
Squally Creek (entire stream)

(I) Haywood County
Hemphill Creek [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of the Rule.]
Hurricane Creek (including portions of tributaries on game lands) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

(J) Jackson County:
Buff Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Gage Creek (entire stream)
North Fork Scott Creek (entire stream)
Shoal Creek (Glenville Reservoir pipeline to mouth) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Tanasee Creek (entire stream)
West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville Lake) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
Whitewater River (downstream from Silver Run Creek to South Carolina State line)

(K) Madison County:
Big Creek (headwaters to the lower game land boundary, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

(L) Mitchell County:
Green Creek (headwaters to Green Creek Bridge, except where posted against trespass)
Little Rock Creek (headwaters to Green Creek Bridge, including all tributaries, except where posted against trespass)
Wiles Creek (game land boundary to mouth)

(M) Transylvania County:
All waters located on Gorges State Park

(N) Watauga County:
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries. Anglers must check in at the development security office on Tripplett Road prior to fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See Subparagraph (a)(3) of this Rule.]
Dutch Creek (headwaters to second bridge on SR 1134)
Howards Creek (headwaters to lower falls)
Laurel Creek (portions on Reynolds Blue Ridge Mountain developments, including tributaries. Anglers fishing the upper section of Laurel Creek must check in at the development Reynolds Blue Ridge security office on Tripplett Road prior to fishing. Anglers fishing the lower section of Laurel Creek must access the creek from the parking area on Powder Horn Mountain property adjacent to Laurel Creek on Tripplett Road.) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See subparagraph (a)(3) of this Rule.]
Pond Creek (headwaters to Locust Ridge Road bridge, excluding the pond adjacent to Coffee Lake) [Catch and Release/Artificial Lure Only Trout Waters Regulations Apply. See Subparagraph (a)(3) of this Rule.]
Watauga River (Avery County line to steel bridge at Riverside Farm Road)
Winkler Creek (lower bridge on SR 1549 to confluence with South Fork New River)
(O) Wilkes County:
Big Sandy Creek (portion on Stone Mountain State Park)
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries. Anglers must check in at the development security office on Triplett Road prior to fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See Subparagraph (a)(3) of this Rule.]
Garden Creek (portion on Stone Mountain State Park)
Harris Creek and tributaries (portions on Stone Mountain State Park) [Catch and Release Artificial Lures Only Regulations apply. See Subparagraph (a)(4) of this Rule.]
Widow Creek (portion on Stone Mountain State Park)

(P) Yancey County:
Cattail Creek (Bridge at Mountain Farm Community Road (Private) to NC 197 bridge)
Lickskillet Creek (entire stream)
Middle Creek (game land boundary to mouth)

(3) Catch and Release/Artificial Lures Only Trout Waters. Those portions of designated wild trout waters as listed in this Subparagraph, including tributaries except as noted, are further classified as Catch and Release/Artificial Lures Only waters. Only artificial lures having one single hook may be used. No trout may be harvested or be in possession while fishing these streams:

(A) Ashe County:
Big Horse Creek (Virginia State line to Mud Creek at SR 1363 excluding tributaries)
Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game Lands)

(B) Avery County:
Wilson Creek (game land portion)

(C) Buncombe County:
Carter Creek (game land portion)

(D) Burke County:
Henry Fork (portion on South Mountains State Park)

(E) Jackson County:
Flat Creek
Tuckasegee River (upstream of Clarke property)

(F) McDowell County:
Newberry Creek (game land portion)

(G) Watauga County:
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries. Anglers must check in at the development security office on Triplett Road prior to fishing)
Laurel Creek (portions on Reynolds Blue Ridge development, and Powder Horn Mountain developments, including tributaries. Anglers fishing the upper section of Laurel Creek must check in at the development security office on Triplett Road prior to fishing. Anglers fishing the lower section of Laurel Creek must access the creek from the parking area on Powder Horn Mountain property adjacent to Laurel Creek on Triplett Road.)
Pond Creek (headwaters to Locust Ridge bridge, excluding the pond adjacent to Coffee Lake)

(H) Wilkes County:
Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries. Anglers must check in at the development security office on Triplett Road prior to fishing)
Harris Creek (portion on Stone Mountain State Park)

(4) Catch and Release/Artificial Flies Only Trout Waters. Those portions of designated wild trout waters as listed in this Subparagraph, including tributaries except as noted, are further classified as Catch and Release/Artificial Flies Only waters. Only artificial flies having one single hook may be used. No trout may be harvested or be in possession while fishing these streams:

(A) Avery County:
Elk River (portion on Lees-McRae College property, excluding the millpond)
Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)
(B) Transylvania County:
   Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass
   Creek
   and Grogan Creek)

(C) Yancey County:
   South Toe River (headwaters to Upper Creek, including tributaries)
   Upper Creek (entire stream)

(5) Delayed Harvest Trout Waters. Those portions of designated Hatchery Supported Trout Waters as
   listed in this Subparagraph, excluding tributaries except as noted, are further classified as Delayed
   Harvest Waters. Between 1 October and one-half hour after sunset on the Friday before the first
   Saturday of the following June, inclusive, it is unlawful to possess natural bait, use more than a
   single hook on an artificial lure, or harvest or possess trout while fishing these waters. These
   waters are closed to fishing between one-half hour after sunset on the Friday before the first
   Saturday in June and 6:00 a.m. on the first Saturday in June. At 6:00 a.m. on the first Saturday in
   June these waters are open for fishing under Hatchery Supported Waters rules for youth anglers
   only. Youth is defined as a person under 16 years of age. At 12:00 p.m. on the first Saturday in
   June these streams open for fishing under Hatchery Supported Waters rules for all anglers:

(A) Alleghany County:
   Little River (Whitehead to a point 275 yards downstream of the intersection of SR 1128
   and SR 1129 as marked by a sign on each bank)

(A)(B) Ashe County:
   Trout Lake
   Helton Creek (Virginia state line to New River)
   Big Horse Creek (SR 1324 bridge to North Fork New River)

(B)(C) Burke County:
   Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)

(C)(D) Caldwell County:
   Wilson Creek (game lands portion downstream of Lost Cove Creek to Phillips Branch)

(D)(E) Haywood County:
   West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake
   Logan)

(E)(F) Henderson County:
   North Fork Mills River (game land portion below the Hendersonville watershed dam)

(F)(G) Jackson County:
   Tuckasegee River (downstream NC 107 bridge falls located 275 yards upstream of the
   US 23-441 bridge as marked by a sign on each bank)

(G)(H) Macon County:
   Nantahala River (Whiteoak Creek to the Nantahala hydropower discharge canal)

(H)(I) Madison County:
   Big Laurel Creek (NC 208 bridge to the US 25-70 bridge)
   Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek)
   Spring Creek (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews
   Avenue

(I)(J) McDowell County:
   Catawba River (portion adjacent to Marion Greenway)
   Curtis Creek (game lands portion downstream of U.S. Forest Service boundary at Deep
   Branch
   Mill Creek (US70 bridge to I 40 bridge)

(J)(K) Mitchell County:
   Cane Creek (NC 226 bridge to NC 80 SR 1278 bridge)
   North Toe River (US 19E bridge to NC 226 bridge)

(K)(L) Polk County:
   Green River (Fishtop Falls Access Area to confluence with Cove Creek)

(L)(M) Surry County:
   Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge below
   Kapps Mill Dam)
   Ararat River (NC 103 bridge to US 52 bridge)
Transylvania County:
- East Fork French Broad River (Glady Fork to French Broad River)
- Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)

Watauga County:
- Watauga River (adjacent to intersection of SR 1557 and SR 1558 to NC 105 bridge and SR 1114 bridge to NC 194 bridge at Valle Crucis)
- Coffee Lake

Wilkes County:
- East Prong Roaring River (from Bullhead Creek downstream to the Stone Mountain State Park lower boundary)
- Stone Mountain Creek (from falls at Allegheny County line to confluence with East Prong)
- Roaring River and Bullhead Creek in Stone Mountain State Park
- Reddies River (Town of North Wilkesboro water intake dam to confluence with Yadkin River)
- Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue Ridge development)
- Elk Creek - lower (portion on Leatherwood Mountains development)

Wild Trout/Natural Bait Waters. Those portions of designated Wild Trout Waters as listed in this Subparagraph, including tributaries except as noted, are further classified as Wild Trout/Natural Bait Waters. All artificial lures and natural baits, except live fish, are allowed provided they are fished using only one single hook. The creel limit, size limit, and open season are the same as other Wild Trout Waters [see 15A NCAC 10C .0305(a)].

Cherokee County:
- Bald Creek (game land portions)
- Dockery Creek (game land portions)
- North Shoal Creek (game land portions)

Graham County:
- Deep Creek
- Long Creek (game land portion)
- Franks Creek

Haywood County:
- Hemphill Creek (including tributaries)
- Hurricane Creek (including portions of tributaries on game lands)

Jackson County:
- Buff Creek
- Chattooga River (SR 1100 bridge to South Carolina state line)
- (lower) Fowler Creek (game land portion)
- Scotsman Creek (game land portion)
- Shoal Creek (Glenville Reservoir pipeline to mouth)
- West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville Lake)

Macon County:
- Chattooga River (SR 1100 bridge to South Carolina state line)
- Jarrett Creek (game land portion)
- Kimsey Creek
- Overflow Creek (game land portion)
- Park Creek
- Tellico Creek (game land portion)
- Turtle Pond Creek (game land portion)

Madison County:
- Big Creek (headwaters to the lower game land boundary, including tributaries)

Transylvania County:
- North Fork French Broad River (game land portions downstream of SR 1326)
- Thompson River (SR 1152 to South Carolina state line, except where posted against trespass,
including portions of tributaries within this section located on game lands)
(7) Special Regulation Trout Waters. Those portions of Designated Public Mountain Trout Waters as listed in this Subparagraph, excluding tributaries as noted, are further classified as Special Regulation Trout Waters. Regulations specific to each water are defined below:

Burke County
Catawba River (Muddy Creek to City of Morganton water intake dam).
Regulation: The daily creel limit is 7 trout and only one of which may be greater than 14 inches in length; no bait restrictions; no closed season.

(b) Fishing in Trout Waters
(1) Hatchery Supported Trout Waters. It is unlawful to take fish of any kind by any manner whatsoever from designated public mountain trout waters during the closed seasons for trout fishing. The seasons, size limits, creel limits and possession limits apply in all waters, whether designated or not, as public mountain trout waters. Except in power reservoirs and city water supply reservoirs so designated, it is unlawful to fish in designated public mountain trout waters with more than one line. Night fishing is not allowed in most hatchery supported trout waters on game lands [see 15A NCAC 10D .0104(b)(1)].

(2) Wild Trout Waters. Except as otherwise provided in Subparagraphs (a)(3), (a)(4), and (a)(6) of this Rule, the following rules apply to fishing in wild trout waters.
(A) Open Season. There is a year round open season for the licensed taking of trout.
(B) Creel Limit. The daily creel limit is four trout.
(C) Size Limit. The minimum size limit is seven inches.
(D) Manner of Taking. Only artificial lures having only one single hook may be used. No person shall possess natural bait while fishing wild trout waters except those waters listed in 15A NCAC 10C .0205(a)(6).
(E) Night Fishing. Fishing on wild trout waters is not allowed between one-half hour after sunset and one-half hour before sunrise.

History Note: Authority G.S. 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993; October 1, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2001;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2002 (approved by RRC) on 6/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17 2003);
Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
**OPEN SEASONS: CREEL AND SIZE LIMITS**

(a) Generally. Subject to the exceptions listed in Paragraph (b) of this Rule, the open seasons and creel and size limits are as indicated in the following table:

<table>
<thead>
<tr>
<th>GAME FISHES</th>
<th>DAILY CREEL LIMITS</th>
<th>MINIMUM SIZE LIMITS</th>
<th>OPEN SEASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mountain Trout:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wild Trout Waters</td>
<td>4</td>
<td>7 in. (exc. (3))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Hatchery Supported Trout Waters and undesignated waters</td>
<td>7</td>
<td>None (exc. (3))</td>
<td>March 1 to 7:00 a.m. on first Saturday in April (exc. (3))</td>
</tr>
<tr>
<td>Muskellunge</td>
<td>1</td>
<td>42 in. (exc. (3))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Pickerel: Chain and Redfin</td>
<td>None</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Walleye</td>
<td>8</td>
<td>None (exc. (9))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Sauger</td>
<td>8</td>
<td>15 in. (exc. (9))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Black Bass:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Largemouth Smallmouth and Spotted</td>
<td>5</td>
<td>14 in. (exc. (8,10,21,26,21,26)) (exc. (17))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Smallmouth and Spotted</td>
<td>5</td>
<td>12 in. (exc. (8,10,21,26))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Roanoke and Rock Bass</td>
<td>None</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>White Bass</td>
<td>25</td>
<td>None (exc. (24))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Sea Trout (Spotted or Speckled)</td>
<td>10</td>
<td>14 in. (exc. (24))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Flounder</td>
<td>8</td>
<td>14 in.</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Red drum (channel bass, red fish, puppy drum)</td>
<td>1</td>
<td>18 in. (exc. (19))</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Striped Bass and their hybrids (Morone Hybrids)</td>
<td>8 aggregate</td>
<td>16 in. (exc. 1,2,5,6,11,13)</td>
<td>ALL YEAR (exc. 1,2,5,6,11,13 &amp;13) (exc. 6,13 &amp;15)</td>
</tr>
<tr>
<td>Shad: (American and hickory)</td>
<td>10 aggregate</td>
<td>None</td>
<td>ALL YEAR (exc. 22)</td>
</tr>
<tr>
<td>Kokanee Salmon</td>
<td>7</td>
<td>None</td>
<td>ALL YEAR</td>
</tr>
<tr>
<td>Crappie and sunfish</td>
<td>None</td>
<td>None</td>
<td>ALL YEAR (exc. 4,12,16) (exc. (12))</td>
</tr>
<tr>
<td>NONGAME FISHES</td>
<td>None</td>
<td>None</td>
<td>ALL YEAR (exc 14,20,23,25)</td>
</tr>
</tbody>
</table>

(b) Exceptions

(1) In the Dan River upstream from its confluence with Bannister River to the Brantly Steam Plant Dam and in John H. Kerr Reservoir the creel limit on striped bass and Morone hybrids is two in the aggregate and the minimum size limit is 26 inches from October 1 through May 31. From June 1 through September 30 the daily creel limit on striped bass and Morone hybrids is four in the aggregate with no minimum size limit.

(2) In Lake Rhodhiss, Lake Hickory, and Lookout Shoals Reservoir, the creel limit on striped bass and Morone hybrids is four in the aggregate and the minimum size limit is 20 inches. In the Cape Fear River upstream of Buckhorn Dam and the Deep and Haw rivers to the first impoundment and in B.-Everett Jordan Reservoir, the creel limit on striped bass and Morone hybrids is four in the aggregate and the minimum size limit is 20 inches.
aggregate and the minimum size limit is 18 inches. In Lake Gaston and Roanoke Rapids Reservoir the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum size limit of 20 inches from October 1 through May 31 and no minimum size limit from June 1 through September 30. In Lake Norman the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum size limit of 16 inches from October 1 through May 31 and no minimum size limit from June 1 through September 30.

(3) In designated public mountain trout waters the season for taking all species of fish is the same as the trout fishing season. There is no closed season on taking trout from Linville River within Linville Gorge Wilderness Area (including tributaries), Catawba River from Muddy Creek to the City of Morganton water intake dam, and the impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing.

(4) On Mattamuskeet Lake, special federal regulations apply.

(5) In the inland fishing waters of Neuse, Pungo and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95, subject to the exceptions listed in this Paragraph, the daily creel limit for striped bass and their hybrids is two fish in aggregate. The minimum length limit is 18 inches and no striped bass or striped bass hybrids between the lengths of 22 inches and 27 inches may be possessed. In these waters, the season for taking and possessing striped bass is closed from May 1 through September 30. In the inland fishing waters of the Cape Fear River and its tributaries, the season for taking and possessing striped bass is closed year-round. In the Pee Dee River and its tributaries from the South Carolina line upstream to Blewett Falls Dam, the season for taking and possessing striped bass and their hybrids is open year-round, the daily creel limit is three fish in aggregate and the minimum length limit is 18 inches. In the inland joint fishing waters as defined in 15A NCAC 10C .0107(1)(e) of the Roanoke River Striped Bass Management Area, which includes the Roanoke, Cashie, Middle and Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and their hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season the daily creel limit for striped bass and their hybrids is two fish in aggregate, the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be retained in the daily creel limit. Only one fish larger than 27 inches may be retained in the daily creel limit.

(6) See 15A NCAC 10C .0407 for open seasons for taking nongame fishes by special devices.

(7) The maximum combined number of black bass of all species that may be retained per day is five fish, no more than two of which may be smaller than the applicable minimum size limit. The minimum size limit for all species of black bass is 14 inches, with no exception in Lake Luke Marion in Moore County, Reedy Creek Park lakes in Mecklenburg County, Lake Rim in Cumberland County, Lake Raleigh in Wake County, Randleman Reservoir in Randolph and Guilford counties, Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other public fishing waters east of Interstate 95 (except Tar River Reservoir in Nash County), South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery and Blewett Falls Lake. In and west of Madison, Buncombe, Henderson and Polk Counties and in designated public mountain trout waters the minimum size limit is 12 inches. In Canek Creek Lake in Union County, and Buckhorn Reservoir in Wilson and Nash counties the minimum size limit for largemouth bass is 16 inches, with no exception. In Lake Phelps and Shearon Harris Reservoir no black bass between 16 and 20 inches shall be possessed. In Lake Norman the minimum size limit for black bass is 14 inches. In Randleman Reservoir only one largemouth bass greater than 20 inches may be possessed.

(8) A minimum size limit of 15 inches applies to walleye taken from Lake James and its tributaries, and the daily creel limit for walleye is four fish in Linville River upstream from the NC 126 bridge above Lake James.

(9) The minimum size limit for all black bass, with no exception, is 18 inches in Lake Thom-A-Lex in Davidson County.
(11) In all impounded inland waters and their tributaries, except those waters described in Exceptions (1) and (4), the daily creel limit of striped bass and their hybrids may include not more than two fish of smaller size than the minimum size limit.

(12) A daily creel limit of 20 fish and a minimum size limit of 10 inches apply to crappie in B. Everett Jordan Reservoir and in the Roanoke River and its tributaries downstream of Roanoke Rapids Dam and in the Cashie, Middle, and Eastmost rivers and their tributaries. A daily creel limit of 20 fish and a minimum size limit of eight inches apply to crappie in the following waters: all public waters west of Interstate 77, South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery, and Blewett Falls Lake, Lake Norman, Lake Hyco, Lake Ramseur, Cane Creek Lake, Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and Roanoke River and tributaries below Roanoke Rapids dam, as listed above. In Buckhorn Reservoir in Wilson and Nash counties a daily creel limit of 20 fish applies to crappie.

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

(14) Size and creel limits on regulated areas, including Community Fishing Areas, Public Fishing Areas, and other cooperatively managed public waters. In waters that are stocked and managed for catfish and located on game lands, on other Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means other than hook and line; the daily creel limit for forked tail catfish is six fish in aggregate. Waters to which this creel limit applies shall be posted, as specified in 15A NCAC 10E .0103.

(15) The Executive Director may, by proclamation, suspend or extend the hook-and-line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

(16) In Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, the daily creel limit for sunfish is 30 in aggregate, no more than 12 of which shall be redbreast sunfish.

(17) In Sutton Lake, no largemouth bass shall be possessed from December 1 through March 31.

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

(19) No red drum greater than 27 inches in length may be possessed.

(20) No person shall take or possess herring (alewife and blueback) that are greater than six inches in length from the inland fishing waters of coastal rivers and their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam, Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other inland fishing waters east of Interstate 95.

(21) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) no black bass between 14 and 20 inches in length shall be possessed and only one black bass greater than 20 inches may be possessed in the daily creel limit. No minimum size limit applies to black bass less than 14 inches in length in this section of New River.

(22) In the inland waters of Roanoke River and its tributaries, the daily creel limit for American and hickory shad is 10 in aggregate, only one of which may be an American shad. In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American shad may be possessed.
(23) In Lake Norman and Badin Lake the daily creel limit for blue catfish greater than 32 inches in length is one fish.

(24) In all public fishing waters east of Interstate 77, the minimum length for Roanoke and rock bass is 8 inches and the daily creel limit is two fish in aggregate.

(25) In inland fishing waters the minimum length for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.

(26) In Lake Cammack in Alamance County and Lake Holt in Granville County the daily creel limit for largemouth bass is 10 fish and no more than two fish greater than 14 inches may be possessed.

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

Eff. February 1, 1976;

Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;

Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;

Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;

Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;

Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;

Temporary Amendment Eff. November 1, 1998;

Amended Eff. April 1, 1999;

Temporary Amendment Eff. July 1, 1999;

Amended Eff. July 1, 2000;

Temporary Amendment Eff. July 1, 2001;

Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent amendment effective July 1, 2002 and approved by RRC in May 2001];

Amended Eff. August 1, 2002 (approved by RRC in April 2002);

Temporary Amendment Eff. June 1, 2003;

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

Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
15A NCAC 10C .0401  MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE

(a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line or grabbling. Nongame fishes may be taken by hook and line or grabbling at any time without restriction as to size limits or creel limits, with the following exceptions:

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

(2) No person shall take or possess herring (alewife and blueback) that are greater than six inches in length from the inland fishing waters of coastal rivers and their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam, Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek, and in all other inland fishing waters east of Interstate 95.

(3) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman, Mountain Island Reservoir, and Lake Wylie, except that one fish per day may be taken by bow and arrow.

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

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

(6) The minimum size limit for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.

(b) The season for taking nongame fishes by other hook and line methods in designated public mountain trout waters is the same as the trout fishing season.

(c) Nongame fishes, except alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties), blue crab, and bowfin, taken by hook and line, grabbling or by licensed special devices may be sold. Eels less than six inches in length may not be taken from inland waters for any purpose.

(d) Freshwater mussels, including the Asiatic clam (Corbicula fluminea), may only be taken from impounded waters, except mussels shall not be taken in Lake Waccamaw and in University Lake in Orange County. It is unlawful to possess more than 200 freshwater mussels.

(e) Size and creel limits as set in this Rule on regulated areas, including Community Fishing Areas, Public Fishing Areas, and other cooperatively managed public waters. In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means other than hook and line; the daily creel limit for forked tail catfish is six fish in aggregate. Waters to which this creel limit applies shall be posted at each area, as specified in 15A NCAC 10E.0103.

(f) In Lake Norman and Badin Lake, the daily creel limit for blue catfish greater than 32 inches is one fish.

History Note: Authority G.S. 113-134; 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;
Temporary Amendment Eff. December 1, 1994;
Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;
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. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
15A NCAC 10C .0404 SPECIAL DEVICE FISHING

(a) Bow and Arrow. The use of bow [as defined in 15A NCAC 10B .0116(a)] and arrow as a licensed special device is authorized for taking nongame fishes at any time from all inland fishing waters other than impounded waters located on the Sandhills Game Land and designated public mountain trout waters. Unless specifically prohibited, bow and arrow may be used in joint fishing waters. **It is unlawful to take fish with crossbow and arrow in any inland fishing waters.**

(b) Nets. Where authorized, manually operated nets, including seines and bow, cast, dip, gill, drift and fyke nets may be used under the special device fishing license. No fixed gill net or other stationary net which may be authorized as a special fishing device may be more than 100 yards in length, nor shall any such net be placed within 50 yards of any other fixed net. Fixed nets must be set so that they run parallel to the nearest shoreline. No anchored or fixed gill net or drift net shall be used unless such net is marked for the protection of boat operators. A net shall be deemed so marked when there is attached to it at each end two separate yellow buoys which shall be of solid foam or other solid buoyant material no less than five inches in its smallest dimensions. The owner shall be identified on a buoy on each end either by using engraved buoys or by attaching engraved metal or plastic tags to the buoys. Such identification shall include one of the following:

1. owner's N.C. motor boat registration number;
2. owner's U.S. vessel documentation name;
3. owner's last name and initials.

It is unlawful to attach gill nets to any wire, rope, or similar device extended across any navigable watercourse.

(c) Traps. Baskets and traps, excluding collapsible crab traps, may be used under the special device fishing license. Such devices when set and left unattended shall be affixed with a card or tag furnished by the license holder and upon which his name and address shall be legibly and indelibly inscribed. No fish trap may exceed 60 inches in length or 30 inches in depth or width. No lead nets, wing nets, or other device designed to guide or herd fish may be attached to the trap or used or set within 25 feet of the trap.

(d) Spears. Manually operated gigs or under-water spear or harpoon guns may be used under the special fishing device license in the inland waters having a season for their use specified in Rule .0407 of this Section.

(e) Crab pots. It is unlawful to use crab pots in inland fishing waters, except by persons owning property adjacent to the inland fishing waters of coastal rivers and their tributaries who are permitted to set two crab pots to be attached to their property and not subject to special device license requirements.

(f) Eel pots. It is unlawful to use pots with mesh sizes smaller than one inch by one-half inch unless such pots contain an escape panel that is at least four inches square with a mesh size of one inch by one-half inch located in the outside panel of the upper chamber of rectangular pots and in the rear portion of cylindrical pots. Each pot must be marked by attaching a floating buoy which shall be of solid foam or other solid buoyant material and no less than five inches in diameter and no less than five inches in length. Buoys may be of any color except yellow. The owner shall be identified on the attached buoy by using engraved buoys or by engraved metal or plastic tags attached to the buoy. Such identification shall include one of the following:

1. owner's N.C. motorboat registration number;
2. owner's U.S. vessel documentation name;
3. owner's last name and initials.

(g) Hand-crank electrofisher. For the purposes of this rule, a hand-crank electrofisher is any manually-operated device which is capable of generating a low voltage electrical current not exceeding 300 volts for the taking of catfish. Hand-crank electrofishers may be used only where authorized by local law and only in those waters specified in 15A NCAC 10C .0407.

**History Note:** Authority G.S. 113-134; 113-272.2; 113-276; 113-292;

Eff. February 1, 1976;

Amended Eff. July 1, 1999; July 1, 1996; December 1, 1995; July 1, 1995; July 1, 1994; July 1, 1993;

Temporary Amendment Effective July 1, 2001;

Amended Eff. May 1, 2008; May 1, 2007; August 1, 2004; July 18, 2002.
The following waters have been designated as primary nursery areas:

(1) **North River:**
   a. Broad Creek - Camden County - Entire stream;
   b. Deep Creek - Currituck County - Entire stream;
   c. Lutz Creek - Currituck County - Entire stream.

(2) **Alligator River:**
   a. East Lake - Dare County - Inland waters portion;
   b. Little Alligator River - Tyrrell County - Entire stream.

(3) **Currituck Sound:**
   a. Martin Point Creek - Dare County - Entire stream (Jean Guite Creek);
   b. Tull Creek and Bay - Currituck County - Tull Bay to mouth of Northwest River; Tull Creek from mouth upstream to SR 1222 bridge.

(4) **Pamlico River:**
   a. Duck Creek - Beaufort County - Entire stream;
   b. Bath Creek - Beaufort County - Entire stream;
   c. Mixons Creek - Beaufort County - Entire stream;
   d. Porter Creek - Beaufort County - Entire stream;
   e. Tooleys Creek - Beaufort County - Entire stream;
   f. Jacobs Creek - Beaufort County - Entire stream;
   g. Jacks Creek - Beaufort County - Entire stream;
   h. Bond Creek - Beaufort County - Entire stream;
   i. Muddy Creek - Beaufort County - Entire stream;
   j. Strawhorn Creek - Beaufort County - Entire stream;
   k. South Prong Wright Creek - Beaufort County - Entire stream;
   l. Jordan Creek - Beaufort County - Entire stream.

(5) **Neuse River:**
   a. Slocum Creek - Craven County - Entire stream;
   b. Hancock Creek - Craven County - Entire stream;
   c. Core Creek – Craven County – Entire stream;
   d. Pinetree Creek – Craven County – Entire stream;
   e. Green’s Thorofare – Craven County – Entire stream;
   f. Grinnel Creek – Pitt and Craven Counties – Entire stream;
   g. Little Swift Creek – Craven County – Entire stream;
   h. Turkey Quarter Creek – Craven County – Entire stream;
   i. Village Creek – Craven County – Entire stream;
   j. Taylor Creek – Craven County – Entire stream;
   k. Unnamed Tributary (Kidney Creek) – Craven County – Entire stream (35° 18.014’N 77° 17.407’W);
   l. Unnamed Tributary – Craven County – Entire Stream (35° 15.464’N – 77° 13.681’W);

(6) **New River:**
   a. French Creek - Onslow County - Entire stream;

(7) **Roanoke River:**
    Halifax and Northampton counties - US 258 bridge to Roanoke Rapids dam.

(8) **Tar-Pamlico River:**
    Nash, Edgecombe, Pitt and Beaufort counties - N&S railroad at Washington upstream to Rocky Mount Mills Dam.

(9) **Neuse River:**
    Wake, Johnston, Wayne, Lenoir, Pitt and Craven counties - Pitchkettle Creek upstream to Millburnie Dam.

(10) **Cape Fear River:**
     Chatham, Lee, Harnett, Cumberland and Bladen counties - Lock and Dam No. 1 upstream to Buckhorn Dam.

   a. Smith Creek – New Hanover County – Entire stream.

(11) **Albemarle Sound:**
    Peter Mashoes Creek – Dare County – Entire Stream.

(12) **Croatan Sound:**
    Spencer Creek – Dare County – Entire Stream.
(13) White Oak River: Onslow and Jones counties – Grants Creek upstream to Gibson Bridge Road (SR 1118).

(14) Northeast Cape Fear River: Pender County – NC 210 bridge upstream to NC 53 bridge.

History Note: Authority G.S. 113-132; 113-134;
Eff. August 1, 1990;
Amended Eff. May 1, 2008; November 1, 2007; August 1, 2004; July 1, 2000; July 1, 1993.
15A NCAC 10E .0104 USE OF AREAS REGULATED

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

(b) No person shall possess a loaded firearm on any public fishing or boating access area, except that a handgun may be carried concealed by an individual with a valid concealed handgun permit. The individual carrying a concealed 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. No person shall operate a vehicle on any public fishing or boating access area in a manner so as to endanger life or property.

(c) No person, when using any public fishing or boating access area, shall deposit any debris or refuse anywhere on the grounds of the area. No person, when using any public fishing or boating access area, shall do any act which is prohibited or neglect to do any act which 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. At any time when all designated parking zones on any public fishing or boating access area are fully occupied, any person may enter and use such facilities, provided such person makes other arrangements for parking and violates none of the provisions of this Rule or the signs or markings made or posted pursuant hereto.

(d) 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 at greater than "no wake" speed. For the purpose of this Rule, "no wake" speed shall mean idling speed or a slow speed creating no appreciable wake.

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

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

(g) Size and creel regulations for game and nongame fishes that differ from the general statewide regulations shall be posted at public fishing areas, Community Fishing Program waters, and other cooperatively managed public waters.

(h) It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or boating access areas without prior written authorization of the Wildlife Resources Commission. For the purpose of enforcing 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.

History Note: Authority G.S. 113-134; 113-264; 75A-14;
Eff. February 1, 1976;
Amended Eff. August 1, 2010; May 1, 2009; July 1, 1995; February 1, 1994; September 1, 1992; July 1, 1991.
## EXHIBIT E

July 7, 2011

POTENTIAL LAND ACQUISITION PROJECTS

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<th>ITEM</th>
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<td>Halifax</td>
<td>NA-Donation</td>
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<tr>
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<td>FIA-Daniel Whitaker tract</td>
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<td>TOTALS</td>
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</tbody>
</table>
Date: 04/26/2011

Tract Name: FIA – Daniel Whitaker West

Acreage: 7+/- acres

County: Halifax County

Advertised Purchase Amount: NA- Donation

Based on Appraisal: _____ Yes _____ No

Contact: John M. Crump, Michael D. Neal & Associates, Inc. – Land Manager for Forest Investment Associates (FIA)

Address: 754 NC 11 North Phone: (252) 398-1470 – Office
Ahoskie, NC 27910 (252) 209-7005 – Cell

Email: johnc1@mdNeal.com

Status: _____ High Interest _____ Moderate Interest _____ Low Interest _____ No Interest

Grant Potential: _____ NHTF _____ CWMTF _____ DU MARSH
____ X Other (explain): The National Wild Turkey Federation and the NC Wildlife Habitat Foundation have agreed to fund this acquisition.

Resources Assessment (Brief): This 7 acre tract sits directly adjacent to the “Longleaf Tract” of Tillery Game Lands. The “Longleaf Tract” is part of the IP/TNC acquisition from 2007 and was primarily funded by a grant from the NC Natural Heritage Trust Fund with the condition that a majority of this 800 acre tract be restored to a functional longleaf forest type. The “Longleaf Tract” tract contains a small remnant longleaf forest, currently under restoration, and an in-tact herbaceous understory that is consistent with longleaf forest types typical of the region.

Prescribed fire will be the main tool used to manage these forests before, during and after the process of longleaf forest restoration. This 7 acre tract is important in maintaining an undeveloped buffer between these managed forest areas and developing adjacent private land to ensure that we can continue to use prescribed fire as our main management tool. Currently, this 7 acre tract is 18 year old, un-thinned loblolly pine plantation. It was previously owned by International Paper prior to FIA acquisition in 2006.

Access Assessment: Access is excellent. This tract fronts on Mary Chapel Road (SR1117) and an interior existing game land trail.

Game Lands Program Potential: _____ X Yes - addition to Tillery Game Land

Recommendation: _____ X Pursue Acquisition _____ Defer _____ Do not Pursue Acquisition

Map Attached: _____ X Yes _____ No
FIA
Daniel Whitaker Tract
Tillery Game Land
Halifax County
+/− 7 Acres

Halifax County

June 16, 2011
Exhibit F-1 is the *Mourning Dove, White-winged Dove, and Banded-tailed Pigeon 2011 Population Status* report, which is sent to WRC by the U. S. Fish and Wildlife Service annually in mid- to late June. To date, this report has not been received. This report will be in exhibit packets at the July 7, 2011 WRC meeting.
American Woodcock

Population Status 2011
Suggested report citation:

All Division of Migratory Bird Management reports are available at:
http://www.fws.gov/migratorybirds/NewsPublicationsReports.html

The cover photo is by Brett Pikula.
AMERICAN WOODCOCK POPULATION STATUS, 2011


KERI PARKER, U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Patuxent Wildlife Research Center, 11510 American Holly Dr., Laurel, MD 20708-4002

Abstract: Singing-ground Survey data for 2011 indicate that indices for singing American woodcock (Scolopax minor) males in the Eastern and Central Management Regions are not significantly different from 2010. There was no significant 10-year trend for woodcock heard in the Eastern or Central Management Regions during 2001-11. This marks the eighth consecutive year that the 10-year trend estimate was not significant in the Eastern Region, while the 10-year trend in the Central Management Region returns to non-significance after being negative last year. Both regions have a long-term (1968-11) declining trend of -1.0% per year. The 2010 recruitment index for the U.S. portion of the Eastern Region (1.5 immatures per adult female) was 1.2% greater than the 2009 index and 10.2% below the long-term regional index, while the recruitment index for the U.S. portion of the Central Region (1.6 immatures per adult female) was 30.2% higher than the 2009 index and was 2.1% lower than the long-term regional index. Estimates from the Harvest Information Program indicated that U.S. woodcock hunters in the Eastern Region spent 146,700 days afield and harvested 99,800 woodcock during the 2010-11 season, while in the Central Region, hunters spent 392,400 days afield and harvested 233,100 woodcock.

INTRODUCTION

The American woodcock is a popular game bird throughout eastern North America. The management objective of the U.S. Fish and Wildlife Service (FWS) is to increase populations of woodcock to levels consistent with the demands of consumptive and non-consumptive users (U.S. Fish and Wildlife Service 1990). Reliable annual population estimates, harvest estimates, and information on recruitment and distribution are essential for comprehensive woodcock management. Unfortunately, this information is difficult and often impractical to obtain. Woodcock are difficult to find and count because of their cryptic coloration, small size, and preference for areas with dense vegetation. The Singing-ground Survey (SGS) was developed to provide indices to changes in abundance. The Wing-collection Survey (WCS) provides annual indices of woodcock recruitment. The Harvest Information Program (HIP) utilizes a sampling frame of woodcock hunters to estimate harvest and days spent afield.

This report summarizes the results of these surveys and presents an assessment of the population status of woodcock as of early June 2011. The report is intended to assist managers in regulating the sport harvest of woodcock and to draw attention to areas where management actions are needed. Historical woodcock hunting regulations are summarized in Appendix A.

The primary purpose of this report is to facilitate the prompt distribution of timely information. Results are preliminary and may change with the inclusion of additional data.

METHODS

Woodcock Management Regions

Woodcock are managed on the basis of two regions or populations, Eastern and Central, as recommended by Owen et al. (1977; Fig. 1). Coon et al. (1977) reviewed the concept of management units for woodcock and recommended the current configuration over several alternatives. This configuration was biologically justified because analysis of band recovery data indicated that there was little crossover between the regions (Krohn et al. 1974, Martin et al. 1969). Furthermore, the boundary between the two regions conforms to the boundary between the Atlantic and Mississippi Flyways. The results of the Wing-collection and Singing-ground surveys, as well as the Harvest Information Program, are reported by state or province, and management region. Although state and province level results are included in this report, analyses are designed to support management decisions made at the management region scale.

Singing-ground Survey

The Singing-ground Survey was developed to exploit the conspicuous courtship display of the male woodcock. Early studies demonstrated that counts of singing males provide indices to woodcock populations and could be used to monitor annual changes (Mendall and Aldous 1943, Goudy 1960, Duke 1966, and Whitcomb 1974). Before 1968, counts were conducted on non-randomly-located routes. Beginning in 1968, routes were relocated along lightly-traveled secondary roads in the center of randomly-chosen 10-minute
degree blocks within each state and province in the central and northern portions of the woodcock’s breeding range (Fig. 1). Data collected prior to 1968 are not included in this report.

Each route was 3.6 miles (5.4 km) long and consisted of 10 listening points. The routes were surveyed shortly after sunset by an observer who drove to each of the 10 stops and recorded the number of woodcock heard peenting (the vocalization by displaying male woodcock on the ground). Acceptable dates for conducting the survey were assigned by latitude to coincide with peaks in courtship behavior of local woodcock. In most states, the peak of courtship activity (including local woodcock and woodcock still migrating) occurred earlier in the spring and local reproduction may have already been underway when the survey was conducted. However, it was necessary to conduct the survey during the designated survey dates in order to minimize the counting of migrating woodcock. Because adverse weather conditions may affect courtship behavior and/or the ability of observers to hear woodcock, surveys were only conducted when wind, precipitation, and temperature conditions were within prescribed limits.

The survey consists of about 1,500 routes. In order to avoid expending unnecessary resources and funds, approximately one half of these routes are surveyed each year. The remaining routes are carried as “constant zero” routes. Routes for which no woodcock are heard for 2 consecutive years enter this constant zero status and are not run for the next 5 years. If woodcock are heard on a constant zero route when it is next run, the route reverts to normal status and is run again each year. Data from constant zero routes are included in the analysis only for the years they were actually surveyed. Sauer and Bortnner (1991) reviewed the implementation and analysis of the Singing-ground Survey in more detail.

Trends were estimated using a hierarchical model. Sauer et al. (2008) describe a hierarchical log-linear model for estimation of population change from SGS data. In practice, the hierarchical modeling approach provides trend and annual index values that are generally comparable to the estimates provided by the previously used route regression approach (see Link and Sauer 1994 for more information on the route regression approach). The hierarchical model, however, has a more rigorous and realistic theoretical basis than the weightings used in the route regression approach, and the indices and trends are directly comparable as trends are calculated directly from the indices.

With the hierarchical model, the log of the expected value of the counts is modeled as a linear combination of strata-specific intercepts and year effects, a random effect for each unique combination of route and observer, a start-up effect on the route for first year counts of new observers, and overdispersion. In the hierarchical model, the parameters of interest are treated as random and are assumed to follow distributions that are governed by additional parameters. The hierarchical model is fit using Bayesian methods. Markov-chain Monte Carlo methods are used to iteratively produce sequences of parameter estimates which can be used to describe the distribution of the parameters of interest. After an initial “burn-in” period, means, medians, and credible (or Bayesian confidence) intervals for the parameters can be estimated from the replicates. Annual indices are defined as exponentiated year effects, and trends are defined as ratios of the year effects at the start and end of the interval of interest, taken to the appropriate power to estimate a yearly change (Sauer et al. 2008). Trend estimates are expressed as percent change per year, while indices are expressed as the number of singing males per route. Annual indices were calculated for the 2 regions and each state and province, while short-term (2010-11), 10-year (2001-11) and long-term (1968-2011) trends were evaluated for each region as well as for each state or province.

Credible Intervals (CI) are used to describe uncertainty around the estimates when fitting hierarchical models using Bayesian methods. If the CI does not overlap 0 for a trend estimate, the trend is considered significant. We present the median and 95th percentile credible intervals of 10,000 estimates (i.e., we simulated 10,000 replicates and thinned by 2), which were calculated after an initial 20,000 iterations to allow the series to converge. Refer to Sauer et al. (2008) and Link and Sauer (2002) for a detailed description of the statistical model and fitting process.
Fig. 2. Short-term trends in the number of American woodcock heard on the Singing-ground Survey, 2010-2011, as determined by the hierarchical modeling method. A significant trend (S) does not include zero in the 95% credible interval, while a non-significant (NS) trend does include zero. Note, no state or province had a significant short-term trend this year.

Fig. 3. Long-term trends in the number of American woodcock heard on the Singing-ground Survey, 1968-2011, as determined by the hierarchical modeling method. A significant trend (S) does not include zero in the 95% credible interval, while a non-significant (NS) trend does include zero. Note, no state or province had a significant long-term increase.
The reported sample sizes are the number of routes on which trend estimates are based, which includes any route on which woodcock were ever encountered. Each route was to be surveyed during the peak time of daily singing activity. For editing purposes, “acceptable” times were between 22 and 58 minutes after sunset (or, between 15 and 51 minutes after sunset on overcast evenings). Due to observer error, some stops on some routes were surveyed before or after the peak times of singing activity. Earlier analysis revealed that routes with 8 or fewer acceptable stops tended to be biased low. Therefore, only route observations with at least 9 acceptable stops were included in the analysis. Routes for which data were received after 8 June 2011 were not included in this analysis but will be included in future trend estimates.

Harvest Information Program

The Harvest Information Program (HIP) was cooperatively developed by the FWS and state wildlife agencies to provide reliable annual estimates of hunter activity and harvest for all migratory game birds (Elden et al. 2002). In the past, the annual FWS migratory bird harvest survey (Mail Questionnaire Survey) was based on a sampling frame that consisted solely of hunters who purchased a federal duck stamp. However, people that hunt only non-waterfowl species such as woodcock and doves were not required to purchase a duck stamp, and therefore were not included in that sampling frame. The HIP sampling frame consists of all migratory game bird hunters, thus providing more reliable estimates of woodcock hunter numbers and harvest than we have had in the past. Under this program, state wildlife agencies collect the name, address, and additional information from each migratory bird hunter in their state, and send that information to the FWS. The FWS then selects random samples of those hunters and asks them to voluntarily provide detailed information about their hunting activity. For example, hunters selected for the woodcock harvest survey are asked to complete a daily diary about their woodcock hunting and harvest during the current year’s hunting season. Their responses are then used to develop nationwide woodcock harvest estimates. HIP survey estimates of woodcock harvest have been available for woodcock since 1999. Although estimates from 1999-2002 have been finalized, the estimates from 2003-10 should be considered preliminary as refinements are still being made in the sampling frame and estimation techniques. Canadian hunter and harvest estimates, which were obtained through the Canadian National Harvest Survey Program, are presented in Appendix B (Gendron and Collins 2009).

Wing-collection Survey

The primary objective of the Wing-collection Survey is to provide data on the reproductive success of woodcock. The survey is administered as a cooperative effort between woodcock hunters, the FWS, and state wildlife agencies. Participants in the 2010 survey included hunters who either: (1) participated in past surveys; (2) were a subset of hunters that indicated on the Harvest Information Program Survey that they hunted woodcock, or (3) contacted the FWS to volunteer to be included in the survey. Wing-collection Survey participants were provided with prepaid mailing envelopes and asked to submit one wing from each woodcock they bagged. Hunters were asked to record the date of the hunt and the state and county where the bird was shot. Hunters were not asked to submit envelopes for unsuccessful hunts. The age and gender of birds were determined by examining plumage characteristics (Martin 1964, Sepik 1994) during the annual woodcock wingbee conducted by state, federal, and private biologists.

The ratio of immature birds per adult female in the harvest provides an index to recruitment of young into the population. The 2010 recruitment index for each state with ≥ 125 submitted wings was calculated as the number of immatures per adult female. The regional indices for 2010 were weighted by the relative contribution of each state to the cumulative number of adult female and immature wings received during 1963-2009.

RESULTS AND DISCUSSION

Singing-ground Survey

Data for 792 routes were submitted by 8 June 2011 (Table 1). Due to adverse weather (cool temperatures and precipitation) this spring, a 5-day survey extension was granted for routes in Pennsylvania, Ohio, Indiana, Illinois, Vermont, Minnesota, and all Canadian provinces except Ontario. Short-term, 10-year, and long-term (1968-2011) trends were estimated using data from 722 routes in the Eastern Region and 712 routes in the Central Region. Short-term analysis indicated that the number of woodcock heard displaying during the 2011 Singing-ground Survey was not significantly different from last year for both Management Regions (Table 1, Fig. 2). Trends for individual states and provinces are reported in Table 1. Consistency in route coverage over time is a critical component of precision in estimation of population change. Low precision of 2-year change estimates reflect the low numbers of routes surveyed by the same observer in both years. Ensuring that observers participate for several years on the same route would greatly enhance the quality of the results.
The 10-year trends (2001-2011) were not significant for either Management Region (Table 1). This marks the eighth straight year the Eastern Region trend has remained stable. The 10-year trend for the Central Region returned to non-significance after indicating a significant decline last year.

There are significant long-term (1968-2011) declines in the breeding population throughout many states and provinces in the Eastern and Central Regions (Table 1, Fig. 3). The long-term trend estimates, rounded to the nearest percent, were the same (-1.0% year) for both management regions.

In the Eastern Region, the 2011 index was 2.7 singing-males per route, which was the same as the 2010 index of 2.7 (Fig. 4). In the Central Region, the 2011 index was 2.8 singing-males per route, which was slightly higher than the 2010 index of 2.7 singing-males per route (Fig. 4). Annual indices (1968-2011) by state, province, or region are available in Table 2.

![Fig. 4. Annual indices of the number of woodcock heard during the Singing-ground Survey, 1968-2011 as estimated using hierarchical modeling. The dashed lines represent the 95th percentile credible interval.](image)

**Wing-collection Survey**

A total of 1,354 woodcock hunters (Table 3) from states with woodcock seasons sent in a total of 14,027 usable woodcock wings for the 2010 Wing-collection Survey (Table 4).

The 2010 recruitment index in the U.S. portion of the Eastern Region (1.5 immatures per adult female) was 1.2% greater than the 2009 index (1.5), and 10.2% lower than the long-term (1963-09) regional average (Table 4, Fig 5). In the Central Region, the 2010 recruitment index (1.6 immatures per adult female) was 30.2% greater than the 2009 index (1.2) and was 2.1% lower than the long-term regional average (Table 4, Fig 5). Percent change for all comparisons was calculated using unrounded recruitment indices.

![Fig. 5. Weighted annual indices of recruitment (U.S.), 1963-2010. The dashed line is the 1963-2009 average.](image)

**Harvest Information Program**

Estimates of woodcock harvest, number of active hunters, days afield, and seasonal hunting success from the 2010-11 HIP survey are provided in Table 5. In the Eastern Management Region, woodcock hunters spent approximately 146,700 days afield (Figure 6) and harvested 99,800 birds (Figure 7) during the 2010-11 hunting season. Harvest in 2010 was 13.6% greater than the long-term (1999-2010) average and 57.7% greater than last year in the Eastern Region. Woodcock hunters in the Central Region spent 392,400 days afield (Figure 6) and harvested 233,100 birds (Figure 7) during the 2010-11 hunting season. Harvest in 2010 was 2.2% greater than the long-term (1999-2010) average and 33.1% greater than last year in the Central Region. Although HIP provides statewide estimates of woodcock hunter numbers, it is not possible to develop regional estimates due to the occurrence of some hunters being registered for HIP in more than one state. Therefore, regional estimates of seasonal hunting success rates cannot be determined on a per hunter basis. All HIP estimates from 1999-2002 are final, while those from 2003-2010 are preliminary.
Data from Canada show a long-term decline in both the number of successful woodcock hunters and harvest (Appendix B). The most recent data available from 2009 indicate that ≈2,400 successful hunters harvested ≈ 17,000 woodcock (Appendix B).

![Fig. 6](image)

**Fig. 6.** Harvest Information Program Survey estimates of days spent afield by U.S. woodcock hunters, 1999−2010. The dashed line represents the 1999−2010 average and error bars represent the 95% C.I. of the point estimate.

![Fig. 7](image)

**Fig. 7.** Harvest Information Program Survey estimates of U.S. woodcock harvest, 1999−2010. The dashed line represents the 1999−2010 average and error bars represent the 95% C.I. of the point estimate.

**Acknowledgements**

Personnel from the FWS, Canadian Wildlife Service (CWS), U. S. Geological Survey (USGS), Bird Studies Canada (BSC), and many state and provincial agencies and other individuals assisted with collecting Singing-ground Survey data and processing wings at the woodcock wingbee. Special thanks to K. Connor (NB), B. Crenshaw (VT), B. Crosse (OH), R. Dibbee (PE), M. DiBona (DE), T. Engelmeier (VA), V. Frawley (MI), J. Garris (NJ), B. Harvey (MD), J. Hayden (ON), M. Huang (CT), R. Marshalla (IL), G. Parsons (NS), E. Robinson (NH), D. Scarpitti (MA), A. Stewart (MI), N. Stricker (OH), T. Sutter (NY), B. Teft (RI), B. Veverka (IN), M. Weaver (PA), S. Wilson (WV), D. Badzinski and E. Van Stam (BSC), M. Gendron, A. Hicks, J. Hughes, A. MacFarlane, J. B. Pollard, E. Reed, J. Rodrigue, and M. Schuster (CWS), and C. Dwyer, S. Kelly, and M. Mills (FWS), for providing state, provincial, and regional Singing-ground Survey coordination. Special appreciation is extended to Ian Gregg and Lisa Williams (PA) for coordinating local logistics and hosting the 2011 wingbee held at Bald Eagle State Park, PA. Other individuals that participated in the wingbee were: N. Thomas, J. Dunn and J. Stempek (PA), K. Daly (U of MN), A. Weik (Ruffed Grouse Society), D. Sullins (SFASU), Sutter (NY), M. Olinde (LA-retired), J Dugay (LA), E. Johnson (MN-retired), V. Frawley and A. Stewart (MI), E. Harper (KY), D. McAuley and D. Krementz (USGS), B. Allen, W. Brininger, R. Brown, T. Cooper, T. Edwards, L. Mills, C. Mitchell, K. Parker, R. Rau, and K. Sturm (USFWS). We especially thank all woodcock hunters that sent in wings. The Branch of Harvest Surveys within the Division of Migratory Bird Management (USFWS) mailed Wing-collection Survey materials, organized wing submissions, assisted with data management, and provided Harvest Information Program estimates (special thanks to H. Spriggs, K. Wilkins, and R. Rau). R. Maruthalingam (USFWS) assisted in maintaining the website and developing data management applications for the Singing-ground Survey. K. Magruder (USFWS) provided invaluable assistance with data management and entry. R. Rau (USFWS) developed and maintained the data entry website, provided guidance and historical perspective regarding Singing-ground Survey implementation, and provided assistance with data screening and management. J. Sauer (USGS) developed computer programs for calculating trends and indices from Singing-ground Survey data and conducted this year’s analyses. R. Rau, G. Zimmerman, J. Kelley, K. Richkus, K. Wilkins, and J. Sauer reviewed a draft of parts or all of this report and provided helpful comments.
Literature Cited


Mendall, H. L., and C. M. Aldous. 1943. The ecology and management of the American woodcock. Maine Cooperative Wildlife Research Unit, University of Maine, Orono.


Table 1. Short-term (2010-11), 10-year (2001-2011), and long-term (1968-2011) trends (% change per year\(^a\)) in the number of American woodcock heard during the Singing-ground Survey as determined by using the hierarchical log-linear modeling technique (Sauer et al. 2008).

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\(^a\) Median of route trends estimated used hierarchical modeling. To estimate the total percent change over several years, use: (100((% change/100)+1)\(^y\))-100, where \(y\) is the number of years. Note: extrapolating the estimated trend statistic (% change per year) over time (e.g., 30 years) may exaggerate the total change over the period.

\(^b\) Total number of routes surveyed in 2011 for which data was received by 8 June, 2011.

\(^c\) Number of routes with at least one year of non-zero data between 1968 and 2011.

\(^d\) 95% credible interval, if the interval overlaps zero, the trend is considered non-significant.

\(^e\) Short-term and 10-year trends not estimated since all routes were in CZ status during 2011.

\(^f\) Manitoba began participating in the Singing-ground Survey in 1992.
Table 2. Breeding population indices (singing-males per route) for American woodcock from the Singing-ground Survey, 1968-2011. These indices are based on 1968-2011 trends that were estimated using hierarchical modeling techniques. Blanks indicate no data were available for that year.

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Table 3. The number of U.S. hunters by state that submitted woodcock wings for the 2009-10 and 2010-11 Wing-collection Surveys.

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<sup>a</sup> Number of hunters that submitted envelopes in current year. This number may include a small number of hunters that were sent envelopes in prior years and who subsequently submitted wings from birds shot in current survey year. In addition, some hunters belong in more than one state.
Table 4. Number of woodcock wings received from hunters, and indices of recruitment in the U.S. Recruitment indices for individual states with ≥125 submitted wings were calculated as the ratio of immatures per adult female. The regional indices for 2010 were weighted by the relative contribution of each state to the cumulative number of adult female and immature wings received during 1963-2009.

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Table 5. Preliminary estimates of woodcock harvest, hunter numbers, days afield, and hunter success from the 2010-11 Harvest Information Program (note: all estimates rounded to the nearest 100 for harvest, hunters, and days afield).

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<th>Active woodcock hunters Total +/- 95% CI</th>
<th>Days afield Total +/- 95% CI</th>
<th>Season harvest per hunter Total +/- 95% CI</th>
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a All 95% Confidence Intervals are expressed as a % of the point estimate.

b Regional estimates of hunter numbers and hunter success cannot be obtained due to the occurrence of individual hunters being registered in the Harvest Information Program in more than one state.

c Sample was insufficient for reliable estimation based upon 2010 data, therefore the 1999-2010 average is used.
**Appendix A.** History of federal framework dates, season lengths, and daily bag limits for hunting American woodcock in the U.S. portion of the Eastern and Central Regions, 1918 - 2010.

<table>
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<th>Year(s)</th>
<th>Outside dates</th>
<th>Season length</th>
<th>Daily bag limit</th>
<th>Year(s)</th>
<th>Outside dates</th>
<th>Season length</th>
<th>Daily bag limit</th>
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<td>1918-26</td>
<td>Oct. 1 - Dec. 31</td>
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</table>

<sup>a</sup> Saturday nearest September 22 (September 25<sup>th</sup> for the 2010 season).
Appendix B. Estimates for Canadian woodcock harvest and the number of successful woodcock hunters in Canada (Gendron and Collins 2009). Data from the 2010 hunting season were not available before this report was completed.

Estimated number of successful woodcock hunters in Canada and associated 95% confidence intervals, 1972-2009.

Estimated woodcock harvest in Canada and associated 95% confidence intervals, 1969-2009.
EXHIBIT F-3
July 7, 2011

Proposed Regulations Frameworks for 2011–12 Early Hunting Seasons
on Certain Migratory Game Birds

Pursuant to the Migratory Bird Treaty Act and delegated authorities, the Department of Interior approved the following proposals for season lengths, shooting hours, bag and possession limits, and outside dates within which States may select seasons for hunting waterfowl and coots between the dates of September 1, 2011, and March 10, 2012. These frameworks are summarized below.

**General**

Dates: All outside dates noted below are inclusive.

Shooting and Hawking (taking by falconry) Hours: Unless otherwise specified, from one-half hour before sunrise to sunset daily.

Possession Limits: Unless otherwise specified, possession limits are twice the daily bag limit.

**Flyways and Management Units**

**Waterfowl Flyways:**


Mississippi Flyway—includes Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin.

Central Flyway—includes Colorado (east of the Continental Divide), Kansas, Montana (Counties of Blaine, Carbon, Fergus, Judith Basin, Stillwater, Sweetgrass, Wheatland, and all counties east thereof), Nebraska, New Mexico (east of the Continental Divide except the Jicarilla Apache Indian Reservation), North Dakota, Oklahoma, South Dakota, Texas, and Wyoming (east of the Continental Divide).

Pacific Flyway—includes Alaska, Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and those portions of Colorado, Montana, New Mexico, and Wyoming not included in the Central Flyway.

**Management Units**

**Mourning Dove Management Units:**

Eastern Management Unit—All States east of the Mississippi River, and Louisiana.

Central Management Unit—Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming.

Western Management Unit—Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.
**Woodcock Management Regions:**

Central Management Region—Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

Other geographic descriptions are contained in a later portion of this document.

**Definitions**
*Dark geese:* Canada geese, white-fronted geese, brant (except in Alaska, California, Oregon, Washington, and the Atlantic Flyway), and all other goose species, except light geese.

*Light geese:* snow (including blue) geese and Ross’s geese.

**Waterfowl Seasons in the Atlantic Flyway**
In the Atlantic Flyway States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, North Carolina, Pennsylvania, and Virginia, where Sunday hunting is prohibited Statewide by State law, all Sundays are closed to all take of migratory waterfowl (including mergansers and coots).

**Special September Teal Season**
Outside Dates: Between September 1 and September 30, an open season on all species of teal may be selected by the following States in areas delineated by State regulations:
- Atlantic Flyway—Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, and Virginia.
- Mississippi Flyway—Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Ohio, and Tennessee.
- Central Flyway—Colorado (part), Kansas, Nebraska (part), New Mexico (part), Oklahoma, and Texas.

Hunting Seasons and Daily Bag Limits: Not to exceed 16 consecutive hunting days in the Atlantic, Mississippi, and Central Flyways. The daily bag limit is 4 teal.

Shooting Hours:
- Atlantic Flyway—One-half hour before sunrise to sunset, except in Maryland, where the hours are from sunrise to sunset.
- Mississippi and Central Flyways—One-half hour before sunrise to sunset, except in the States of Arkansas, Illinois, Indiana, Missouri, and Ohio, where the hours are from sunrise to sunset.

**Special Youth Waterfowl Hunting Days**
Outside Dates: States may select 2 days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to their regular duck seasons. The days must be held outside any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate. The days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.
Daily Bag Limits: The daily bag limits may include ducks, geese, mergansers, coots, moorhens, and gallinules and would be the same as those allowed in the regular season. Flyway species and area restrictions would remain in effect.

Shooting Hours: One-half hour before sunrise to sunset.
Participation Restrictions: Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day.

Scoter, Eider, and Long-tailed Ducks (Atlantic Flyway)
Outside Dates: Between September 15 and January 31.

Hunting Seasons and Daily Bag Limits: Not to exceed 107 days, with a daily bag limit of 7, singly or in the aggregate, of the listed sea duck species, of which no more than 4 may be scoters.

Daily Bag Limits During the Regular Duck Season: Within the special sea duck areas, during the regular duck season in the Atlantic Flyway, States may choose to allow the above sea duck limits in addition to the limits applying to other ducks during the regular duck season. In all other areas, sea ducks may be taken only during the regular open season for ducks and are part of the regular duck season daily bag (not to exceed 4 scoters) and possession limits.

Areas: In all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York; in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 1 mile of open water from any shore, island, and emergent vegetation in New Jersey, South Carolina, and Georgia; and in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in Delaware, Maryland, North Carolina, and Virginia; and provided that any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States.

Special Early Canada Goose Seasons
Atlantic Flyway
General Seasons
Canada goose seasons of up to 15 days during September 1–15 may be selected for the Eastern Unit of Maryland. Seasons not to exceed 30 days during September 1–30 may be selected for Connecticut, Florida, Georgia, New Jersey, New York (Long Island Zone only), North Carolina, Rhode Island, and South Carolina. Seasons may not exceed 25 days during September 1–25 in the remainder of the Flyway. Areas open to the hunting of Canada geese must be described, delineated, and designated as such in each State's hunting regulations.

Daily Bag Limits: Not to exceed 15 Canada geese.

Shooting Hours: One-half hour before sunrise to sunset, except that during any general season, shooting hours may extend to one-half hour after sunset if all other waterfowl seasons are closed in the specific applicable area.
Common Moorhens and Purple Gallinules
Outside Dates: Between September 1 and the last Sunday in January (January 29) in the Atlantic, Mississippi, and Central Flyways. States in the Pacific Flyway have been allowed to select their hunting seasons between the outside dates for the season on ducks; therefore, they are late season frameworks, and no frameworks are provided in this document.
Hunting Seasons and Daily Bag Limits: Seasons may not exceed 70 days in the Atlantic, Mississippi, and Central Flyways. Seasons may be split into 2 segments. The daily bag limit is 15 common moorhens and purple gallinules, singly or in the aggregate of the two species.

Zoning: Seasons may be selected by zones established for duck hunting.

Rails
Outside Dates: States included herein may select seasons between September 1 and the last Sunday in January (January 29) on clapper, king, sora, and Virginia rails.

Hunting Seasons: Seasons may not exceed 70 days, and may be split into 2 segments.

Daily Bag Limits:
Clapper and King Rails—In Rhode Island, Connecticut, New Jersey, Delaware, and Maryland, 10, singly or in the aggregate of the 2 species. In Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, and Virginia, 15, singly or in the aggregate of the two species.

Sora and Virginia Rails—In the Atlantic, Mississippi, and Central Flyways and the Pacific Flyway portions of Colorado, Montana, New Mexico, and Wyoming, 25 daily and 25 in possession, singly or in the aggregate of the two species. The season is closed in the remainder of the Pacific Flyway.

Common Snipe
Outside Dates: Between September 1 and February 28, except in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, and Virginia, where the season must end no later than January 31.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 107 days and may be split into two segments. The daily bag limit is 8 snipe.

Zoning: Seasons may be selected by zones established for duck hunting.

American Woodcock
Outside Dates: States in the Eastern Management Region may select hunting seasons between October 1 and January 31. States in the Central Management Region may select hunting seasons between the Saturday nearest September 22 (September 24) and January 31.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 45 days in the Eastern Region and 45 days in the Central Region. The daily bag limit is 3. Seasons may be split into two segments.

Zoning: New Jersey may select seasons in each of two zones. The season in each zone may not exceed 36 days.
**Doves**
Outside Dates: Between September 1 and January 15, except as otherwise provided, States may select hunting seasons and daily bag limits as follows:

**Eastern Management Unit**
Hunting Seasons and Daily Bag Limits: Not more than 70 days, with a daily bag limit of 15 mourning and white-winged doves in the aggregate.

Zoning and Split Seasons: States may select hunting seasons in each of two zones. The season within each zone may be split into not more than three periods. Regulations for bag and possession limits, season length, and shooting hours must be uniform within specific hunting zones.

**Special Falconry Regulations**
Falconry is a permitted means of taking migratory game birds in any State meeting Federal falconry standards in 50 CFR 21.29. These States may select an extended season for taking migratory game birds in accordance with the following:

Extended Seasons: For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area. Each extended season may be divided into a maximum of 3 segments.

Framework Dates: Seasons must fall between September 1 and March 10.

Daily Bag and Possession Limits: Falconry daily bag and possession limits for all permitted migratory game birds must not exceed 3 and 6 birds, respectively, singly or in the aggregate, during extended falconry seasons, any special or experimental seasons, and regular hunting seasons in all States, including those that do not select an extended falconry season.

Regular Seasons: General hunting regulations, including seasons and hunting hours, apply to falconry in each State listed in 50 CFR 21.29. Regular season bag and possession limits do not apply to falconry. The falconry bag limit is not in addition to gun limits.
EXHIBIT F-4
July 7, 2011

2011 Early Season Migratory Game Bird Season Options
Response to internet questions

ES1. Mourning dove gun season dates

Of the following season date options for mourning doves, which do you prefer?

- Option 1. Season dates should be kept similar to past years **15 responses**
- Option 2. Some days should be taken from the early segment (typically early September thru early October) with those days added later in the year (November and December) **1 response**

ES2. Mourning dove shooting hours

In regards to shooting hours for mourning doves, which do you prefer?

- Option 1. Noon until sunset for opening day only then ½ hour before sunrise until sunset for the remainder of the season (similar to last year) **4 responses**
- Option 2. ½ hour before sunrise until sunset for the entire season **12 responses**
- Option 3. Noon until sunset for the first week only, then ½ hours before sunrise until sunset for the remainder of the season **3 responses**

ES3. Woodcock gun season dates

Note: The woodcock season length has been increased to 45 days. In prior years, the season length was 30 days.

Of the following season date preferences for woodcock, which do you prefer?

- Option 1. December 15th – January 28th **6 responses**
ES4. Snipe gun season dates

Of the following season date options for snipe, which do you prefer?

- Option 1. Mid-November through February (similar to last year) 3 responses
- Option 2. Shift the season to earlier in the fall 3 responses

ES5. Rail, gallinule and moorhen gun season dates

Of the following season date options for rails, gallinule and moorhen, which do you prefer?

- Option 1. September through mid-November (similar to last year) 1 response
- Option 2. Shift the season to later in the fall/winter 3 responses

ES6. September teal gun season dates

Of the following date options for the September teal season, which do you prefer? (Note: This season occurs only in the area east of U.S. Highway 17)

- Option 1. Early September No responses
- Option 2. Mid-September 2 responses
- Option 3. Late September (similar to last year) 12 responses
ES7. Extended falconry season dates for doves
Guidelines for extended falconry seasons include:
   1. The season must fall between September 1 and March 10
   2. Days allocated to the gun season + extended falconry days may not exceed 107

Of the following extended falconry season options for doves, which do you prefer?
   o Option 1. Days should occur early in this time period (September, October, November) **No responses**
   o Option 2. Days should occur later in the time period (December, January, February) **No responses**
   o Option 3. No Comment **1 response**

ES8. Extended falconry season dates for rails, gallinules and moorhens
Guidelines for extended falconry seasons include:
   1. The season must fall between September 1 and March 10
   2. Days allocated to the gun season + extended falconry days may not exceed 107

Of the following extended falconry season options for rails, gallinules and moorhens which do you prefer?
   o Option 1. Days should occur early in this time period (October, November and December) **No response**
   o Option 2. Days should occur later in the time period (January, February, March) **No response**
   o Option 3. No Comment **1 response**
ES9. Extended falconry season dates for woodcock
Guidelines for extended falconry seasons include:
   1. The season must fall between September 1 and March 10.
   2. Days allocated to the gun season + extended falconry days may not exceed 107

Of the following extended falconry season options for woodcock, which do you prefer?

   o Option 1. Days should occur early in this time period (October, November and December) **No response**

   o Option 2. Days should occur later in the time period (January, February, March) **No response**

   o Option 3  No Comment **1 response**
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<thead>
<tr>
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<td>ES1</td>
<td>District 3</td>
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<td>Run Sept 1 - Nov 9</td>
<td>Wake</td>
<td>KIRBY JR, HARRY T</td>
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<td>Option 1</td>
<td>The Seasons Dates Have Been Good The Past Few Years, I Think They Should Stay The Same As In The Past Seasons. As Not To Interfer With Bow Season.</td>
<td>Durham</td>
<td>BERGMAN, DAVID CHAD</td>
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<td>As long as it doesn't effect the weekend opener, I prefer days added when additional birds migrate in.</td>
<td>Franklin</td>
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<td>I like only opening day being at noon with all following dates 1/2 before sunrise. Greater opportunities.</td>
<td>Buncombe</td>
<td>MALLICOAT, ROBERT D</td>
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<td>Have always counted on opening day falling the first Saturday in September, not necessarily on the 1st of the month, but the first Saturday. Just a wonderful way to start the fall season. If it ain't broken, don't fix it. Thanks.</td>
<td>Cumberland</td>
<td>GAINES, DONALD E</td>
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<td>ES1</td>
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<td>Option 1</td>
<td>Please consider allowing us to hunt doves from 1/2 hour before sunset to noon on opening day. It's way to hot that time of year, hunting in the afternoon can be miserable.</td>
<td>Beaufort</td>
<td>STONE, JOSEPH L</td>
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<td>Many of us hunt with retrievers, forcing us to hunt in the heat of the day is ridiculous, and places unneeded hardship on our dogs. There is no reason for the noon to sunset option, please do away with this ridiculous tradition.</td>
<td>Beaufort</td>
<td>STONE, JOSEPH L</td>
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<td>Most hunters only hunt the first two days. I believe we miss the chance to get new people involved in hunting bringing the season in at noon. I love to hunt but have no desire to sit in a hot field for 5 hours waiting for the birds to fly. It's not enjoyable to me and why would i put a new hunter through that, they would be finished before he ever started hunting. I miss the days of being in the field before sun rise and wish i could return to the hunt of days gone by. The population of doves would allow it. i would rather have a good shorter season than a long bad one.</td>
<td>Stanly</td>
<td>SWARINGEN, MARK A</td>
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<td>Option 3</td>
<td>Starting At Noon The First Week Will Keep The Pressure Off The Doves And Give Them A Chance To Feed In The Morning Undisturbed!</td>
<td>Durham</td>
<td>BERGMAN, DAVID CHAD</td>
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<td>In 25yrs of hunting woodcock in North Carolina, the most consistent time frame is mid-dec to late january and also offers less conflict with deer hunters. Nov 21-26th is a very popular deer hunting time.</td>
<td>Carteret</td>
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<td>We need an early woodcock season in the mountains. By Dec. most migrating birds have passed through. We flush birds in October &amp; November while grouse hunting. Consider a split season (east/west of I-77).</td>
<td>Buncombe</td>
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<td>As a former NC resident, the latest option provides the best accessibility for woodcock hunters. A more consistent migration time and less deer hunters in the woods. An early season would be lost to all the deer hunters in the woods.</td>
<td>Carteret</td>
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<td>The season really needs to start sooner that what it has been in the last few years. Starting it at the end of December has made much of middle and western NC miss out on some good hunting due to colder temps and snow on the ground. As far as eastern NC the birds will be there whether you start the season early or late, so how how helping out those of us in the western end of the state for a change.</td>
<td>Burke</td>
<td>PLASTER, MATTHEW M</td>
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<td>Birds move through earlier</td>
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### 2011-12 Early Season Migratory Game Bird Season Frameworks and DWM Staff Recommendations

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<tbody>
<tr>
<td><strong>Mourning Dove &amp; White-winged dove</strong></td>
<td>Outside Dates: September 1 – January 15, 70 days with 3 splits daily bag of 15 singly or in the aggregate</td>
<td>September 3 – October 8, November 21 – November 26, December 17 – January 13, Daily Bag 15</td>
</tr>
<tr>
<td><strong>King &amp; Clapper Rails</strong></td>
<td>Outside Dates: September 1 – last Sunday in January (January 29) 70 days with 2 splits daily bag of 15 singly or in the aggregate</td>
<td>September 1 – November 9, Daily Bag 15</td>
</tr>
<tr>
<td><strong>Sora &amp; Virginia Rails</strong></td>
<td>Outside Dates: September 1 – last Sunday in January (January 29) 70 days with 2 splits daily bag of 25 singly or in the aggregate</td>
<td>September 1 – November 9, Daily Bag 25</td>
</tr>
<tr>
<td><strong>Gallinule &amp; Moorhens</strong></td>
<td>Outside Dates: September 1 – last Sunday in January (January 29) 70 days with 2 splits daily bag of 15 singly or in the aggregate</td>
<td>September 1 – November 9, Daily Bag 15</td>
</tr>
<tr>
<td><strong>Woodcock</strong></td>
<td>Outside Dates: October 1 – January 31 45 days with 2 splits (This is an increase of 15 days from previous years) daily bag of 3</td>
<td>December 15 – January 28, Daily Bag 3</td>
</tr>
<tr>
<td><strong>Common Snipe</strong></td>
<td>Outside Dates: September 1 – February 28 107 days with 2 splits daily bag of 8</td>
<td>November 14 – February 28, Daily Bag 8</td>
</tr>
</tbody>
</table>
- Federal guidelines allow for shooting hours for all migratory game birds to be from ½ before sunrise to sunset (excluding the special hours allowed during early Canada goose season). Staff recommends that these shooting hours be adopted for all migratory game birds, including doves, for the entire season.
- Possession limit is twice the daily bag except for sora & Virginia rails where the possession limit is equal to the daily bag.
Extended Falconry Season Highlights & DWM Staff Recommendations for 2011-12 Extended Falconry Seasons for Webless Migratory Game Bird Species

General Restrictions/Guidelines

- Seasons must fall between September 1 and March 10
- Total days available for falconry cannot exceed 107 and includes regular, i.e., gun seasons, experimental seasons and extended falconry seasons
- The falconry daily bag limit is 3 permitted migratory game birds, singly or in the aggregate. The regular, i.e., gun season bag limits for individual species do not apply.
- Each extended season may be divided into a maximum of 3 segments
- The falconry bag limit is not in addition to the gun bag limit

DWM Staff Recommendations

If the Commission chooses staff recommended “gun” seasons as presented, we recommend the following extended falconry seasons.

<table>
<thead>
<tr>
<th>Species</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mourning dove</td>
<td>October 15 – November 19</td>
</tr>
<tr>
<td>Rails, Gallinule and Moorhens</td>
<td>November 19 – December 24</td>
</tr>
<tr>
<td>Woodcock</td>
<td>November 7 – December 10 &amp; January 30 – February 25</td>
</tr>
</tbody>
</table>
EXHIBIT G-1
July 7, 2011

PROPOSED CHANGES IN HUNTING, TRAPPING, FALCONRY, AND CAPTIVE CERVID REGULATIONS FOR 2012-2013
RECOMMENDED BY AGENCY STAFF FOR PUBLIC NOTICE AND PRESENTATION AT NINE* PUBLIC HEARINGS

District Hearings

Deer
1) Increase the either-sex deer season from conservative to moderate in Polk County.
   Amend the following rule:
   15A NCAC 10B .0203 Deer (White-tailed) (page 8)

Bear
1) Lengthen the bear hunting season (hunting with dogs and still hunting, unless prohibited by local law) in Greene, Halifax, Lenoir, Martin, Northampton, and Pitt counties. Currently, Greene, Lenoir and Pitt counties are open for one week in November. This proposal adds two weeks in December to their season. Currently, Halifax, Martin and Northampton counties are open for one week in November and three days in December. This proposal would extend the December segment of the season from three days to two weeks. The proposed season for all six of these counties is from the second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving.
   Amend the following rule:
   15A NCAC 10B .0202 Bear (page 11)

2) Open a bear hunting season (hunting with dogs and still hunting, unless prohibited by local law) in Edgecombe, Harnett, Johnston, Nash, Stokes, Vance, Warren, Wayne, and Wilson counties. In addition, change the bear season in Yadkin, Iredell, Alexander, and Catawba counties. The proposed season for all of these counties is from the second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving.
   Amend the following rule:
   15A NCAC 10B .0202 Bear (page 11)

3) Open the portions of Cleveland, Burke and Surry counties that are currently closed to bear hunting. The proposed season (hunting with dogs and still hunting, unless prohibited by local law) for these counties would be from the Monday on or nearest October 15 to the Saturday before Thanksgiving and the third Monday after Thanksgiving to January 1.
   Amend the following rule:
   15A NCAC 10B .0202 Bear (page 11)
Dogs
1) Allow hunters to use dogs on Sundays on private lands in locations and during seasons where the use of dogs is currently allowed the other six days of the week in those counties or parts thereof which are west of the dog line. The practice is already allowed east of the dog line. Also, allow falconers to use dogs on private lands and on game lands on Sundays.

Amend the following rule:
15A NCAC 10B .0201 Prohibited taking and manner of take (page 13)

Crows and Coyotes
1) Allow electronic calls for take of crows and coyotes.

Amend the following rules:
15A NCAC 10B .0215 Crows (page 14)
15A NCAC 10B .0219 Coyote (page 15)

Weapons
1) Allow individuals who possess a valid concealed handgun permit to carry that handgun concealed on wildlife conservation areas and game lands, except for these game lands for which the landowner has asked to be exempted: Buckhorn, Harris, Sutton Lake, Mayo, Hyco, Lee, Chatham, Pee Dee River north of U.S. 74, Butner-Falls, Jordan, Vance, Kerr Scott, Dupont, Bladen Lakes and that portion of R. Wayne Bailey-Caswell that is north of U.S. 158 and east of N.C. 119. Also, allow hunters who possess a valid concealed handgun permit to carry that handgun concealed while dog training and during the deer archery and muzzleloader seasons on both public and private lands.

Amend the following rules:
15A NCAC 10D .0102 General regulations regarding use (page 16)
15A NCAC 10B .0203 Deer (White-tailed) (pages 8&9)
15A NCAC 10J .0102 General regulation regarding use of conservation areas (page 21)
15A NCAC 10B .0114 Dog training and field trials (page 23)

2) Allow individuals to use a .22 caliber rimfire pistol to dispatch a wounded deer during the deer archery and muzzleloader seasons on both public and private lands.

Amend the following rules:
15A NCAC 10B .0203 Deer (White-tailed) (pages 8&9)
15A NCAC 10D .0102 General regulations regarding use (page 16)
15A NCAC 10J .0102 General regulation regarding use of conservation areas (page 21)

Game Lands
1) Clarify what wildlife resources and other materials may be possessed on or removed from Commission lands without any type of written permission or license and for which ones removal would require written permission.

Amend the following rules:
15A NCAC 10D .0102 General regulations regarding use (page 16)
15A NCAC 10D .0103 Hunting on game lands (page 24)
15A NCAC 10J .0102 General regulation regarding use of conservation areas (page 22)

Adopt the following rule:
15A NCAC 10D .0105 Possession and removal of animals, plants and materials (pages 38&39)
2) Require a permit to enter Hunting Creek Swamp Waterfowl Refuge (HCSWR) in Davie County.
Amend the following rules:
15A NCAC 10D .0102 General regulations regarding use (page 18)
15A NCAC 10D .0103 Hunting on game lands (page 36)

3) Increase fees for the use of the field trial facilities located on the Sandhills Game Land from the current $25.00 to $75.00 for use of the club house only and from $100 to $200 for the use of the club house and field trial grounds. Current cost estimates for operating the facility (not including staff time) in FY 2009-10 were $14,025. Revenues generated by user fees during the same time period were $9,000.
Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 17)

4) Allow additional archery and muzzleloader deer hunting on Sandhills Game Land by opening an archery season on the third Monday after Thanksgiving through January 1, except on the field trial grounds.
Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 33)

5) Increase the either-sex deer season on Butner-Falls of Neuse Game Land from the conservative to moderate.
Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 26)

6) Increase the either-sex deer season on Neuse River Game Land from moderate to maximum.
Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 31)

7) Open the bear season at Chowan Swamp Game Land on the first three hunting days during the November bear season and the first three days of the second week of the December bear season in order to be consistent with other game lands in District One.
Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 27)

8) Open the raccoon, opossum and bobcat hunting season in the Sherwood and Harmon Den Bear Sanctuaries in Haywood County.
Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 32)

9) Make waterfowl hunting from designated Disabled Sportsmen blinds on Catfish Lake Waterfowl Impoundment at the Croatan Game Land by permit only.
Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 27)

10) Remove text from the Commission’s rule which references the disabled sportsman hunts on R. Wayne Bailey-Caswell, Dupont State Forest, Sandhills, Thurmond Chatham, and Toxaway game lands. Disabled sportsman hunts will continue to be offered through the
Permit Hunting Opportunities Program and in the Permit Hunting Opportunities in North Carolina guide.

Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (pages 26, 28, 33&35)

11) Prohibit hunting and taking fox squirrels on Rockfish Creek Game Land.

Amend the following rule:
15A NCAC 10D .0103 Hunting on game lands (page 33)

Permits
1) Connect caging requirements for listed species as written in the captivity rule to the rule that allows possession of endangered species.

Amend the following rule:
15A NCAC 10I .0102 Protection of endangered/threatened/special concern (page 40)

2) Require landowners who receive a depredation permit for Canada Geese that are causing damage to agricultural operations to report the number of geese taken.

Amend the following rule:
15A NCAC 10B .0106 Wildlife taken for depredations or accidentally (page 44)

Importation of Animal Parts
1) Allow the Executive Director or his designee to waive the rule banning the importation of a cervid carcass or carcass part from any state where Chronic Wasting Disease (CWD) occurs for a deer or elk harvested within 20 miles of the North Carolina state line.15A

Amend the following rule:
NCAC 10A .1101 Waiver (page 46)

Captive Cervids
1) Establish captive cervid importation criteria for captive cervid licensees with Certified herds. All cervids would be prohibited from state/provinces/other countries with active Chronic Wasting Disease (CWD). Importation of white-tailed deer, white-tailed deer hybrids, Sika deer, red deer, elk, elk hybrids, moose or any other species of CWD-susceptible cervids will be allowed only from states/provinces/countries which have a license type, certification program or monitoring program that requires captive cervid facility owners to, at a minimum,:
   • submit for CWD testing all deceased animals over the age of 12 months;
   • tag, tattoo or otherwise permanently mark all animals over the age of 12 months; and
   • keep records of all acquisitions and all dispositions in the facility.
Fallow deer, muntjac deer and other non CWD-susceptible cervids will be eligible for importation if they came from a fenced facility and have been isolated from contact with CWD-susceptible cervids for the past 5 years. Non CWD-susceptible cervids that have been in contact with CWD-susceptible animals are subject to the same importation criteria as CWD-susceptible animals.

Amend the following rules
15A NCAC 10B .0101 Importation of wild animals and birds (page 47)
15A NCAC 10H .0304 Captive cervid herd certification program (page 60)
2) Amend the waiver rule to allow Certified herd owners the ability to apply for an importation waiver for cervids that do not meet the proposed importation criteria, except from states with CWD in wild cervids.

Amend the following rule:
15A NCAC 10A .1101 Waiver (page 45)

3) Allow for the issuance of new captive cervid licenses with controls in place to prohibit using a secondary license to expand a facility. Require newly licensed facilities to have double-fencing. Allow transportation of cervids from N.C. Certified herds (5-year status) into these new facilities for the first six months after their construction.

Amend the following rule:
15A NCAC 10H .0301 General requirements (page 48 & 52)
15A NCAC 10H .0302 Minimum standards (page 55)

**Falconry**

1) Remove the extended season for take of squirrels by falconry.

Amend the following rule:
15A NCAC 10B .0216 Falconry (page 62)

2) Amend 12 current rules pertaining to falconry, repeal one and adopt two additional rules in order for the Commission to fully regulate falconry in North Carolina in accordance with a directive from the U.S. Fish and Wildlife Service. Deadline for these changes is January 1, 2014.

Amend the following rules:
15A NCAC 10H .0801 Definitions
15A NCAC 10H .0802 Permit and license requirements
15A NCAC 10H .0803 Application for permit license
15A NCAC 10H .0804 Examination
15A NCAC 10H .0805 Duration of permit license
15A NCAC 10H .0806 Conditions of permit Acquisition, sale and status change
15A NCAC 10H .0807 classes Levels of permit licenses
15A NCAC 10H .0808 Facilities and equipment
15A NCAC 10H .0809 Marking
15A NCAC 10H .0810 Taking raptors
15A NCAC 10H .0811 Other restrictions and conditions
15A NCAC 10H .0812 Interstate transportation
15A NCAC 10H .0813 Raptor propagation permit

Adopt the following rules:
15A NCAC 10H .0814 Release of raptors or moved to other permit
15A NCAC 10H .0815 Other uses and allowed activities

Falconry rules are on pages 63 to 78

3) Allow the practice of falconry on Sundays on Three Day Per Week game lands.

Amend the following rule:
15A NCAC 10D.0103 Hunting on Game Lands (page 24)

*Changes to falconry regulations will be presented at the nine district hearings and at an additional hearing in Raleigh on September 28.*
(a) Open Seasons (All Lawful Weapons)

(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:


*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 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, Polk, Swain, Transylvania, and Yancey counties.

(D) Two Saturdays before Thanksgiving through January 1 in all of Alamance, Anson, Cabarrus, Caswell, Chatham, Davison, 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 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 the fifth Saturday after Thanksgiving Day in all of Cleveland 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 this Subparagraph: (Refer to 15A NCAC 10D .0103 for either sex seasons on Game Lands):

(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 and 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 apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated by agents of the Commission.

(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** and the following parts of counties:
Avery: That part south of the Blue Ridge Parkway; and
Yancey: That part south of US 19 and US 19E.
*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
**see 15A NCAC 10D .0103 for deer of either sex 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 Burke, Caldwell, McDowell, Mitchell, Polk and the following parts of counties:
Avery: That part north of the Blue Ridge Parkway;
Yancey: That part north of US 19 and US 19E.
(F) The first six open days and the last six 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.

(b) Open Seasons (Bow and Arrow)
(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 (b)(1) of this Rule except for that portion of Buffalo Cove Game Land in Wilkes County.
(C) Monday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday 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 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 (b)(1) of this Rule, and on Nicholson Creek, Rockfish Creek and Sandhills Game Lands.

(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) It is unlawful to carry any type of firearm while hunting with a bow during the bow and arrow deer hunting season, except:
(i) if the firearm is a handgun carried concealed by an individual with a valid concealed handgun permit. The individual carrying a concealed 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; or
the firearm is a .22 caliber rimfire pistol carried for the purpose of dispatching a
wounded deer in accordance with G.S. 113-291.1(k).

(C) Only bows and arrows of the types authorized in 15A NCAC 10B .0116 for taking deer
may be used during the bow and arrow deer hunting season.

(c) Open Seasons (Muzzle-Loading Rifles, Shotguns and Bow and Arrow)

(1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may
be taken only with muzzle-loading 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 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 muzzle-loading 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
muzzle-loading firearms and bow and arrow season in all other counties.

(B) Dogs shall not be used for hunting deer during the muzzle-loading 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).

(C) Pistols shall not be carried while hunting deer during the muzzle-loading firearms and
bow and arrow seasons, except:

(i) a handgun may be carried concealed by an individual with a valid concealed
handgun permit. The individual carrying a concealed 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; and

(ii) a .22 caliber rimfire pistol may be carried for the purpose of dispatching a
wounded deer in accordance with G.S. 113-291.1(k).

(d) Open Season (Urban Season)

(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 must send a letter to that effect
early in the year prior to the start of the urban season to the Executive Director or
his designee. 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) It is unlawful to carry any type of firearm while hunting with a bow during the urban
season, except:
(i) if the firearm is a handgun carried concealed by an individual with a valid concealed handgun permit. The individual carrying a concealed 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; or

(ii) the firearm is a .22 caliber rimfire pistol carried for the purpose of dispatching a wounded deer in accordance with G.S. 113-291.1(k).

(C) Only bows and arrows 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, 2011; July 10, 2010; June 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
Amended Eff. August 1, 2012
15A NCAC 10B .0202  BEAR

(a) Open Seasons for 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, the boundary formed by I-77 from the Virginia State line to the intersection with I-40, continuing along I-40 west until the intersection of NC 18 and NC 18 to the South Carolina State line.

(2) Second Monday in November to the following Saturday and the third Monday after Thanksgiving to the following Wednesday in all of Halifax, Martin and Northampton counties.

(3) Second Monday in November to January 1 in all of Bladen, Carteret, Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender and Sampson counties.

(4) First Monday in December to the third Saturday thereafter in Brunswick and Columbus counties.


(6) 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.

(7) Second Monday in November to the following Saturday in Greene, Lenoir and Pitt counties.

(b) No Open Season. There is no open season in any area not included in Paragraph (a) of this Rule or 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

Beaufort and Pamlico counties--Gum Swamp 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

(c) Bag limits shall be:

(1) daily, one;
(2) possession, one;
(3) season, one.

(d) Kill Reports. The carcass of each bear shall be tagged and the kill reported as provided by 15A NCAC 10B .0113.

History Note: Authority G.S. 113-134; 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, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.
Amended Eff. August 1, 2012
(a) It is unlawful for any person to take, or have in possession, any wild animal or wild bird listed in this Section except during the open seasons and in accordance with the limits herein prescribed, or as prescribed by 15A NCAC 10B .0300 pertaining to trapping or 15A NCAC 10D applicable to game lands managed by the Wildlife Resources Commission, unless otherwise specifically permitted by law. Lawful seasons and bag limits for each species apply beginning with the first day of the listed season and continue through the last day of the listed season, with all dates being included. When any hunting season ends on a January 1 that falls on a Sunday, that season is extended to Monday, January 2.

(b) On Sundays, hunting on private lands is allowed with the following restrictions:

   (1) Only archery equipment as described in 15A NCAC 10B .0116, falconry, and dogs where and when allowed the other days of the week. 15A NCAC 10B .0116 and falconry are lawful methods of take; and

   (2) Migratory game birds may not be taken on Sundays.

(c) On Sundays, hunting on public lands is allowed with the following restrictions:

   (1) Only falconry and dogs used in conjunction with falconry are lawful methods of take; and

   (2) Migratory game birds may not be taken on Sundays.

These restrictions do not apply to military installations under the exclusive jurisdiction of the federal government.

(d) Those animals not classified as game animals in G.S. 113-129(7c), and for which a season is set under this Section, may be taken during the hours and methods authorized for taking game animals.

Note: Where local laws govern hunting, or are in conflict with these regulations, the local law shall prevail.
CROWS

(a) Open Seasons: 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.

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

(b) Bag Limits: No restriction.

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

History Note: Authority G.S. 113-134; 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.
Amended Eff. January 1, 2012
15A NCAC 10B .0219  COYOTE

(a) No closed season.
(b) Bag Limits: No restriction.
(c) Manner of Take. Hunters may use electronic calls.

History Note: Authority G.S. 113-134; 113-291.2;
Amended Eff. January 1, 2012
15A NCAC 10D .0102  GENERAL REGULATIONS REGARDING USE

(a) Trespass. Entry on game lands for purposes other than hunting, trapping or fishing shall be as authorized by the landowner, and there shall be no removal of any plants, or parts thereof, or other materials, without the written authorization of the landowner. The Wildlife Resources Commission has identified the following areas on game lands that have additional restrictions on entry or usage:

1. Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open days of any applicable deer season.

2. Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on any game land. Falconry is exempt from this provision.

3. Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use of centerfire rifles is prohibited.

4. Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained specific written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person or persons requesting entry can demonstrate a valid need or such person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

5. Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained specific written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. An area of a game land shall be declared a Temporary Restricted Zone when there is a danger to the health or welfare of the public due to topographical features or activities occurring on the area.

6. Establishment of Archery, Restricted Firearms, and Restricted Zones. The Commission shall conduct a public input meeting in the area where the game land is located before establishing any archery, restricted firearms or restricted zone. After the input meeting the public comments shall be presented to an official Commission meeting for final determination.

7. Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge of firearms or bow and arrow is prohibited.

(b) Littering. No person shall deposit any litter, trash, garbage, or other refuse at any place on any game land except in receptacles provided for disposal of such refuse at designated camping and target-shooting areas. No garbage dumps or sanitary landfills shall be established on any game land by any person, firm, corporation, county or municipality, except as permitted by the landowner.

(c) Possession of Hunting Devices. It is unlawful to possess a firearm or bow and arrow. Firearms and archery equipment may only be possessed on a game land at any time except during the open hunting seasons or hunting days for game birds or game animals, other than fox, fox or coyote, except firearms and archery equipment may also be possessed under the following conditions:

1. unless the device is cased or not immediately available for use, or

2. provided that such devices may be possessed and the device is used by persons participating in field trials on field trial areas, areas, or

3. and the device is used by persons on target shooting areas designated by the landowner, or

4. and the device is possessed in designated camping areas for defense of persons and property; or

5. and provided further that the device is a .22 caliber pistol, pistol with barrels not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition may be carried as a side arm on game lands at any time other than by deer hunters during the special bow and arrow and muzzle-loading firearms deer hunting seasons, except under conditions authorized in G.S. 113-291.1(k), and by individuals training dogs during closed season without field trial authorization authorization, or

6. the device is a handgun carried concealed by an individual with a valid concealed handgun permit. The individual carrying a concealed 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 carry a concealed handgun does not apply on the following game
lands: Bladen Lakes State Forest, Buckhorn, Butner-Falls of Neuse, Chatham, DuPont State
Forest, Harris, Hyco, Jordan, Kerr Scott, Lee, Mayo, Pee Dee River north of U.S. 74, Sutton Lake,
Vance and that portion of R. Wayne Bailey- Caswell that is located north of U.S. 158 and east of
N.C. 119.

This Rule paragraph does not prevent possession or use of a bow and arrow as a licensed special fishing device in
those waters where such use is authorized. Furthermore, only shotguns with any size shot, shot and archery
equipment as defined in 15A NCAC 10B .0116 15A NCAC 10B .0116, and handguns carried concealed by
individuals with valid concealed handgun permits may be possessed during the big game season for turkey. No
person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any
posted waterfowl impoundment on any game land, or while hunting waterfowl on Butner-Falls of Neuse Game Land
or New Hope Game Land, except shotgun shells containing lead buckshot may be used while deer hunting.

(d) Game Lands License: Hunting and Trapping

(1) Requirement. Except as provided in Subparagraph (2) of this Paragraph, any person entering upon
any game land for the purpose of hunting, trapping, or participating in dog training or field trial
activities shall have in his possession a game lands license in addition to the appropriate hunting
or trapping licenses. A field trial participant is defined as a Judge, Handler, Scout or Owner.

(2) Exceptions

(A) A person under 16 years of age may hunt on game lands on the license of his parent or
legal guardian.

(B) The resident and nonresident sportsman's licenses include game lands use privileges.

(C) Judges and nonresidents participating in field trials under the circumstances set forth in
Paragraph (e) of this Rule may do so without the game lands license.

(D) On the game lands described in Rule .0103(e)(1) of this Section, the game lands license is
required only for hunting doves; all other activities are subject to the control of the
landowners.

(e) Field Trials and Training Dogs. A person serving as judge of a field trial which, pursuant to a written request
from the sponsoring organization, has been authorized in writing and scheduled for occurrence on a game land by an
authorized representative of the Wildlife Resources Commission, and any nonresident Handler, Scout or Owner
participating therein may participate without procuring a game lands license, provided such nonresident has in his
possession a valid hunting license issued by the state of his residence. Any individual or organization sponsoring a
field trial on the Sandhills Field Trial grounds or the Laurinburg Fox Trial facility shall file with the commission's
agent an application to use the area and facility accompanied by the facility use fee computed at the rate of two
hundred dollars ($200.00) one hundred dollars ($100.00) for each scheduled day of the trial. The total facility use
fee shall cover the period from 12:00 noon of the day preceding the first scheduled day of the trial to 10:00 a.m. of
the day following the last scheduled day of the trial. The facility use fee shall be paid for all intermediate days on
which for any reason trials are not run but the building or facilities are used or occupied. A fee of seventy-five
dollars ($75.00) twenty-five dollars ($25.00) per day shall be charged to sporting, educational, or scouting groups
for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or
use in any manner any of the physical facilities located on the Laurinburg Fox Trial or the Sandhills Field Trial
grounds without first having obtained written approval of such entry or use from an authorized agent of the Wildlife
Resources Commission, and no such entry or use of any such facility shall exceed the scope of or continue beyond
the approval so obtained. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the
approval of the Wildlife Resources Commission. No more than 16 days of field trials may be scheduled for
occurrence on the Sandhills facilities during any calendar month, and no more than four days may be scheduled
during any calendar week; provided, that a field trial requiring more than four days may be scheduled during one
week upon reduction of the maximum number of days allowable during some other week so that the monthly
maximum of 16 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or
other organization desiring use of the Sandhills facilities between October 22 and November 18 and between
December 3 and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for
its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training
dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays and
Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1
through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the
Wildlife Resources Commission. Dogs may not be trained or permitted to run unleashed from March 15 through
June 15 on any game land located east of I-95, except when participating in field trials sanctioned by the Wildlife
Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for
sportsmen participating in the Disabled Sportsman Program, dogs may not be trained or allowed to run unleashed
during legal big game hunting hours on the dates of the special hunts. A field trial shall be authorized when such
field trial does not conflict with other planned activities on the Game Land or field trial facilities and the applying
organization can demonstrate their experience and expertise in conducting genuine field trial activities. Entry to
physical facilities, other than by field trial organizations under permit, shall be granted when they do not conflict
with other planned activities previously approved by the Commission and they do not conflict with the primary
goals of the agency.

(f) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302 and .0303, trapping of
furbearing animals is permitted on game lands during the applicable open seasons, except that trapping is prohibited:

(1) on the field trial course of the Sandhills Game Land;
(2) on the Harmon Den and Sherwood bear sanctuaries in Haywood County;
(3) in posted "safety zones" located on any game land;
(4) by the use of bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south,
US 276 on the north and east, and NC 215 on the west;
(5) on the Hunting Creek Swamp Waterfowl Refuge;
(6) on the John's River Waterfowl Refuge in Burke County; and
(7) on the Dupont State Forest Game Lands.

On those areas of state-owned land known collectively as the Roanoke River Wetlands controlled trapping is
allowed under a permit system.

(g) Use of Weapons. In addition to zone restrictions described in Paragraph (a) no person shall discharge a weapon
within 150 yards of any Game Lands building or designated Game Lands camping area, except where posted
otherwise, or within 150 yards of any residence located on or adjacent to game lands, except no person shall
discharge a firearm within 150 yards of any residence located on or adjacent to Butner-Falls of Neuse and Jordan
Game Lands.

(h) Vehicular Traffic. No person shall drive a motorized vehicle on any game land except on those roads
constructed, maintained and opened for vehicular travel and those trails posted for vehicular travel, unless such
person:

(1) is driving in the vehicle gallery of a scheduled bird dog field trial held on the Sandhills Game
Land; or
(2) is a disabled sportsman as defined in Paragraph (k) of this Rule or holds a Disabled Access
Program Permit as described in Paragraph (n) of this Rule and is abiding by the rules described in
Paragraph (n).

(i) Camping. No person shall camp on any game land except on an area designated by the landowner for camping.

(j) Disabled Sportsman Program. In order to qualify for permit hunts for disabled sportsmen offered by the
Commission and use of designated blinds during those hunts an individual shall possess a Disabled Veteran
Sportsman license, a Totally Disabled Sportsman license or a disabled sportsman hunt certification issued by the
Commission. In order to qualify for the certification, the applicant shall provide medical certification of one or
more of the following disabilities:

(1) missing 50 percent or more of one or more limbs, whether by amputation or natural causes;
(2) paralysis of one or more limbs;
(3) dysfunction of one or more limbs rendering the person unable to perform the task of grasping and
lifting with the hands and arms or unable to walk without mechanical assistance, other than a cane;
(4) disease or injury or defect confining the person to a wheelchair, walker, or crutches; or
(5) deafness.

On game lands where the privileges described in Paragraph (n) of this Rule apply, participants in the program may
operate electric wheel chairs, all terrain vehicles or other passenger vehicles:

(1) on ungated or open-gated roads normally closed to vehicular traffic; and
(2) on any Commission-maintained road open for vehicular travel and those trails posted for vehicular
travel.

Each program participant may be accompanied by one able-bodied companion provided such companion has in his
possession the companion card issued by the Commission. Hunters who qualify under the Disabled Sportsman
Program and their able-bodied companions may access special hunting blinds for people with disabilities during
regularly scheduled, non-permit hunting days on a first come basis, except for those blinds located on the Restricted
Area of Caswell Game Land.
(l) Release of Animals and Fish. It is unlawful to release pen-raised animals or birds, wild animals or birds, domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes, or feral animals, or hatchery-raised fish on game lands without prior written authorization. It is unlawful to move wild fish from one stream to another on game lands without prior written authorization. Written authorization shall be given when release of such animals is determined by a North Carolina Wildlife Resources Commission biologist not to be harmful to native wildlife in the area and such releases are in the public interest or advance the programs and goals of the Wildlife Resources Commission.

(m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k) of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but must comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans with Disabilities Act, may use wheelchairs or other mobility devices designed for indoor pedestrian use on any area where foot travel is allowed.

(n) Disabled Access Program. Permits issued under this program shall be based upon medical evidence submitted by the person verifying that a handicap exists that limits physical mobility to the extent that normal utilization of the game lands is not possible without vehicular assistance. Persons meeting this requirement may operate electric wheel chairs, all terrain vehicles, and other passenger vehicles on any Commission-maintained road open for vehicular travel and those trails posted for vehicular travel and ungated or open-gated roads otherwise closed to vehicular traffic on game lands owned by the Wildlife Resources Commission and on game lands whose owners have agreed to such use. Those game lands, or parts thereof, where this Paragraph applies are designated in the game land rules and map book. This Paragraph does not permit vehicular access on fields, openings, roads, paths, or trails planted to wildlife food or cover. One able-bodied companion, who is identified by a special card issued to each qualified disabled person, may accompany a disabled person to provide assistance, provided the companion is at all times in visual or verbal contact with the disabled person. The companion may participate in all lawful activities while assisting a disabled person, provided license requirements are met. Any vehicle used by a qualified disabled person for access to game lands under this provision shall prominently display the vehicular access permit issued by the Wildlife Resources Commission in the passenger area of the vehicle. It is unlawful for anyone other than disabled persons as defined in Paragraph (k) of this Rule and those holding a Disabled Access Permit to hunt, during waterfowl season, within 100 yards of a waterfowl blind designated by the Wildlife Resources Commission as a Disabled Sportsman's hunting blind.

(o) Public nudity. Public nudity, including nude sunbathing, is prohibited on any Game Land, including land or water. For the purposes of this Section, "public nudity" means a person's intentional failure to cover with a fully opaque covering the person's genitals, pubic area, anal area, or female breasts below a point from the top of the areola while in a public place.

(p) Definitions: For the purpose of this Subchapter "Permanent Hunting Blind" is defined as any structure that is used for hunter concealment, constructed from man made or natural materials, and that is not disassembled and removed at the end of each day's hunt.

(q) Shooting Ranges. On state-owned game lands, no person shall use designated shooting ranges for any purpose other than for firearm or bow and arrow marksmanship, development of shooting skills or for other safe uses of firearms and archery equipment. All other uses, including camping, building fires, operating concessions or other activities not directly involved with recreational or competitive shooting are prohibited, except that activities which have been approved by the Commission and for which a permit has been issued may be conducted, provided that the permit authorizing such activity is available for inspection by wildlife enforcement officers at the time the activity is taking place. No person, when using any shooting range, shall deposit any debris or refuse on the grounds of the range. This includes any items used as targets, except that clay targets broken on the range, by the shooter, may be left on the grounds where they fall. No person shall shoot any items made of glass on the grounds of the range. No person may leave any vehicle or other obstruction in such a location or position that it will prevent, impede or inconvenience the use by other persons of any shooting range. No person shall leave parked any vehicle or other object at any place on the shooting range other than such a place or zone as is designated as an authorized parking zone and posted or marked as such. No person shall leave parked any vehicle or other object at any place on the shooting range other than such a place or zone as is designated as an authorized parking zone and posted or marked as such. No person shall handle any firearms or bow and arrow on a shooting range in a careless or reckless manner. No person shall intentionally shoot into any target holder, post or other permanent fixture or structure while using a shooting range. No person shall shoot a firearm in a manner that would cause any rifled or smoothbore projectiles to travel off of the range, except that shotgun shot, size No. 4 or smaller may be allowed to travel from the range if it presents no risk of harm or injury to any person(s). Persons using a shooting range must obey posted range safety rules and those persons who violate range safety rules or create a public safety hazard must leave the shooting range if directed to by law enforcement officers or Commission employees. No
person shall handle any firearms on a shooting range while under the influence of an impairing substance. The consumption of alcohol or alcoholic beverages on a shooting range is prohibited. Shooting ranges are open from sunrise to sunset on Monday through Saturday. Firearms shall be unloaded and cased when being transported to the shooting range while on Game Lands. No person, when using any shooting range, shall do any act which is prohibited or neglect to do any act which 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.

(r) Limited-access Roads. During the months of June, July and August, roads posted as "Limited-access Roads" are open to motorized vehicles from 5:00 a.m. to 10:00 p.m. only. These roads shall be posted with the opening and closing times.

History Note: Authority G.S. 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306;
Eff. February 1, 1976;
Amended Eff. July 1, 1993; April 1, 1992;
Temporary Amendment Eff. October 11, 1993;
Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. August 31, 2001;
Amended Eff. August 1, 2002;
Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. June 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; November 1, 2005.
Amended Eff. January 1, 2012
15A NCAC 10J .0102  GENERAL REGULATIONS REGARDING USE OF CONSERVATION AREAS

(a) Trespass. Entry on areas posted as Wildlife Conservation Areas for purposes other than wildlife observation, hunting, trapping or fishing shall be as authorized by the landowner and shall be no removal of any plants or parts thereof, or live or dead nongame wildlife species or parts thereof, or other materials, without the written authorization of the landowner. On those areas designated and posted as Colonial Waterbird Nesting Areas, entry is prohibited during the period of April 1 through August 31 of each year, except by written permission of the landowner. Entry into Colonial Waterbird Nesting Areas during the period of September 1 through March 31 is as authorized by the landowner.

(b) Littering. No person shall deposit any litter, trash, garbage, or other refuse at any place on any wildlife conservation area except in receptacles provided for disposal of such refuse. No garbage dumps or sanitary landfills shall be established on any wildlife conservation area by any person, firm, corporation, county or municipality, except as permitted by the landowner.

(c) Possession of Hunting Devices. It is unlawful to possess a firearm or bow and arrow. Firearms and archery equipment may only be possessed on a designated wildlife conservation area at any time except during the open hunting seasons or hunting days for game birds or game animals thereon except firearms and archery equipment may also be possessed under the following conditions:

(1) unless such the device is cased or not immediately available for use, or
(2) provided such devices the device may be possessed in designated camping areas for defense of persons and property, property, or
(3) and provided further that the device is a .22 caliber pistol pistols with a barrel barrels not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition may be carried as a sidearm arms on designated wildlife conservation areas at any time other than by deer hunters during the special bow and arrow and muzzle-loading firearms deer hunting seasons season, except under conditions authorized in G.S. 113-291.1(k), or
(4) the device is a handgun carried concealed by an individual with a valid concealed handgun permit. The individual carrying a concealed 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.

This Rule does not prevent possession or use of bow and arrow as a licensed special fishing device in those waters where such use is authorized. During the closed firearms seasons on big game (deer, bear, boar, wild turkey), no person shall possess a shotgun shell larger than No. 4 shot or any rifle or pistol larger than a .22 caliber rimfire while on a designated wildlife conservation area except that shotgun shells containing any size steel or non-toxic shot may be used while waterfowl hunting. No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting waterfowl on any area designated as a wildlife conservation area, except shotgun shells containing lead buckshot may be used while deer hunting.

(d) License Requirements:

(1) Hunting and Trapping:

(A) Requirement. Except as provided in Part (d)(1)(B) of this Rule, any person entering upon any designated wildlife conservation area for the purpose of hunting or trapping shall have in his possession a game lands use license in addition to the appropriate hunting or trapping licenses.

(B) Exception. A person under 16 years of age may hunt on designated wildlife conservation areas on the license of his parent or legal guardian.

(2) Trout Fishing. Any person 16 years of age or over, including an individual fishing with natural bait in the county of his residence, entering a designated wildlife conservation area for the purpose of fishing in designated public mountain trout waters located thereon must have in his possession a regular fishing license and special trout license. The resident and nonresident sportsman's licenses and short-term comprehensive fishing licenses include trout fishing privileges on designated wildlife conservation areas.

(e) Training Dogs. Dogs shall not be trained on designated wildlife conservation areas except during open hunting seasons for game animals or game birds thereon. Dogs are not allowed to enter any wildlife conservation area designated and posted as a colonial waterbird nesting area during the period of April 1 through August 31.

(f) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302, and .0303, trapping of fur-bearing animals is permitted on any area designated and posted as a wildlife conservation area during the applicable open seasons, except that trapping is prohibited:

(1) on the Nona Pitt Hinson Cohen Wildlife Conservation Area in Richmond County; and
(2) in posted "safety zones" located on any Wildlife Conservation Area.

(g) Use of Weapons. No person shall hunt or discharge a firearm or bow and arrow from a vehicle, or within 200 yards of any building or designated camping areas, or within, into, or across a posted "safety zone" on any designated wildlife conservation area. No person shall hunt with or discharge a firearm within, into, or across a posted "restricted zone" on any designated wildlife conservation area.

(h) Vehicular Traffic. No person shall drive a motorized vehicle on a road, trail or area posted against vehicular traffic or other than on roads maintained for vehicular use on any designated wildlife conservation area.

(i) Camping. No person shall camp on any designated wildlife conservation area except on an area designated by the landowner for camping. On the coastal islands designated wildlife conservation areas, camping is allowed except on those areas designated and posted as Colonial Waterbird Nesting Areas.

(j) Swimming. No person shall swim in the waters located on designated wildlife conservation areas, except that a person may swim in waters adjacent to coastal island wildlife conservation areas.

(k) Motorboats. No person shall operate any vessel powered by an internal combustion engine on the waters located on designated wildlife conservation areas.

(l) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Wildlife Conservation Areas. Persons who have obtained a permit issued pursuant to G.S. 113-297 are exempt from this Rule but shall comply with permit conditions.

(m) It is unlawful to possess or consume any type of alcoholic beverage on public use areas of the Nona Pitt Hinson Cohen Wildlife Conservation Area.

(n) It is unlawful to release animals or birds; domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes; and feral animals on conservation areas without prior written authorization of the Wildlife Resources Commission.

(o) Possession and removal. No living or dead nongame wildlife, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other materials may be possessed on or removed from conservation areas without written permission from the Commission. For purposes of this Rule, "other materials" includes the following: all metals, minerals, rocks, soil, organic debris, buildings, fences, historic artifacts and water.

History Note: Authority G.S. 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 113-296; 113-297;
Eff. February 1, 1990;
Amended Eff. August 1, 2010; May 1, 2007; May 1, 2006; June 1, 2005.
Amended Eff. January 1, 2012
15A NCAC 10B .0114  DOG TRAINING AND FIELD TRIALS

(a) Except as provided in Paragraphs (b) and (c) of this Rule, each person engaged in training or running a dog or
dogs and each active participant in a field trial shall have obtained a North Carolina hunting license. The term
"active participant" as used herein includes each person who owns or handles dogs, carries a firearm, or is a member
of an organized group engaged in the conduct of a field trial, but does not include a person who is observing a field
trial incidentally or who has stopped to witness a part of it.

(b) A person serving as judge of a commission-sanctioned field trial and any nonresident participating therein may
do so without having a North Carolina license, provided such nonresident has in his possession a valid hunting
license issued by the state of his residence. A "commission-sanctioned" field trial is one which, pursuant to a
written request from the sponsoring organization, has been authorized in writing and scheduled for occurrence by an
authorized representative of the Wildlife Resources Commission.

(c) Persons without license may participate in commission-sanctioned field trials for beagles conducted without
firearms on private field trial areas which are fenced in accordance with G.S. 113-276(k).

(d) Except as allowed by regulations pertaining to authorized field trials, and handguns carried concealed by
individuals with valid concealed handgun permits, it is unlawful to carry firearms, axes, saws or climbing irons
while training or running dogs during closed season on game animals.

(e) Except as authorized in this Paragraph, no firearms, except handguns carried concealed by individuals
with valid concealed handgun permits, or other hunting weapons may shall be possessed or used during any field
trial for foxhounds or any field trial conducted during the closed hunting season for any other species of wildlife
serving as the quarry or prey. On a commission-sanctioned field trial for retrievers or bird dogs, shotguns
containing live ammunition or firearms using only blank ammunition may be used only when the application for and
the authorization of the field trial so provide. No wild waterfowl, quail or pheasant shall be used in field trials when
shotguns with live ammunition are permitted. All waterfowl, quail and pheasants so used shall be obtained from a
licensed game bird propagator. Each specimen of waterfowl so obtained shall be marked by one of the methods
provided by 50 C.F.R. 21.13. Each pheasant or quail so obtained shall be banded by the propagator prior to delivery
with a leg band that is imprinted with the number of his or her propagation license. The purchaser of such birds
shall obtain a copy of the receipt from the propagator showing the date and the number and species of birds
purchased. The copy of the receipt shall be available for inspection by any authorized agent of the Wildlife
Resources Commission during the time and at the place where the trial is being held.

(f) Applications for authorization of a field trial shall be submitted in writing to a Wildlife Enforcement Officer at
least 30 days prior to the scheduled event.

(g) Pursuant to G.S. 113-291.1(d), hunters may train dogs using shotguns with shot of number 4 size or smaller
during the closed season using domestically raised waterfowl and domestically raised game birds. Only nontoxic
shot shall be used when training dogs using domestically raised waterfowl. All domestically raised waterfowl shall
be individually tagged on one leg with a seamless band stamped with the number of the propagation license for the
facility from which the domestically raised waterfowl originated. All other domestically raised game birds shall be
individually tagged on one leg with a band indicating the propagation license number for the facility from which the
birds originated.

History Note: Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 C.F.R. 21.13;
Eff. February 1, 1976;
Amended Eff. May 1, 2006; July 1, 1995; July 1, 1994; July 1, 1991; May 1, 1990.
Amended Eff. January 1, 2012
15A NCAC 10D .0103  HUNTING ON GAME LANDS

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

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

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

(d) Time and Manner of Taking. Except where closed to hunting or limited to specific dates by this Chapter, hunting on game lands is permitted during the open season for the game or furbearing species being hunted. On managed waterfowl impoundments, hunters shall not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates, and hunting is prohibited after 1:00 p.m. on such hunting dates; decoys shall not be set up prior to 4:00 a.m. and must be removed by 3:00 p.m. each day. No person shall operate any vessel or vehicle powered by an internal combustion engine on a managed waterfowl impoundment. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting-only Zone." No person shall attempt to obscure the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal which has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization of the commission or its agent. A decision to grant or deny authorization shall be made based on the best management practices for the wildlife species in question. No person shall take or attempt to take any game birds or game animals attracted to such foods. No live wild animals or wild birds shall be removed from any game land.

(e) Definitions:

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

(2) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays and Thanksgiving, Christmas and New Year's Days. Days, except falconry may also be practiced on Sundays. These "open days" also apply to either-sex hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.

(3) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons.

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

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

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

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

(A) Six Days per Week Area

(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season in that portion in Montgomery county and deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season in those portions in Davie, Davidson, Rowan and Stanly counties.

(2) Alligator River Game Land in Tyrrell County

(A) Six Day per Week Area

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

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

(3) Angola Bay Game Land in Duplin and Pender counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(4) Bachelor Bay Game Land in Bertie, Martin and Washington counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(5) Bertie County Game Land in Bertie County
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(6) Bladen Lakes State Forest Game Land in Bladen County
(A) Three Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Handguns shall not be carried and, except for muzzle-loaders, rifles larger than .22 caliber rimfire shall not be used or possessed.
(D) On the Singletary Lake Tract deer and bear may be taken only by still hunting.
(E) Wild turkey hunting on the Singletary Lake Tract is by permit only.
(F) Camping is restricted to September 1 through February 28 and April 7 through May 14 in areas both designated and posted as camping areas.

(7) Brinkleyville Game Land in Halifax County
(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable deer with visible antlers season.
(C) Horseback riding is prohibited.

(8) Brunswick County Game Land in Brunswick County
(A) Hunting is by permit only.
(B) The use of dogs for hunting deer is prohibited.

(9) Buckhorn Game Land in Orange County
(A) Hunting is by permit only.
(B) Horseback riding is prohibited.

(10) Buckridge Game Land in Tyrrell County.
(A) Three Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days of the second week of the December Bear Season.

(11) Buffalo Cove Game Land in Caldwell and Wilkes Counties
(A) Six Days per Week Area
(B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving through the third Saturday after Thanksgiving. Deer may be taken with bow and arrow on open days beginning the Monday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving and during the deer with visible antlers season. Deer may be taken with muzzle-loading firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter, and during the Deer With Visible Antlers season.
(C) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
(D) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.

(12) Bullard and Branch Hunting Preserve Game Lands in Robeson County
(A) Three Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(13) Butner - Falls of Neuse Game Land in Durham, Granville and Wake counties

(A) Six Days per Week Area

(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

(C) Waterfowl shall be taken only on Tuesdays, Thursdays and Saturdays; Christmas, New Year's and Martin Luther King, Jr. Days and on the opening and closing days of the applicable waterfowl seasons. On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November 1.

(D) Horseback riding is prohibited.

(E) Target shooting is prohibited

(F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.

(G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.

(H) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals.

(I) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and April 7 through May 14.

(14) Buxton Woods Game Land in Dare County:

(A) Six Days per Week Area

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

(15) Cape Fear River Wetlands Game Land in Pender County

(A) Six Days per Week Area

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

(C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.

(D) The use of dogs for hunting deer is prohibited on the portion of the game land that is west of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road and south of NC 210 to the Black River.

(16) Carteret County Game Land in Carteret County

(A) Six Days per Week Area

(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

(C) The use of dogs for hunting deer is prohibited.

(17) R. Wayne Bailey-Caswell Game Land in Caswell County

(A) Three Days per Week Area

(B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season. Deer of either sex may also be taken the Thursday and Friday preceding the Central muzzle loading season with any legal weapon by participants in the Disabled Sportsman Program who acquire special hunt permits.

(C) Horseback riding is allowed only during June, July, and August and on Sundays during the remainder of the year except during open turkey and deer seasons. Horseback riding is allowed only on roads opened to vehicular traffic. Participants must obtain a game lands license prior to engaging in such activity.

(D) The area encompassed by the following roads is permit-only for all quail and woodcock hunting and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.

(E) On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.

(F) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and April 7 through May 14.

(18) Catawba Game Land in Catawba County
(A) Three Days per Week Area
(B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
   Antlers Season.
(C) Deer may be taken with bow and arrow only from the tract known as Molly's Backbone.

(19) Chatham Game Land in Chatham County
(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the
   applicable Deer With Visible Antlers Season.
(C) Wild turkey hunting is by permit only.
(D) Horseback riding is allowed only during June, July, and August and on Sundays during
   the remainder of the year except during open turkey and deer seasons.
(E) Target shooting is prohibited.

(20) Cherokee Game Land in Ashe County
(A) Six Days per Week Area
(B) Deer of either sex may be taken the last six open days of the applicable Deer With
   Visible Antlers Season.

(21) Chowan Game Land in Chowan County
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the days of the applicable Deer With Visible
   Antlers Season.

(22) Chowan Swamp Game Land in Bertie, Gates and Hertford counties.
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
   Antlers Season.
(C) Bear hunting is restricted to the first three hunting days during the November bear season
   and the first three hunting days during the second week of the December bear season
   except that portion of Chowan Swamp Game Land in Gates County that is east of
   Highway 158/13, south of Highway 158, west of Highway 32, and north of Catherine
   Creek and the Chowan River where the bear season is the same as the season dates for
   the Gates County bear season.
(D) Camping is restricted to September 1 through the last day of February and April 7
   through May 14 in areas both designated and posted as camping areas.

(23) Cold Mountain Game Land in Haywood County
(A) Six Days per Week Area
(B) Horseback riding is prohibited except on designated trails May 16 through August 31 and
   all horseback riding is prohibited from September 1 through May 15.
(C) Deer of either sex may be taken the last open day of the applicable Deer With Visible
   Antlers Season.

(24) Columbus County Game Land in Columbus County.
(A) Three Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
   Antlers Season.

(25) Croatan Game Land in Carteret, Craven and Jones counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
   Antlers Season.
(C) Waterfowl shall be taken only on the following days:
   (i) the opening and closing days of the applicable waterfowl seasons;
   (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
   (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
(D) Beginning on the first open waterfowl day in October through the end of the waterfowl
    season, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish
    Lake Waterfowl Impoundment is by permit only.
(E) Dove hunting is by permit only for the first two open days of dove season on posted
    areas. During the rest of dove season, no permit is required to hunt doves.

(26) Currituck Banks Game Land in Currituck County
(A) Six Days per Week Area

(B) Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by
permit only from November 1 through the end of the waterfowl season.

(C) Licensed hunting guides may accompany the permitted individual or party provided the
guides do not possess or use a firearm.

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

(E) Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day
of their hunt.

(F) No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand
or blind to a tree.

(G) Deer of either sex may be taken all the days of the applicable deer with visible antlers
season.

(27) Dare Game Land in Dare County

(A) Six Days per Week Area

(B) Deer of either sex may be taken the last six open days of the applicable Deer With
Visible Antlers Season.

(C) No hunting on posted parts of bombing range.

(D) The use and training of dogs is prohibited from March 1 through June 30.

(28) Dover Bay Game Land in Craven County

(A) Six Days per Week Area

(B) Deer of either sex may be taken all the days of the applicable deer with visible antlers
season.

(29) Dupont State Forest Game Lands in Henderson and Transylvania counties

(A) Hunting is by Permit only.

(B) The training and use of dogs for hunting is prohibited except by special hunt permit
holders during scheduled permit hunts.

(C) Participants of the Disabled Sportsman Program who acquire special hunt permits may
take deer of either sex with any legal weapon on the Saturday prior to the first segment of
the season described in 15A NCAC 10B.0203(b)(1)(B).

(30) Elk Knob Game Land in Watauga County

(A) Six Days per Week Area

(B) Deer of either sex may be taken the last six open days of the applicable Deer With
Visible Antlers Season.

(31) Embro Game Land in Halifax and Warren counties

(A) Six Days per Week Area

(B) Deer of either sex may be taken the first six open days and the last six open days of the
applicable Deer With Visible Antlers Season.

(C) Horseback riding is prohibited.

(32) Goose Creek Game Land in Beaufort and Pamlico counties

(A) Six Days per Week Area

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

(C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
impoundments shall be taken only on the following days:
(i) the opening and closing days of the applicable waterfowl seasons;
(ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
(iii) Tuesdays and Saturdays of the applicable waterfowl seasons.

(D) Beginning on the first open waterfowl season day in October and through the end of the
waterfowl season, waterfowl hunting is by permit only on the following waterfowl
impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith
Creek and Hobucken.

(E) On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except
waterfowl hunting on designated waterfowl hunting days and trapping during the
trapping season, are restricted to the posted Scouting-only Zone during the period
November 1 through March 15.
Camping is restricted to September 1 through February 28 and April 7 through May 14 in areas both designated and posted as camping areas.

Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 to the end of February and April 1 to May 15 to individuals that possess a valid hunting opportunity permit.

(33) Green River Game Land in Henderson, and Polk counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
(C) Horseback riding is prohibited.

(34) Green Swamp Game Land in Brunswick County

(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

(35) Gull Rock Game Land in Hyde County

(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(C) Waterfowl shall be taken only on Tuesdays, Fridays, Saturdays; on Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and on the opening and closing days of the applicable waterfowl seasons.
(D) The use or construction of permanent hunting blinds shall be prohibited.
(E) Wild turkey hunting is by permit only.
(F) Target shooting is prohibited.

(36) Harris Game Land in Chatham, Harnett and Wake counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(C) Waterfowl shall be taken only on Tuesdays, Fridays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons.
(D) The use or construction of permanent hunting blinds shall be prohibited.
(E) Wild turkey hunting is by permit only.
(F) Target shooting is prohibited.

(37) Holly Shelter Game Land in Pender County

(A) Three Days per Week Area.
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Waterfowl may be taken only on the following days:
   (i) the opening and closing days of the applicable waterfowl seasons;
   (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
   (iii) Tuesdays and Saturdays of the applicable waterfowl season.
(D) Camping is restricted to September 1 through February 28 and April 7 through May 14 in areas both designated and posted as camping areas.
(E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and bear hunting are permit only.
(F) The use of dogs for hunting deer and bear is prohibited on that portion of the game land that is south of Baby Branch extending west to Stag Park Road, west of Shaw Road, north of Meeks Road extending west to Stag Park Road and east of Stag Park Road.
(G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the last day of February and April 1 to May 15 to individuals that possess valid hunting opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.
Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on and within 100 yards of trails designated for Disabled Sportsman Access.

(38) Hyco Game land in Person County

(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(C) Target shooting is prohibited.

(39) J. Morgan Futch Game Land in Tyrrell County, Permit Only Area.

(40) Johns River Game Land in Burke County

(A) Hunting is by permit only.
(B) During permitted deer hunts deer of either-sex may be taken by permit holders.
(C) Entry on posted waterfowl impoundments is prohibited October 1 through March 31 except by lawful waterfowl hunting permit holders and only on those days written on the permits.
(D) The use or construction of permanent hunting blinds is prohibited.

(41) Jordan Game Land in Chatham, Durham, Orange and Wake counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons.
(D) Horseback riding is prohibited except on those areas posted as American Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On all other trails posted for equestrian use, horseback riding is allowed only during June, July and August, and on Sundays the remainder of the year except during open turkey and deer seasons.
(E) Target shooting is prohibited.
(F) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
(G) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals.

(42) Juniper Creek Game Land in Brunswick and Columbus counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Camping is restricted to September 1 through the last day of February and April 7 through May 14 in areas both designated and posted as camping areas.

(43) Kerr Scott Game Land in Wilkes County

(A) Six Days per Week Area
(B) Use of centerfire rifles is prohibited.
(C) Use of muzzleloaders, shotguns, or rifles for hunting deer during the applicable Deer With Visible Antlers Season shall be prohibited.
(D) Tree stands shall not be left overnight and no screws, nails, or other objects penetrating the bark shall be used to attach a tree stand or blind to a tree.
(E) Deer of either sex may be taken on all open days of the applicable deer with visible antlers season.
(F) Hunting on posted waterfowl impoundments is by permit only.
(G) The use of firearms for hunting wild turkey is prohibited.

(44) Lantern Acres Game Land in Tyrrell and Washington counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Wild turkey hunting is by permit only.
(D) The use of dogs for hunting deer on the Godley Tract is prohibited.
Waterfowl hunting on posted waterfowl impoundments is by permit only.

Lee Game Land in Lee County
(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(C) Target shooting is prohibited.

Light Ground Pocosin Game Land in Pamlico County
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

Linwood Game Land in Davidson County
(A) Six Days per Week Area
(B) Deer of either sex may be taken on all of the open days of the applicable Deer With Visible Antlers Season.

Lower Fishing Creek Game Land in Edgecombe and Halifax counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(C) Horseback riding is prohibited.
(D) The use of dogs for hunting deer is prohibited.

Mayo Game Land in Person County
(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(C) Waterfowl shall be taken only on Tuesdays, Thursdays and Saturdays; Christmas and New Year's Days, and on the opening and closing days of the applicable waterfowl seasons.
(D) Target shooting is prohibited.

Mitchell River Game Land in Surry County
(A) Three Days per Week Area
(B) Deer of either sex may be taken the last six days of the applicable Deer With Visible Antlers Season.
(C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.

Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain and Transylvania counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.

Needmore Game Land in Macon and Swain counties.
(A) Six Days per Week Area
(B) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.

Neuse River Game Land in Craven County
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

New Lake Game Land in Hyde and Tyrrell counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

Nicholson Creek Game Land in Hoke County
(A) Three Days per Week Area
(B) Deer of either sex may be taken with bow and arrow on open hunting days from the Saturday on or nearest September 10 to the fourth Friday before Thanksgiving.
Deer of either sex may be taken with muzzle-loading firearms on open hunting days beginning the fourth Saturday before Thanksgiving through the Wednesday of the second week thereafter.

The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving through the third Saturday after Thanksgiving.

Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.

The use of dogs for hunting deer is prohibited.

Wild turkey hunting is by permit only.

On Lake Upchurch, the following activities are prohibited:
(i) No person shall operate any vessel or vehicle powered by an internal combustion engine; and
(ii) Swimming.

North River Game Land in Camden and Currituck counties (A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.
(D) Hunting on the posted waterfowl impoundment is by permit only.

Northwest River Marsh Game Land in Currituck County (A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.

Pee Dee River Game Land in Anson, Montgomery, Richmond and Stanly counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
(D) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US-74.
(E) Target shooting is prohibited.

Perkins Game Land in Davie County (A) Three Days per Week Area
(B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.

Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga and Yancey counties (A) Six Days per Week Area
(B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
(D) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
(E) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).

Pond Mountain Game Land in Ashe County (A) Six Days per Week Area
(B) Deer of either sex may be taken the last six open days of the applicable Deer with Visible Antlers Season.
(C) All horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
(D) Deer and bear hunting is by permit only.

Pungo River Game Land in Hyde County (A) Six Days per Week Area
Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

Rhodes Pond Game Land in Cumberland and Harnett counties
(A) Hunting is by permit only.
(B) Swimming is prohibited on the area.

Roanoke River Wetlands in Bertie, Halifax, Martin and Northampton counties
(A) Hunting is by Permit only.
(B) Vehicles are prohibited on roads or trails except those operated on Commission business or by permit holders.
(C) Camping is restricted to September 1 through February 28 and April 7 through May 14 in areas both designated and posted as camping areas, provided, however, that camping is allowed at any time within 100 yards of the Roanoke River on the state-owned portion of the game land.

Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.

Robeson Game Land in Robeson County
(A) Three Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

Rockfish Creek Game Land in Hoke County
(A) Three Days per Week Area
(B) Deer of either sex may be taken with bow and arrow on open hunting days from the Saturday on or nearest September 10 to the fourth Friday before Thanksgiving.
(C) Deer of either sex may be taken with muzzle-loading firearms on open hunting days beginning the fourth Saturday before Thanksgiving through the Wednesday of the second week thereafter.
(D) The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving through the third Saturday after Thanksgiving.
(E) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
(F) The use of dogs for hunting deer is prohibited.
(G) Wild turkey hunting is by permit only.
(H) Taking fox squirrels is prohibited.

Rocky Run Game Land in Onslow County: Hunting is by permit only.

Sampson Game Land in Sampson County
(A) Three Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.

Sandhills Game Land in Hoke, Moore, Richmond and Scotland counties
(A) Three Days per Week Area
(B) The Deer With Visible Antlers season for deer consists of the open hunting days from the second Saturday before Thanksgiving through the third Saturday after Thanksgiving except on the field trial grounds where the gun season is open days from the second Monday before Thanksgiving through the Saturday following Thanksgiving. Deer may be taken with bow and arrow on all open hunting days during the bow and arrow season, as well as during the regular gun season, the Deer with Visible antlers season, and from the third Monday after Thanksgiving through January 1, except on the field trial grounds. Deer may be taken with muzzle-loading firearms on open days beginning the fourth Saturday before Thanksgiving through the Wednesday of the second week thereafter, and during the Deer With Visible Antlers season, season, and from the third Monday after Thanksgiving through January 1, except on the field trial grounds.
(C) Gun either-sex deer hunting is by permit only. For participants in the Disabled Sportsman Program who acquire special hunt permits, either sex deer hunting with any legal weapon is permitted on all areas the Thursday and Friday prior to the muzzle-loading season described in the preceding paragraph. Except for the deer, opossum, rabbit, raccoon and squirrel seasons indicated for the field trial grounds in this Rule and
Disabled Sportsman Program hunts, the field trial grounds are closed to all hunting during the period October 22 to March 31.

(D) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.

(E) Wild turkey hunting is by permit only.

(F) Dove hunting on the field trial grounds is prohibited from the third Sunday in September through the remainder of the hunting season.

(G) Opossum, raccoon and squirrel (fox and gray) hunting on the field trial grounds is allowed on open days from the second Monday before Thanksgiving through the Saturday following Thanksgiving and rabbit season on the field trial grounds will be from the Saturday preceding Thanksgiving through the Saturday following Thanksgiving.

(H) The following areas are permit-only for all quail and woodcock hunting and dog training on birds: In Richmond County: that part east of US 1; In Scotland County: that part west of SR 1328 and north of Gardner Farm Lane and that part east of SR 1328 and north of Scotland Lake Lane.

(I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited unless riding in authorized field trials.

(J) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and April 7 through May 14.

(71) Sandy Creek Game Land in Nash and Franklin Counties

(A) Six Days per Week Area

(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

(C) Horseback riding is prohibited.

(D) The use of dogs for hunting deer is prohibited.

(72) Sandy Mush Game Land in Buncombe and Madison counties.

(A) Three Days per Week Area

(B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers season.

(C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.

(D) Dogs shall only be trained on Mondays, Wednesdays and Saturdays and only as allowed in 15A NCAC 10D .0102(e).

(E) Dove hunting is by permit only from the opening day through the second Saturday of dove season.

(73) Second Creek Game Land in Rowan County- hunting is by permit only.

(74) Shocco Creek Game Land in Franklin, Halifax, Nash and Warren counties

(A) Six Days per Week Area

(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.

(C) Horseback riding is prohibited.

(75) South Mountains Game Land in Burke, Cleveland, McDowell and Rutherford counties

(A) Six Days per Week Area

(B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving through the third Saturday after Thanksgiving. Deer may be taken with bow and arrow on open days beginning the Monday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving and during the Deer With Visible Antlers season. Deer may be taken with muzzle-loading firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter, and during the Deer With Visible Antlers season.

(C) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.

(D) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
(E) That part of South Mountains Game Land in Cleveland, McDowell, and Rutherford counties is closed to all grouse, quail and woodcock hunting and all bird dog training.

(76) Stones Creek Game Land in Onslow County

(A) Six-Day per Week Area.
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Swimming in all lakes is prohibited.
(D) Waterfowl on posted waterfowl impoundments may be taken only on the following days:
   (i) the opening and closing days of the applicable waterfowl seasons;
   (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
   (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.

(77) Suggs Mill Pond Game Land in Bladen and Cumberland counties

(A) Hunting and trapping is by Permit only.
(B) Camping is restricted to September 1 through February 28 and April 7 through May 14 in areas both designated and posted as camping areas.
(C) Entry is prohibited on scheduled hunt or trapping days except for:
   (i) hunters or trappers holding special hunt or trapping permits; and
   (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.

(78) Sutton Lake Game Land in New Hanover and Brunswick counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
(C) Target shooting is prohibited.

(79) Tar River Game Land in Edgecombe County – hunting is by permit only.

(80) Three Top Mountain Game Land in Ashe County

(A) Six Days per Week Area
(B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
(C) Horseback riding is prohibited.

(81) Thurmond Chatham Game Land in Alleghany and Wilkes counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season. Participants of the Disabled Sportsman Program who acquire special hunt permits may also take either sex deer with bow and arrow on the Saturday prior to the season described in 15A NCAC 10B .0203(b)(1)(B).
(C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15. Participants must obtain a game lands license prior to horseback riding on this area.
(D) The maximum period of consecutive overnight camping at any designated campground is 14 days within any 30 day period from May 1 through August 31. After 14 consecutive days of camping all personal belongings must be removed from the game land.

(82) Tillery Game Land in Halifax County

(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season. Participants of the Disabled Sportsman Program who acquire special hunt permits may take deer of either sex with any legal weapon on the Saturday prior to the first segment of the bow and arrow season described in 15A NCAC 10B .0203(b)(1)(B).
(C) Horseback riding is prohibited.
(D) The use of dogs for hunting deer is prohibited.
(E) Wild turkey hunting is by permit only.

(83) Toxaway Game Land in Jackson and Transylvania counties

(A) Six Days per Week Area
(B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.

Uwharrie Game Land in Davidson, Montgomery and Randolph counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken the first six open days and the last open six days of the applicable Deer With Visible Antlers Season.

Vance Game Land in Vance County
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) The use of dogs, centerfire rifles and handguns for hunting deer is prohibited on the Nutbush Peninsula tract.

Van Swamp Game Land in Beaufort and Washington counties
(A) Six Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days during the second week of the December Bear Season.

White Oak River Game Land in Onslow County
(A) Three Days per Week Area
(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
(C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:
   (i) the opening and closing days of the applicable waterfowl seasons;
   (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
   (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
(D) Beginning on the first open waterfowl season day in October and through the end of the waterfowl season, a permit is required for hunting posted waterfowl impoundments.

The Huggins Tract and Morton Tracts have the following restrictions:
(i) Access on Hargett Avenue and Sloan Farm Road requires a valid Hunting Opportunity Permit;
(ii) Hunting is by permit only; and
(iii) The use of dogs for hunting deer is prohibited.

Wild turkey hunting is by permit only.

Whitehall Plantation Game Land in Bladen County
(A) Hunting and trapping is by permit only
(B) Camping is restricted to September 1 through the last day of February and April 7 through May 14 in areas both designated and posted as camping areas.

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

The following game lands and refuges are closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:
Bertie, Halifax and Martin counties-Roanoke River Wetlands
Bertie County-Roanoke River National Wildlife Refuge
Bladen County—Suggs Mill Pond Game Lands
Burke County—John's River Waterfowl Refuge
Dare County-Dare Game Lands (Those parts of bombing range posted against hunting)
Dare County—Roanoke Sound Marshes Game Lands
Davie-Hunting Creek Swamp Waterfowl Refuge
Henderson and Transylvania counties—Dupont State Forest Game Lands
(k) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission.
Free-ranging swine may be taken by licensed hunters during the open season for any game animal using any legal manner of take allowed during those seasons, except in Cherokee, Clay, Graham, Jackson, Macon, and Swain counties. Dogs may not be used to hunt free-ranging swine except on game lands which allow the use of dogs for hunting deer or bear and during the applicable deer or bear season.

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

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

As used in this Rule, horseback riding includes all equine species.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-305; 113-296; Eff. February 1, 1976; Temporary Amendment Eff. October 3, 1991; Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September 1, 1994; July 1, 1994; Temporary Amendment Eff. October 1, 1999; 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 replaces the amendment approved by RRC on July 17, 2003); Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October 1, 2004. Amended Eff. August 1, 2012.
15A NCAC 10D .0105  Possession and Removal of animals, plants and materials

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

(1) “Other materials” includes the following: all metals, minerals, rocks, soil, organic debris, buildings, fences, historic artifacts and water.

(2) “Commission lands” includes all state-owned game lands, hatcheries, depots, refuges, boating access areas and public fishing access areas, or parts thereof, allocated to the Wildlife Resources Commission.

(3) “Written permission” includes permits, sales agreements, agricultural agreements, and letters written by authorized Commission personnel. Written permissions shall specify the type of activity allowed, the Commission land(s) where the activity may occur and the persons authorized.

(b) On Commission lands the following applies:

(1) No wildlife resources, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other materials may be possessed on or removed from Commission lands except:
   (A) as allowed in this Rule;
   (B) if written permission has been granted by the Wildlife Resources Commission.

   This restriction applies to both dead and living wildlife resources, fungi, invertebrates, eggs, animal parts, plants and plant materials.

(2) All game, fur-bearing animals, fisheries resources, and nongame animals or birds for which the Commission has established an open season, legally taken under a valid hunting, trapping, fishing or falconry license may be possessed on and removed from Commission lands unless specifically prohibited.

(3) Berries, fruit, nuts, mushrooms, ramps and other plants or plant products suitable for human consumption may be possessed on and removed from Commission lands without written permission for personal use only, except any fungi, plant or part thereof on a state or federal protected list may not be possessed on or removed from Commission lands without written permission. All other fungi, plants and plant products which are not suitable for human consumption may not be possessed on or removed from Commission lands except with written permission. Crops or products thereof planted for the benefit of wildlife may not be removed without written permission.

(4) Insects, worms or other invertebrates collected as fish bait may be possessed on and removed from Commission lands without written permission for personal use only, except any species on a state or federal protected list may not be collected and may not be removed from Commission lands. Sale of these resources is prohibited.

(5) Miscellaneous amounts of animal parts, plant parts not removed from live plants, and other materials may be possessed on and removed from Commission lands without written permission, except in violation of state agency rules, general statutes or federal law. Collection of animal parts, plant parts not removed from live plants, and other materials for commercial use or sale is prohibited.

(6) Litter and road kill animals may be removed without written permission, except in violation of 15A NCAC 10B .0106.

(7) A collection license as described in 15A NCAC 10B .0119 does not qualify as written permission to collect or remove any wildlife resources from Commission lands. Written permission must be specific to the Commission land.

(c) On all other lands enrolled in the game land program the following apply:

(1) All game, fur-bearing animals, fisheries resources, and nongame animals or birds for which the Commission has established an open season, legally taken under a valid hunting, trapping, fishing or falconry license may be possessed on and removed from game lands unless specifically prohibited.

(2) Possession and removal of all other wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or other materials is subject to the rules of the Commission and is at the discretion of the landowner, except where the landowner has ceded authority to the Commission. When the landowner has ceded authority to the Commission, the permissions and restrictions in paragraph b apply.

(d) Any individual who has written permission, or a hunting, trapping, fishing or falconry license required in order to possess or remove wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or other materials from Commission lands and all other lands enrolled in the game land program must have that written
permission or license on his person. This requirement extends to any individual operating in conjunction with
another’s written permission.

*History Note:* Authority G.S. 113-134; 113-264; 113-291; 113-291.2; 113-305; 113-333

*Eff. January 1, 2012*
(a) No Open Season. There shall be no open season for taking any of the species listed as endangered in Rule .0103, threatened in Rule .0104 or, unless otherwise provided, as special concern in Rule .0105 of this Subchapter. Except as provided in Paragraphs (b), (c) and (e) of this Rule, it is unlawful to take or possess any of such species at any time.

(b) Permits. The executive director may issue permits to take or possess an endangered, threatened, or special concern species as follows:

1. To an individual or institution with experience and training in handling, and caring for the wildlife and in conducting a scientific study, for the purpose of scientific investigation relevant to perpetuation or restoration of said species or as a part of a scientifically valid study or restoration effort;
2. To a public or private educator or exhibitor who demonstrates that he or she has lawfully obtained the specimen or specimens in his or her possession, and that he or she possesses the requisite equipment and expertise to care for such specimen or specimens; specimens and abides by the caging requirements for the species set forth in 15A NCAC 10H .0302;
3. To a person who lawfully possessed any such species for more than 90 days immediately prior to the date that such species was listed, listed and who abides by the caging requirements for the species set forth in 15A NCAC 10H .0302, provided however, that no permit shall be issued more than ninety days after the effective date of the initial listing for that species; and
4. To a person with demonstrable depredation from a Special Concern species the Executive Director may issue a depredation permit.

(paragraphs (b)(1)-(4) are continued on the next page)

(c) Taking Without a Permit:

1. An individual may take an endangered, threatened, or special concern species in defense of his own life or the lives of others; or
2. A state or federal conservation officer or employee who is designated by his agency to do so may, when acting in the course of his official duties, take, possess, and transport endangered, threatened, or special concern species if the action is necessary to:

   A. aid a sick, injured, diseased or orphaned specimen;
   B. dispose of a dead specimen;
   C. salvage a dead specimen which may be useful for scientific study; or
   D. remove specimens which constitute a demonstrable but nonimmediate threat to human safety, provided the taking is done in a humane and noninjurious manner; the taking may involve injuring or killing endangered, threatened, or special concern species only if it is not reasonably possible to eliminate the threat by live-capturing and releasing the specimen unharmed, in a habitat that is suitable for the survival of that species.

(d) Reporting. Any taking or possession of an endangered, threatened, or special concern species under Paragraphs (b) and (c) of this Rule is subject to applicable reporting requirements of federal law and regulations and the reporting requirements of the permit issued by the Executive Director or of 15A NCAC 10B .0106(e).

(e) Exceptions.

1. Notwithstanding any other provisions of this Rule, processed meat and other parts of American alligators, which have been lawfully taken in a state in which there is an open season for harvesting alligators, may be possessed, bought and sold when such products are marketed in packages or containers which are distinctly labeled to indicate the state in which they were taken and the identity, location, and lawful authority of the processor or distributor;
2. Raptors listed as special concern species in Rule .0105 of this Subchapter may be taken from the wild for falconry purposes and for falconry propagation, provided that a valid North Carolina endangered species permit has been obtained as required in Paragraph (b) of this Rule;
3. Captive-bred raptors listed as special concern species may be bought, sold, bartered or traded as provided in 50 C.F.R. 21.30 when marked as required under those regulations; and
4. Importation, possession, sales, transportation and exportation of species listed as special concern species in Rule .0105 of this Subchapter shall be allowed under permit by retail and wholesale establishments whose primary function is providing scientific supplies for research; provided that the specimens were lawfully obtained from captive or wild populations outside of North Carolina; and that they must be possessed in indoor facilities; and that all transportation of specimens provides safeguards adequate to prevent accidental escape; and that importation, possession and sale or transfer is permitted only as listed in Subparts (e)(4)(A) and (B) of this Rule.
(A) A written application to the Commission is required for a permit to authorize importation, and possession for the purpose of retail or wholesale sale. The application shall identify the source of the specimens, and provide documentation of lawful acquisition. Applications for permits shall include plans for holding, transportation, advertisement, and sale in such detail as to allow a determination of the safeguards provided against accidental escape and sales to unauthorized individuals.

(B) Purchase, importation, and possession of special concern species within North Carolina shall be allowed under permit to state and federal governmental agencies, corporate research entities, and research institutions; provided that sales are permitted to out of state consumers; and, provided that they must be possessed in indoor facilities and that all transportation of specimens provides safeguards adequate to prevent accidental escape; and that the agency's or institution's Animal Use and Care Committee has approved the research protocol for this species; and, further provided that no specimens may be stocked or released in the public or private waters or lands of North Carolina and may not be transferred to any private individual.

History Note: Authority G.S. 113-134; 113-291.2; 113-291.3; 113-292; 113-333;
Eff. June 11, 1977;
Amended Eff. May 1, 2009; April 1, 2003; April 1, 2001; April 1, 1997; February 1, 1994;
September 1, 1989; March 1, 1981; March 17, 1978.
Amended Eff. January 1, 2012
15A NCAC 10B .0106 WILDLIFE TAKEN FOR DEPREDATIONS OR ACCIDENTALLY

(a) Depredation Permit:

(1) Endangered or Threatened Species. No permit shall be issued to take any endangered or threatened species of wildlife listed under 15A NCAC 10I by reason of depredations to property. An individual may take an endangered or threatened species in immediate defense of his own life or of the lives of others without a permit. Any endangered or threatened species which may constitute a demonstrable but non-immediate threat to human safety shall be reported to a federal or state wildlife enforcement officer, who, upon verification of the report, may take or remove the specimen as provided by 15A NCAC 10I .0102.

(2) Other Wildlife Species. Except as provided in Subparagraph (1) of this Paragraph, the Executive Director or an agent of the Wildlife Resources Commission may, upon application of a landholder and after such investigation of the circumstances as he may require, issue a permit to such landholder to take any species of wildlife which is or has been damaging or destroying his property provided there is evidence of property damage in excess of fifty dollars ($50.00). No permit may be issued for the taking of any migratory birds and other federally protected animals unless a corresponding valid U.S. Fish and Wildlife Service depredation permit, if required, has been issued. The permit shall name the species allowed to be taken and, in the discretion of the Executive Director or an agent, may contain limitations as to age, sex or any other condition within the species so named. The permit may be used only by the landholder or another person named on the permit.

(3) Special Circumstances. In addition to the circumstances described in Subparagraph (2) of this Paragraph, the Executive Director or his designee may issue a permit to a person or persons for the taking of wildlife resources in circumstances of overabundance or when the wildlife resources present a danger to human safety. Municipalities seeking such a depredation permit must apply to the Executive Director using a form supplied by the Commission which will request the following information:

(A) the name and location of the municipality;
(B) the acreage of the affected property;
(C) a map of the affected property;
(D) the signature of an authorized municipality representative;
(E) the nature of the overabundance or the threat to public safety and any previous actions taken by the municipality to ameliorate the problem; and
(F) in the case of deer overabundance or a threat to public safety from deer, the years in which the municipality participated in the Urban Archery Season. If the municipality has not participated in the Urban Archery Season, the municipality must explain why.

(4) Wildlife Damage Control Agents: Upon completion of a training course designed for the purpose of reviewing and updating information on wildlife laws and safe, humane wildlife handling techniques and demonstration of a knowledge of wildlife laws and safe, humane wildlife handling techniques, an individual with no record of wildlife law violations may apply to the Wildlife Resources Commission (Commission) to become a Wildlife Damage Control Agent (WDCA). Those persons who demonstrate knowledge of wildlife laws and safe, humane wildlife handling techniques by a passing score of at least 85 percent on a written examination provided by a representative of the Wildlife Resources Commission in cooperation with the training course provider shall be approved. Those persons failing to obtain a passing score shall be given one chance for re-testing without re-taking the course. Those persons approved as agents by the Commission may then issue depredation permits to landholders and be listed as a second party to provide the control service. WDCAs may not issue depredation permits for big game animals, bats, or species listed as endangered, threatened or special concern under 15A NCAC 10I .0103, .0104 and .0105 of this Chapter. WDCAs must report to the Wildlife Resources Commission the number and disposition of animals taken, by county, annually. Records must be available for inspection by a Wildlife Enforcement officer at any time during normal business hours. Wildlife Damage Control Agent status shall be revoked at any time by the Executive Director when there is evidence of violations of wildlife laws, failure to report, or inhumane treatment of animals by the WDCA. A WDCA may not charge for the permit, but may charge for his or her investigations and control services. In order to maintain a knowledge of current laws, rules, and techniques, each WDCA must renew his or her agent status every three years by showing proof of having attended
(d) Disposition of Wildlife Taken:

(1) Generally. Except as provided by the succeeding Subparagraphs of this Paragraph, any wildlife killed accidentally or without a permit while committing depredations shall be buried or otherwise disposed of in a safe and sanitary manner on the property. Wildlife killed under a depredation permit may be transported to an alternate disposal site if desired. The receiver of the edible portions must hold a copy of the depredation permit in their possession. Except as provided by the succeeding Subparagraphs of (d)(2) through (6) of this Rule, all wildlife killed under a depredation permit must be buried or otherwise disposed of in a safe and sanitary manner.

(2) Deer. The edible portions of up to five deer may be retained by the landholder for consumption but must not be transported from the property where the depredations took place without a valid depredation permit. The landholder may give a second party the edible portions of the deer taken under the depredation permit. The receiver of the edible portions must hold a copy of the depredation permit. The nonedible portions of the carcass, including head, hide, feet, and antlers, shall be disposed of as specified in Subparagraph (1) of this Paragraph or turned over to a wildlife enforcement officer for disposition. When a deer is accidentally killed on a road or highway by reason of collision with a motor vehicle, the law enforcement officer who investigates the accident shall, upon request of the operator of the vehicle, provide such operator a written permit authorizing him to possess and transport the carcass of such deer for his personal and lawful use, including delivery of such carcass to a second person for his private use or the use by a charitable organization upon endorsement of such permit to such person or organization by name and when no money or other consideration of value is received for such delivery or endorsement.

(3) Fox. Any fox killed accidentally shall be disposed of in the manner provided by Subparagraph (1) or (6) of this Paragraph. Any fox killed under a depredation permit may be disposed of in the same manner or, upon compliance with the fur tagging requirements of 15A NCAC 10B .0400, the carcass or pelt thereof may be sold to a licensed fur dealer.

(4) Furbearing Animals. The carcass or pelt of any furbearing animal killed during the open season for taking such furbearing animal either accidentally or for control of depredations to property, whether with or without a permit, may be sold to a licensed fur dealer provided that the person offering such carcass or pelt for sale has a valid hunting or trapping license, provided further that,
bobcats and otters may only be sold upon compliance with any required fur tagging requirement set forth in 15A NCAC 10B.0400.

(5) Animals Taken Alive. Wild animals in the order Carnivora and beaver shall be humanely euthanized either at the site of capture or at a facility designed to humanely handle the euthanasia or released on the property where captured. Animals transported or held for euthanasia must be euthanized within 12 hours of capture. Anyone in possession of live animals being transported for relocation or euthanasia under a depredation permit must have the depredation permit in his or her possession.

(6) A person killing a wild bird or wild animal accidentally with a motor vehicle or finding a dead wild bird or wild animal which was killed accidentally may possess that wild bird or wild animal for a period not to exceed 10 days for the purpose of delivering it to a licensed taxidermist for preparation. The licensed taxidermist may accept the wild bird or wild animal after satisfying himself that the animal was killed accidentally. The taxidermist shall certify and record the circumstances of acquisition as determined by the injuries to the animal. Licensed taxidermists shall keep accurate records of each wildlife specimen received pursuant to the rule as required by 15A NCAC 10H.1003 of this Chapter. Upon delivery of the finished taxidermy product to the person presenting the animal, the taxidermist shall give the person a receipt indicating the sex and species, date of delivery, circumstances of initial acquisition and the name, address, and signature of the taxidermist. The receipt shall be permanently affixed to the back or bottom of the finished product and shall be retained by the person for as long as the mounted specimen is kept. Mounted specimens possessed pursuant to this Rule may not be sold and, if such specimens are transferred by gift or inheritance, the new owner must retain the permit to document the legality of possession. This provision does not allow possession of accidentally killed raptors; nongame migratory birds; species listed as endangered, threatened, or of special concern under 15A NCAC 10I.0103, .0104, and .0105 of this Chapter; black bear or wild turkey.

(7) Edible portions of wild boar taken under depredation permit may be retained by the landowner for consumption or, if stipulated on the permit, donated to a charitable food organization.

(e) Reporting Requirements. Any landholder who kills a deer, Canada goose, bear or wild turkey under a valid depredation permit shall report such kill on the form provided with the permit and mail the form upon the expiration date to the Wildlife Resources Commission. The killing and method of disposition of every game animal and game bird, every furbearing animal, and every nongame animal or nongame bird for which there is no open season, when killed for committing depredations to property, without a permit, shall be reported to the Wildlife Resources Commission within 24 hours following the time of such killing, except that when the carcass or pelt of a fox, killed under a depredation permit, or of a furbearing animal, killed with or without a permit, is lawfully sold to a licensed fur dealer in this State the fur dealer is required to report the source of acquisition and no report is required of the seller.

History Note: Authority G.S. 113-134; 113-273; 113-274; 113-291.4; 113-291.6; 113-300.1; 113-300.2; 113-307; 113-331; 113-333; 113-334(a); 113-337; Eff. February 1, 1976; Amended Eff. August 1 2010; July 1, 2010; May 1, 2008; August 1, 2002; July 1, 1997; July 1, 1995; January 1, 1995; January 1, 1992; August 1, 1990. Amended Eff. January 1, 2012
15A NCAC 10A .1101  WAIVER

(a) The executive director or his designee shall waive rule provisions listed in Paragraph (b) of this Rule and subsequent Paragraphs under specified conditions and according to the following standards:

(1) The applicant has complied with the laws of North Carolina and with rules promulgated by the Commission relative to cervids;

(2) The Commission is able to safeguard the wildlife resources in North Carolina while granting the waiver; and

(3) The applicant is able to meet the conditions of the waiver.

(b) The executive director or his designee shall waive the rule banning intrastate transfer of cervids and shall issue a transportation permit to an applicant for such a waiver provided that:

(1) The executive director or his designee determines that the applicant is eligible for a waiver according to standards listed in Paragraph (a) of this Rule;

(2) The eligible applicant shall first notify the Commission of the following:

(A) the tag number(s) assigned to the cervid;

(B) the facility of origination;

(C) the facility of destination;

(D) the date(s) upon which the transfer is to take place; and

(E) the means by which the cervid is to be transported; and

(3) The executive director or his designee confirms receipt of the information requested in Subparagraph (b)(2) of this Rule.

Transportation of cervids between facilities that are licensed to the same individual shall be permitted upon the condition that the licensed applicant log the info

(c) The executive director or his designee shall waive the requirements in 15A NCAC 10B .0101 specific to the rule on importation of cervids and shall issue a transportation permit to an applicant for such a waiver provided that:

(1) The executive director or his designee determines that the applicant is eligible for a waiver according to standards listed in Paragraph (a) of this Rule;

(2) The applicant is a captive cervid licensee with a Certified herd according to 15A NCAC 10H .0304;

(3) The source U.S. or Mexican state or territory, Canadian province or other country has not detected CWD in its wild herd;

(4) The herd of origin for all cervids the requested cervid to be imported has met the following conditions:

(A) The herd has been held in a facility that has been secured by a fence adequate to contain the cervid species within; fence that has not been breached or jumped by a cervid for at least five years, and into which no cervid has been introduced for at least five years;

(B) All deceased animals over the age of 12 months of the following species have been submitted for CWD testing: white-tailed deer, white-tailed deer hybrid, Sika deer, red deer, elk, elk hybrid, moose or any other species of cervid in which the scientific community has documented naturally-occuring Chronic Wasting Disease (CWD); and all CWD test results have been negative, negative; and

(C) Facility records demonstrating compliance with the conditions in this Subparagraph have been submitted with the import application.

(5) The applicant can provide documentation that:

(A) The requested cervid has not been in a facility with a CWD-positive animal within the five years prior to the importation request;

(B) The requested cervid has never been in a facility quarantined for CWD; and

(C) No other animals in the herd of origin, or any other herd to which the requested cervid has belonged, have been in a facility with a CWD-positive animal within the five years prior to the importation request.

(6) The Executive Director is satisfied that all documentation described in subparagraph (4) provided to him is authentic, accurate and complete,

(7) The eligible applicant shall provide first notify the Commission of the following details following:

(A) the tag number(s) or other identification assigned to the cervid;
(B) the age and species of the cervid;
(C) the state, province or country of origination;
(D) the facility of origination;
(E) the facility of destination;
(F) the date(s) upon which the transfer is to take place; and
(G) the means by which the cervid is to be transported.

The executive director or his designee confirms receipt of all the information requested in Subparagraph (c)(3) Paragraph (c) of this Rule.

(d) The executive director or his designee shall waive the rule against cervid facility expansion and to amend a license to permit expansion to an applicant for such a waiver provided that:

(1) The executive director or his designee confirms the applicant's eligibility for a waiver according to standards listed in Paragraph (a) of this Rule;

(2) The eligible applicant shall first notify Commission of the following:

(A) the location of the facility for which expansion is desired;
(B) the number of cervids held at that facility;
(C) the number of births or purchases of cervids expected within a year of the application; and

(D) the proposed capacity for which expansion is desired; and

(3) The executive director or his designee confirms receipt of the information requested in Paragraphs (c) and (d) of this Rule.

(e) The executive director or his designee shall waive the rule banning the importation of a cervid carcass or carcass part from any state or province where Chronic Wasting Disease occurs and issue a waiver letter to an applicant provided that:

(1) The executive director or his designee determines that the applicant is eligible for a waiver according to standards listed in Paragraph (a) of this Rule;

(2) The applicant has complied with the laws of state where the cervid was or will be harvested; and

(3) The cervid was or will be harvested within 20 miles of the North Carolina state line.

History Note: Authority G.S. 113-134; 113-274; 150B-19(6);
Temporary Adoption Eff. May 21, 2003;
Temporary Adoption Expired March 12, 2004;
Eff. November 1, 2004;
Amended Eff. January 1, 2012
15A NCAC 10B .0101  IMPORTATION OF WILD ANIMALS AND BIRDS

(a) Before any live wild bird or wild animal is imported into North Carolina for any purpose, a permit shall be obtained from the Executive Director of the North Carolina Wildlife Resources Commission authorizing the importation, using application forms provided by the Commission. Only captive cervid licensees with Certified Herds as defined in 15A NCAC 10H .0304 may obtain permits to import cervids.

(b) Deer, elk, or other species in the family Cervidae may only be imported into the state of North Carolina from a herd in which Chronic Wasting Disease (CWD) has not been detected for at least five years, and has been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and 15A NCAC 10H .0302. There shall be no importation of any cervid from individual U.S. or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild herd or in a captive herd. CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina.

(c) Importation permits for white-tailed deer, white-tailed deer hybrids, Sika deer, red deer, elk, elk hybrids, moose or any other species of cervid in which the scientific community has documented naturally-occurring CWD will only be issued for animals that come from U.S. or Mexican states or territories, state or territory, Canadian provinces or other countries in which have a license type, certification program or monitoring program that requires captive cervid facility owners to, at a minimum,:

(1) submit for CWD testing all deceased animals over the age of 12 months;
(2) tag, tattoo or otherwise permanently mark all animals over the age of 12 months; and
(3) keep records of all acquisitions and all dispositions in the facility.

The requirements specified in subparagraphs (1), (2) and (3) of this Paragraph apply only to the following species of cervid: white-tailed deer, white-tailed deer hybrids, Sika deer, red deer, elk, elk hybrids, moose or any other species of cervid in which the scientific community has documented naturally-occurring CWD. CWD must have CWD monitoring requirements that are at least as stringent as those described in this Rule, 15A NCAC 10H .0301 and 15A NCAC 10H .0302. The originating individual U.S. or Mexican state’s or territory’s, Canadian province’s or other country’s CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina.

Importation permit applications must indicate the source herd and the source herd must be successfully participating in a certification program or monitoring program with the requirements listed in this paragraph, or else have a license type that does the same. There shall be no importation from individual U.S. or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild herd or a captive herd.

(d) Importation permits for cervid species not specified in paragraph (c), except mule deer (G.S. 113-294(p)), will only be issued for animals that have been kept in a fenced facility which has not contained any of the species specified in paragraph (c) for at least 5 years prior to importation. All animals from mixed herds are subject to the restrictions in paragraph (c).

(e) Cervids imported into North Carolina shall be individually identified by tags provided by the Wildlife Resources Commission that shall be affixed by the licensee to each cervid as set forth in 15A NCAC 10H .0301.

(f) Waterfowl imported into North Carolina must be received from facilities or individuals who are certified under the National Poultry Improvement Plan (NPIP) as pullorum-typhoid and avian influenza negative. If the source birds are not part of NPIP, they must be tested pullorum-typhoid and avian influenza negative by NPIP standards within 30 days prior to entry into North Carolina. Health certificates for imported waterfowl shall be available for inspection by authorized Commission personnel upon request.

History Note:  Authority G.S. 106.549.97; 113-134; 113-272.6; 113-274; 113-291.3;
Eff. February 1, 1976;
Temporary Amendment Eff. October 8, 2002; May 17, 2002;
Amended Eff. August 1, 2010; May 1, 2010; June 1, 2005; August 1, 2004.
Amended Eff. January 1, 2012
15A NCAC 10H .0301  GENERAL REQUIREMENTS

(a) Captivity Permit or License Required

(1) Requirement. The possession of any species of wild animal that is or once was native to this State or any species of wild bird, native or migratory, that naturally occurs or historically occurred in this State or any member of the family Cervidae is unlawful unless the institution or individual in possession obtains from the North Carolina Wildlife Resources Commission (Commission) a captivity permit or a captivity license as provided by this Rule.

(2) Injured, Crippled or Orphaned Wildlife. When an individual has taken possession of an injured, crippled or orphaned wild animal or wild bird, that individual shall contact the Commission within 24 hours of taking possession in order to apply for a captivity permit, provided, however, that under no circumstances shall an individual take possession of an injured, crippled or orphaned wild turkey, black bear, deer, elk or any other member of the family Cervidae except as described in Subparagraph (3) of this Paragraph.

(3) Rehabilitation of white-tailed deer fawns. An individual may apply to the Commission to become a permitted white-tailed deer fawn rehabilitator for the State of North Carolina. Individuals deemed to be qualified according to this Section to rehabilitate injured or orphaned fawns may receive a captivity permit to possess fawns only for such a period of time as may be required for the rehabilitation and release of the fawns to the wild. These captivity permits apply only to wild white-tailed deer fawns and are available only to individuals recognized by the Commission as white-tailed deer fawn rehabilitators.

(b) Captivity Permit. A captivity permit shall be requested by mail, phone, facsimile or electronic transmission or in person. A captivity permit authorizes possession of the animal or bird only for such period of time as may be required for the rehabilitation and release of the animal or bird to the wild; or to obtain a captivity license as provided by Paragraph (c) of this Rule, if such a license is authorized; or to make a proper disposition of the animal or bird if the application for such license is denied, or when an existing captivity license is not renewed or is terminated. Captivity permits shall not be issued for wild turkey, black bear, deer, elk or any other member of the family Cervidae except as described in Subparagraph (a)(3) of this Rule.

(c) Captivity License.

(1) The purpose of captivity license is to provide humane treatment for wild animals or wild birds that are unfit for release. For purposes of this Rule, wild animals are considered "unfit" if they are incapacitated by injury or otherwise; if they are a non-native species that poses a risk to the habitat or to other species in that habitat; or if they have been rendered tame by proximity to humans to the extent that they cannot feed or care for themselves without human assistance. Persons interested in obtaining a captivity license shall contact the Commission for an application.

(2) Denial of captivity license. Circumstances or purposes for which a captivity license shall not be issued include the following:

(A) For the purpose of holding a wild animal or wild bird that was acquired unlawfully.
(B) For the purpose of holding the wild animal or wild bird as a pet. For purposes of this Rule, the term "pet" means an animal kept for amusement or companionship. The term shall not be construed to include cervids held in captivity for breeding for sale to another licensed operator.
(C) For the purpose of holding wild animals or wild birds for hunting in North Carolina.
(D) For the purpose of holding wild turkey or black bear.
(E) For the purpose of holding deer, elk or any other member of the family Cervidae, except current licenses which may be renewed as specified in Subparagraph (6) of this Paragraph.
(F) For the purposes of expanding a currently existing captive cervid facility which is not a Certified herd facility as described in Rule 10H .0304 of this Section.

(3) Required Facilities. No captivity license shall be issued until the applicant has constructed or acquired a facility for keeping the animal or bird in captivity that complies with the standards set forth in Rule .0302 of this Section and the adequacy of such facility has been verified on inspection by a representative of the Commission.

(4) Term of License

(A) Dependent Wildlife. If the wild animal or wild bird has been permanently rendered incapable of subsisting in the wild, the license authorizing its retention in captivity shall be an annual license terminating on December 31 of the year for which issued.
(B) Rehabilitable Wildlife. When the wild animal or wild bird is temporarily incapacitated, and may be rehabilitated for release to the wild, any captivity license that is issued shall be for a period less than one year as rehabilitation may require.

(C) Concurrent Federal Permit. No State captivity license for an endangered or threatened species or a migratory bird, regardless of the term specified, shall operate to authorize retention thereof for a longer period than is allowed by any concurrent federal permit that may be required for retention of the bird or animal.

(5) Holders of Captivity License for cervids.

(A) Inspection of records. The licensee shall make all records pertaining to tags, licenses or permits issued by the Commission available for inspection by the Commission at any time during normal business hours, or at any time an outbreak of Chronic Wasting Disease (CWD) is suspected or confirmed within five miles of the facility or within the facility itself.

(B) Inspection. The licensee shall make all enclosures at each licensed facility and the record-book(s) documenting required monitoring of the outer fence of the enclosure(s) available for inspection by the Commission at any time during normal business hours, or at any time an outbreak of CWD is suspected or confirmed within five miles of the facility or within the facility itself.

(C) Fence Monitoring Requirement. The fence surrounding the enclosure shall be inspected by the licensee or licensee’s agent once a week during normal weather conditions to verify its stability and to detect the existence of any conditions or activities that threaten its stability. In the event of severe weather or any other condition that presents potential for damage to the fence, inspection shall occur every three hours until cessation of the threatening condition, except that no inspection is required under circumstances that threaten the safety of the person conducting the inspection.

(D) A record-book shall be maintained to record the time and date of the inspection, the name of the person who performed the inspection, and the condition of the fence at time of inspection. The person who performs the inspection shall enter the date and time of detection and the location of any damage threatening the stability of the fence. If damage has caused the fence to be breachable, the licensee shall enter a description of measures taken to prevent ingress or egress by cervids. Each record-book entry shall bear the signature or initials of the licensee attesting to the veracity of the entry. The record-book shall be made available to inspection by a representative of the Commission upon request during normal business operating hours.

(E) Maintenance. Any opening or passage through the enclosure fence that results from damage shall, within one hour of detection, be sealed or otherwise secured to prevent a cervid from escape. Any damage to the enclosure fence that threatens its stability shall be repaired within one week of detection.

(F) Escape. When a licensee discovers the escape of any cervid from the facility, the licensee or designee shall report within 24 hours the escape to the Commission. If possible, the escaped cervid shall be recaptured alive. If live recapture is not possible, the licensee shall request a wildlife take permit and take the escaped cervid pursuant to the terms of the permit. A recaptured live cervid shall be submitted to the Commission for CWD testing using a test recognized by the Southeastern Cooperative Wildlife Disease Study unless the executive director determines that the risk of CWD transmission as a result of this escape is negligible based upon:

(i) amount of time the escaped cervid remained out of the facility;
(ii) proximity of the escaped cervid to wild populations;
(iii) known susceptibility of the escaped cervid species to CWD;
(iv) nature of the terrain in to which the cervid escaped.

(G) Chronic Wasting Disease (CWD)

(i) Detection. Each licensee shall notify the Commission within 24 hours if any cervid within the facility exhibits clinical symptoms of CWD or if a quarantine is placed on the facility by the State Veterinarian. All captive cervids that exhibit symptoms of CWD shall be tested for CWD.
(ii) Cervid death. The carcass of any captive cervid that was six months or older at time of death shall be transported and submitted by the licensee or his designee to a North Carolina Department of Agriculture diagnostic lab for CWD evaluation within 48 hours of the cervid's death, or by the end of the next business day, whichever is later. Ear tags distributed by the Commission and subsequently affixed to the cervids as required by this Rule, may not be removed from the cervid's head prior to submitting the head for CWD evaluation.

(iii) The Commission shall require testing or forfeiture of cervids from a facility holding cervids in this state should the following circumstances or conditions occur:

(I) The facility has transferred a cervid that is received by a facility in which CWD is confirmed within five years of the cervid's transport date and that transferred cervid has tested positive for CWD or the test for CWD was inconclusive or the transferred cervid was no longer available for testing.

(II) The facility has received a cervid that originated from a facility in which CWD has been confirmed within five years of the cervid's transport date and that received cervid has tested positive for CWD or the test for CWD was inconclusive or the received cervid was no longer available for testing.

(H) Tagging Required. Effective upon receipt of tags from the Commission, each licensee shall implement the tagging requirement using only the tags provided by the Commission as follows:

(i) All cervids born within a facility shall be tagged by March 1 following the birthing season each year. Fawns and calves must be tagged with a button ear tag before sale or transfer to another captive cervid facility within North Carolina. The receiver is required to affix the bangle ear tag before March 1 following the birth of the calf or fawn.

(ii) All cervids transferred to a facility shall be tagged within five days of the cervid's arrival at the licensee's facility. However, no cervids shall be transported from one facility to another unless both sending and receiving herds are certified according to 15A NCAC 10H .0304.

(I) Application for Tags.

(i) Application for tags for calves and fawns. Application for tags for cervids born within a facility shall be made by the licensee by December 1 following the birthing season of each year. The licensee shall provide the following information, along with a statement and licensee's signature verifying that the information is accurate:

(I) Applicant name, mailing address, and telephone number;

(II) Facility name and site address;

(III) Captivity license number;

(IV) Species of each cervid; and

(V) Birth year of each cervid.

(ii) Application for tags for cervids that were not born at the facility site shall be made by written request for the appropriate number of tags along with the licensee's application for transportation of the cervid, along with a statement and licensee's signature verifying that the information is accurate. These tag applications shall not be processed unless accompanied by a completed application for transportation. However, no transportation permits shall be issued nor shall cervids be transported from one facility to another unless both sending and receiving herds are certified according to 15A NCAC 10H .0304.

(J) Placement of Tags.

(i) A single button ear tag provided by the Commission shall be permanently affixed by the licensee onto either the right or left ear of each cervid, provided that the ear chosen to bear the button tag shall not also bear a bangle tag, so that each ear of the cervid bears only one tag.
(ii) A single bangle ear tag provided by the Commission shall be permanently affixed by the licensee onto the right or left ear of each cervid except Muntjac deer, provided that the ear bearing the bangle tag does not also bear the button tag, so that each ear of the cervid bears only one tag. Muntjac deer are not required to be tagged with the bangle tag.

(iii) Once a tag is affixed in the manner required by this Rule, it shall not be removed.

(K) Reporting Tags Requirement. For all cervids, except calves and fawns, the licensee shall submit a Cervidae Tagging Report within 30 days of receipt of the tags. Cervidae Tagging Reports for calves and fawns shall be submitted by March 1 following the birthing season each year. A Cervidae Tagging Report shall provide the following information and be accompanied by a statement and licensee's signature verifying that the information is accurate:

(i) Licensee name, mailing address, and telephone number;
(ii) Facility name and site address, including the County in which the site is located;
(iii) Captivity license number;
(iv) Species and sex of each cervid;
(v) Tag number(s) for each cervid; and
(vi) Birth year of each cervid.

(L) Replacement of Tags. The Commission shall replace tags that are lost or unusable and shall extend the time within which a licensee shall tag cervids consistent with time required to issue a replacement.

(i) Lost Tags. The loss of a tag shall be reported to the Commission by the licensee and application shall be made for a replacement upon discovery of the loss. Application for a replacement shall include the information required by Part (c)(5)(I) of this Rule along with a statement and applicant's signature verifying that the information is accurate. Lost tags shall be replaced on the animal by the licensee within 30 days of receipt of the replacement tag.

(ii) Unusable Tags. Tags that cannot be properly affixed to the ear of a cervid or that cannot be read because of malformation or damage to the tags or obscurity of the tag numbers shall be returned to the Commission along with an application for a replacement tag with a statement and applicant's signature verifying that the information in the application is accurate.

(6) Renewal of captivity license for cervids. Existing captivity licenses for the possession of cervids at existing facilities shall be renewed as long as the applicant for renewal has live cervids and continues to meet the requirements of this Section for the license. Only licensees with Certified Herds, as defined in 15A NCAC 10H .0304, may request in their renewal applications to expand pen size or the number of pens on the licensed facility to increase the holding capacity of that facility. No renewals shall be issued for a license that has been allowed to lapse due to the negligence of the former licensee.

(7) Provision for licensing the possession of cervids in an existing facility. A captivity license shall only be issued to an individual who is 18 years of age or older. If the licensee of an existing facility voluntarily surrenders his or her captivity license, becomes incapacitated or mentally incompetent, or dies, a person who has obtained lawful possession of the facility from the previous licensee or that licensee's estate, may request that the existing captivity license be transferred to him or her to operate the existing facility. Any license transferred under this provision shall be subject to the same terms and conditions imposed on the original licensee at the time of his or her surrender or death and shall be valid only for the purpose of holding the cervids of the existing facility within that existing facility. In addition, any actions pending from complaint, investigation or other cause shall be continued notwithstanding the termination of the original license.

(d) Nontransferable. No license or permit or tag issued pursuant to this Rule is transferable, either as to the holder or the site of a holding facility, except as provided in Subparagraph (c)(7) of this Rule.

(e) Sale, Transfer or Release of Captive Wildlife.
(1) It is unlawful for any person to transfer or receive any wild animal or wild bird that is being held under a captivity permit issued under Paragraph (b) of this Rule, except that any such animal or bird may be surrendered to an agent of the Commission.

(2) It is unlawful for any person holding a captivity license issued under Paragraph (c) of this Rule to sell or transfer the animal or bird held under such license, except that such animal or bird may be surrendered to an agent of the Commission, and any such licensee may sell or transfer the animal or bird (except members of the family Cervidae) to another person who has obtained a license to hold it in captivity. For animals in the family Cervidae, sale or transfer of animals is allowed only between Certified Herds, as defined in 15A NCAC 10H.0304. Upon such a sale or transfer, the seller or transferee shall obtain a receipt for the animal or bird showing the name, address, and license number of the buyer or transferee, a copy of which shall be provided to the Commission.

(3) It is unlawful for any person to release into the wild for any purpose or allow to range free:
   (A) any species of deer, elk or other members of the family Cervidae, or
   (B) any wolf, coyote, or other non-indigenous member of the family Canidae, or
   (C) any member of the family Suidae.

(f) Transportation Permit.

(1) Except as otherwise provided herein, no transportation permit is required to move any lawfully held wild animal or wild bird within the State.

(2) No person shall transport black bear or Cervidae for any purpose without first obtaining a transportation permit from the Commission.

(3) Except as provided in Subparagraph (f)(4) of this Rule, no transportation permits shall be issued for deer, elk, or other species in the family Cervidae except into and between Certified Herds as defined in 15A NCAC 10H.0304.

(4) Cervid Transportation. A permit to transport deer, elk, or other species in the family Cervidae may be issued by the Commission to an applicant for the purpose of transporting the animal or animals for export out of state, to a slaughterhouse for slaughter, from a Certified Herd to another Certified Herd as defined in 15A NCAC 10H.0304, or to a veterinary medical facility for treatment provided that the animal for which the permit is issued does not exhibit clinical symptoms of Chronic Wasting Disease or for the purpose of stocking a new captive cervid facility. For purposes of this paragraph a “new captive cervid facility” is one that has been licensed for fewer than six months. No person shall transport a cervid to slaughter or export out of state without bearing a copy of the transportation permit issued by the Commission authorizing such transportation. No person shall transport a cervid for veterinary treatment without having obtained approval from the Commission as provided by Part (f)(4)(D) of this Rule. Any person transporting a cervid shall present the transportation permit to any law enforcement officer or any representative of the Commission upon request, except that a person transporting a cervid by verbal authorization for veterinary treatment shall provide the name of the person who issued the approval to any law enforcement officer or any representative of the Commission upon request.

(A) Slaughter. Application for a transportation permit for purpose of slaughter shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:
   (i) Applicant name, mailing address, and telephone number;
   (ii) Facility site address;
   (iii) Captivity license number;
   (iv) Name, address, county and phone number of the slaughter house to which the cervid will be transported;
   (v) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
   (vi) Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head of the cervid is to be submitted for CWD testing;
   (vii) Date of transportation;
   (viii) Species and sex of each cervid; and
   (ix) Tag number(s) for each cervid.

(B) Exportation. Nothing in this rule shall be construed to prohibit the lawful exportation of a member of the family Cervidae for sale out of state. Application for a transportation permit for purpose of exportation out of state shall be submitted in writing to the
Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:

(i) Applicant's name, mailing address and telephone number;
(ii) Facility site address;
(iii) Captivity license number;
(iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
(v) Name, site address, county, state and phone number of the destination facility to which the cervid is exported;
(vi) A copy of the importation permit from the state of the destination facility that names the destination facility to which the animal is to be exported;
(vii) Date of departure;
(viii) Species and sex of each cervid; and
(ix) Tag number(s) for each cervid.

(C) Between herds. Application for a transportation permit for purpose of moving a cervid from one Certified Herd to another Certified Herd, as defined in 15A NCAC 10H .0304, shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:

(i) Applicant's name, mailing address and telephone number;
(ii) Facility site address;
(iii) Captivity license number;
(iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
(v) Name, site address, county, and phone number of the destination facility to which the cervid is moved;
(vi) Date of departure;
(vii) Species and sex of each cervid; and
(viii) Tag number(s) for each cervid.

(D) Veterinary treatment. No approval shall be issued for transportation of a cervid to a veterinary clinic out of the state of North Carolina, or for transportation from a facility out of the state of North Carolina to a veterinary clinic in North Carolina. An applicant from a North Carolina facility seeking to transport a cervid for veterinary treatment to a facility within North Carolina shall contact the Wildlife Telecommunications Center or the Wildlife Management Division of the Commission to obtain verbal authorization to transport the cervid to a specified veterinary clinic and to return the cervid to the facility. Verbal approval to transport a cervid to a veterinary clinic shall authorize transport only to the specified veterinary clinic and directly back to the facility, and shall not be construed to permit intervening destinations. To obtain verbal authorization to transport, the applicant shall provide staff of the Commission the applicant's name and phone number, applicant's facility name, site address and phone number, the cervid species, sex and tag numbers, and the name, address and phone number of the veterinary facility to which the cervid shall be transported. Within five days of transporting the cervid to the veterinary facility for treatment, the licensee shall provide the following information in writing to the Commission, along with a statement and applicant's signature verifying that the information is correct:

(i) Applicant's name, mailing address and telephone number;
(ii) Facility name and site address;
(iii) Captivity license number;
(iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
(v) Date of transportation;
(vi) Species and sex of each cervid;
(vii) Tag number(s) for each cervid;
(viii) Name, address and phone number of the veterinarian and clinic that treated the cervid;
(ix) Symptoms for which cervid received treatment; and
(x) Diagnosis of veterinarian who treated the cervid.

(g) Slaughter at cervid facility. Application for a permit for purpose of slaughter at the cervid facility shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:

1. Applicant name, mailing address, and telephone number;
2. Facility site address;
3. Captivity license number;
4. Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head of the cervid is to be submitted for CWD testing;
5. Date of slaughter;
6. Species and sex of each cervid; and
7. Tag number(s) for each cervid.

Permits or authorization may not be sold or traded by the licensee to any individual for the hunting or collection of captive cervids. Only the licensee may kill a cervid within the cervid enclosure.

History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274;
Eff. February 1, 1976;
Amended Eff. April 1, 1991; September 1, 1990; June 1, 1990; July 1, 1988;
Temporary Amendment Eff. October 8, 2002; May 17, 2002(this temporary rule replaced the permanent rule approved by RRC on June 21, 2001 to become effective in July 2002); July 1, 2001;
Amended Eff. May 1, 2010; May 1, 2008; December 1, 2005; August 1, 2004.
15A NCAC 10H .0302 MINIMUM STANDARDS
(a) Exemptions. Publicly financed zoos, scientific and biological research facilities, and institutions of higher education that were granted an exemption by the Commission from the standards of this Rule prior to December 1, 2005 are exempt from the standards set forth in this Rule for all birds and animals except the black bear so long as the captivity license in effect on that date has not expired or been revoked.
(b) With the exception of those entities named in Paragraph (a) of this Rule who have received exemption from the Commission, all holders of captivity licenses shall comply with the following requirements:

1. Deer, Elk and other species of the family Cervidae
   
   (A) Enclosure. The enclosure shall be on a well-drained site containing natural or manmade shelter for shade. The minimum size of the enclosure for all cervids except Muntjac deer shall be not less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal held provided that no more than 25 percent shall be covered with water. At no time shall the number of cervids in the enclosure exceed the number allowed by the captivity license, except that fawns and calves shall not count towards the total number of cervids in a facility from the time they are born until March 1 of the following year. The enclosure shall be surrounded by a fence of sufficient strength and design to contain the animal under any circumstances, at least eight feet high, and dog-proof to a height of at least six feet. Facilities licensed after August 1, 2012 shall have two fences meeting these standards surrounding the facility and placed at least three feet apart. Enclosures and enclosure expansions may not contain wild deer or elk. The licensee shall ensure his enclosure is devoid of wild deer or elk before stocking with cervids. For enclosures exclusively holding Muntjac deer, the minimum pen size shall be 800 square feet for the first three animals and 200 square feet for each additional animal. No exposed barbed wire, nails, or other protrusions that may cause injury to the animal shall be permitted within the enclosure. Captive cervids shall not be contained within or allowed to enter a place of residence.

   (B) Sanitation and Care. Licensees shall provide an ample supply of clear water and salt at all times. Food shall be placed in the enclosure as needed, but not less than three times weekly. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. The animal(s) shall be protected against fright or harm from other animals.

2. Wild Boars
   
   (A) Enclosure. The enclosure shall be on a site containing trees or brush for shade. The minimum size of the enclosure shall be not less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal held. The enclosure shall be surrounded by a fence at least five feet high and of sufficient strength to contain the animals. No exposed barbed wire or protruding nails shall be permitted within the enclosure. A roofed building large enough to provide shelter in both a standing or a lying position for each boar must be provided. This building shall be closed on three sides. A pool of water for wallowing or a sprinkler system shall be provided on days when heat could cause stress to the animal(s).

   (B) Sanitation and Care. Licensees shall provide an ample supply of clear water and salt at all times. Food shall be placed in the enclosure as needed, but in any case, not less than three times weekly. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained.

3. Wild Birds
   
   (A) Enclosure. The enclosure shall be large enough for the bird or birds to assume all natural postures. The enclosure shall be designed in such a way that the birds cannot injure themselves and are able to maintain a natural plumage. Protection from sun, weather, and predators shall also be provided.

   (B) Sanitation and Care. The cage shall be kept clean, dry, and free from molded or damp feed. Ample food and clean water shall be available at all times.

4. Alligators
   
   (A) Enclosure. The enclosure shall be surrounded by a fence of sufficient strength to contain the animals and that shall prevent contact between the observer and alligator. The enclosure shall contain a pool of water large enough for the animal to completely...
submerge itself. If more than one animal is kept, the pool must be large enough for all
animals to be able to submerge themselves at the same time. A land area with both
horizontal dimensions at least as long as the animal shall also be provided. In case of
more than one animal, the land area shall have both horizontal dimensions at least as long
as the longest animals to occupy the land area at the same time without overlap.

(B) Sanitation and Care. The water area shall be kept clean and food adequate to maintain
good health provided. Protection shall be provided at all times from extremes in
temperature that could cause stress to the animal.

(5) Black Bear

(A) Educational Institutions and Zoos Operated or Established by Governmental Agencies

(i) Enclosure. A permanent, stationary metal cage, at least eight feet wide by 12
feet long by six feet high and located in the shade or where shaded during the
afternoon hours of summer, is required. The cage shall have a concrete floor in
which a drainable pool one and one-half feet deep and not less than four by five
feet has been constructed. The bars of the cage shall be of iron or steel at least
one-fourth inch in diameter, or heavy gauge steel chain link fencing may be
used. The gate shall be equipped with a lock or safety catch, and guard rails
shall be placed outside the cage so as to prevent contact between the observer
and the caged animal. The cage must contain a den at least five feet long by five
feet wide by four feet high and so constructed as to be easily cleaned. A
"scratch log" shall be placed inside the cage. The cage shall be equipped with a
removable food trough. Running water shall be provided for flushing the floor
and changing the pool.

(ii) Sanitation and Care. Food adequate to maintain good health shall be provided
daily; and clean, clear drinking water shall be available at all times. The floor of
the cage and the food trough shall be flushed with water and the water in the
pool changed daily. The den shall be flushed and cleaned at least once each
week in hot weather. An effective program for the control of insects,
extoparasites, disease, and odor shall be established and maintained. Brush,
canvas, or other material shall be placed over the cage to provide additional
shade when necessary for the health of the animal. The use of collars, tethers or
stakes to restrain the bear is prohibited, except as a temporary safety device.

(B) Conditions Simulating Natural Habitat. Black bears held in captivity by other than
educational institutions or governmental zoos shall be held without caging under
conditions simulating a natural habitat. All of the following conditions must exist to
simulate a natural habitat in a holding facility:

(i) The method of confinement is by chain link fence, wall, moat, or a combination
of such, without the use of chains or tethers.

(ii) The area of confinement is at least one acre in extent for one or two bears and an
additional one-eighth acre for each additional bear.

(iii) Bears are free, under normal conditions, to move throughout such area.

(iv) At least one-half of the area of confinement is wooded with living trees, shrubs
and other perennial vegetation capable of providing shelter from sun and wind.

(v) The area of confinement contains a pool not less than one and one-half feet deep
and not less than four by five feet in size.

(vi) Provision is made for a den for each bear to which the bear may retire for rest,
shelter from the elements, or respite from public observation.

(vii) The area of confinement presents an overall appearance of a natural habitat and
affords the bears protection from harassment or annoyance.

(viii) Provisions are made for food and water that are adequate to maintain good
health and for maintenance of sanitation.

(ix) The applicant shall document that the applicant owns or has a lease of the real
property upon which the holding facility is located, provided that if the applicant
is a lessee, the lease is for a duration of at least five years from the point of
stocking the facility.

(6) Cougar
(A) Educational or scientific research institutions and zoos supported by public funds.

(i) Enclosure. A permanent, stationary metal cage, at least nine feet wide by 18 feet long by nine feet high and located in the shade or where shaded during the afternoon hours of summer, is required. The cage shall have a concrete floor. The bars of the cage shall be of iron or steel at least one-fourth inch in diameter, or heavy gauge steel chain link fencing may be used. The gate shall be equipped with a lock or safety catch, and guard rails shall be placed outside the cage so as to prevent contact between the observer and the caged animal. The cage shall contain a den at least five feet long by five feet wide by four feet high and so constructed as to be easily cleaned. A "scratch log" shall be placed inside the cage. The cage shall be equipped with a removable food trough. Running water shall be provided for flushing the floor and changing the pool.

(ii) Sanitation and Care. Food adequate to maintain good health shall be provided daily; and clean, clear drinking water shall be available at all times. The floor of the cage and the food trough shall be flushed with water and the water in the pool changed as necessary to maintain good health of the animal. The den shall be flushed and cleaned at least once each week. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. Brush, canvas, or other material shall be readily available to be placed over the cage to provide additional shade when necessary. The use of collars, tethers or stakes to restrain the cougar is prohibited, except as a temporary safety device.

(B) Cougars held in captivity by other than educational or scientific institutions or publicly supported zoos shall be held without caging under conditions simulating a natural habitat. Applicants for a captivity license to hold cougar shall apply to the Commission on forms provided by the Commission, and shall provide plans that describe how the applicant's facility will comply with the requirement to simulate a natural habitat. All of the following conditions must exist to simulate a natural habitat in a holding facility.

(i) The method of confinement is by chain link fence, without the use of chains or tethers, provided that:
   (I) Nine gauge chain link fencing shall be at least 12 feet in height with a four foot fence overhang at a 45 degree angle on the inside of the pen to prevent escape from climbing and jumping.
   (II) Fence posts and at least six inches of the fence skirt shall be imbedded in a six inch wide by one foot deep concrete footer to prevent escape by digging.

(ii) The area of confinement shall be at least one acre for two cougars with an additional one-eighth acre for each additional cougar. If, following a site evaluation, the Commission determines that terrain and topographical features offer sufficient escape, cover and refuge, and meet all other specifications, and that the safety and health of the animal(s) will not compromised, smaller areas shall be permitted.

(iii) Cougars shall be free under normal conditions to move throughout the area of confinement.

(iv) At least one-half of the area of confinement shall be wooded with living trees, shrubs and other perennial vegetation capable of providing shelter from sun and wind; and a 20 foot wide strip along the inside of the fence shall be maintained free of trees, shrubs and any other obstructions which could provide a base from which escape through leaping could occur.

(v) The area of confinement shall contain a pool not less than one and one-half feet deep and not less than four by five feet in size.

(vi) Each cougar shall be provided a den to which the cougar may retire for rest, shelter from the elements, or respite from public observation. Each den shall be four feet wide by four feet high by four feet deep. Each den shall be enclosed entirely within at least an eight feet wide by ten feet deep by 12 feet high security cage. The security cage shall be completely within the confines of the
facility, cement-floored, shall have nine gauge fencing on all sides and the top,
and shall have a four foot, 45 degree fence overhang around the outside top edge
to prevent cougar access to the top of the security cage.

(vii) The area of confinement shall protect the cougar from harassment or annoyance.

(C) Provisions shall be made for maintenance of sanitation and for food and water adequate
to maintain good health of the animal(s).

(D) The applicant shall document that the applicant owns or has a lease of the real property
upon which the holding facility is located, provided that if the applicant is a lessee, the
lease is for a duration of at least five years from the point of stocking the facility.

(7) Other Wild Animal Enclosures.

(A) GeneralEnclosure Requirements.

(i) The enclosure shall provide protection from free ranging animals and from sun
or weather that could cause stress to the animals.

(ii) A den area in which the animal can escape from view and large enough for the
animal to turn around and lie down shall be provided for each animal within the
enclosure.

(iii) No tethers or chains shall be used to restrain the animal.

(iv) Either a tree limb, exercise device, or shelf large enough to accommodate the
animal shall be provided to allow for exercise and climbing.

(v) Sanitation and Care. Fresh food shall be provided daily, and clean water shall
be available at all times.

(vi) An effective program for the control of insects, ectoparasites, disease, and odor
shall be established and maintained.

(B) Single Animal Enclosures for certain animals. The single-animal enclosure for the
animals listed in this Subparagraph shall be a cage with the following minimum
dimensions and horizontal areas:

<table>
<thead>
<tr>
<th>Animal</th>
<th>Length</th>
<th>Width</th>
<th>Height</th>
<th>Per Animal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bobcat, Otter</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>50</td>
</tr>
<tr>
<td>Raccoon, Fox, Woodchuck</td>
<td>8</td>
<td>4</td>
<td>4</td>
<td>32</td>
</tr>
<tr>
<td>Opossum, Skunk, Rabbit</td>
<td>6</td>
<td>3</td>
<td>3</td>
<td>18</td>
</tr>
<tr>
<td>Squirrel</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>8</td>
</tr>
</tbody>
</table>

(C) Single Enclosure Requirements for animals not mentioned elsewhere in this Rule. For
animals not listed above or mentioned elsewhere in this Rule, single animal enclosures
shall be a cage with one horizontal dimension being at least four times the nose-rump
length of the animal and the other horizontal dimension being at least twice the nose-
rump length of the animal. The vertical dimensions shall be at least twice the nose-rump
length of the animal. Under no circumstances shall a cage be less than four feet by two
feet by two feet.

(D) Multiple Animal Enclosures. The minimum area of horizontal space shall be determined
by multiplying the required square footage for a single animal by a factor of 1.5 for one
additional animal and the result by the same factor, successively, for each additional
animal. The vertical dimension for multiple animal enclosures shall remain the same as
for single animal enclosures.

(E) Young animals. The young of any animal may be kept with the parent in a single-animal
enclosure only until weaning. After weaning, if the animals are kept together, the
requirements for multiple-animal enclosures apply.

History Note: Authority G.S. 19A-11; 106-549.97(b); 113-134; 113-272.5, 113-272.6;
Eff. February 1, 1976; Amended Eff. December 1, 1990; June 1, 1990; July 1, 1988; November 9, 1980;
Temporary Amendment Eff. October 8, 2002;
15A NCAC 10H .0304  CAPTIVE CERVID HERD CERTIFICATION PROGRAM

(a) The Wildlife Resources Commission has established this Captive Cervid Herd Certification Program in order to prevent the introduction of Chronic Wasting Disease (CWD) into North Carolina and reduce the potential for spread of CWD while allowing transportation of cervids from herds in which CWD has not been detected for at least five years, in accordance with the requirements in this Section. Only licensees with Certified Herds as defined in Paragraph (e) of this Rule may request to expand their pen size to accommodate additional cervids and transport cervids within North Carolina for purposes other than those specified in 15A NCAC10H .0301(4). Licensees with Certified Herds may also import cervids under the conditions and restrictions set forth in 15A NCAC 10B .0101. Licensees with Certified Herds are also eligible to apply for an importation waiver as described in 15A NCAC 10A .1101, if necessary, from a herd in which CWD has not been detected for at least five years and has been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and 15A NCAC 10H .0302. The individual U.S. or Mexican state or territory, Canadian province or other country of origin must have CWD monitoring requirements that are at least as stringent as those described in this Section. The originating individual U.S. or Mexican state's or territory's, Canadian province's or other country's CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina. There shall be no importation from individual U.S or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild or captive herd.

(b) Enrollment qualifications. Only captive cervid herds held under a valid captivity license are eligible for enrollment in the Captive Cervid Herd Certification Program. Licensees shall comply with all captivity license requirements outlined in this Section and the rules and laws regulating possession, transportation and importation of cervids in order to remain in the Captive Cervid Herd Certification Program.

(c) Enrollment application. Each individual holding a current and valid Captivity License for cervids may apply to be enrolled in the Captive Cervid Herd Certification Program. All applications shall be in writing on a form supplied by the Commission. The Commission shall deny an application if:

   (1) the licensee has not complied with all the requirements under the captivity license statutes and all rules pertaining to the holding of cervids in captivity and the transportation or importation of cervids resulting in a failed inspection report for the licensee's most recent inspection; or a pending citation;
   (2) the licensee has provided false information; or
   (3) CWD has been confirmed in a cervid at the licensee's facility.

(d) Enrollment dates. The enrollment date is:

   (1) the first date upon official inspection, documented by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel, on which the licensee has complied with all captivity rules and statutes that pertain to cervids, including tagging, provided that the licensee has continued to comply with these regulations; or
   (2) the date on which a waiver was issued by the Wildlife Resources Commission Executive Director under the conditions set forth in 15A NCAC 10A .1101(a) that brought the licensee into compliance assuming that there were no other compliance actions pending, provided that the licensee has continued to comply with the captive cervid regulations.

This date may be retroactive but may extend back no earlier than the date Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel documented that the licensee came into compliance with all captivity rules and statutes related to holding cervids in captivity, including tagging of all cervids.

(e) Certified herd. When a herd is enrolled in the Captive Cervid Herd Certification Program, it shall be placed in First Year status. If the herd continues to meet the requirements of the Captive Cervid Herd Certification Program, each year on the anniversary of the enrollment date the herd status shall be upgraded by one year. One year from the date a herd is placed in Fifth Year status, the herd status shall be changed to Certified, and the herd shall remain in Certified status as long as it is enrolled in the Captive Cervid Herd Certification Program, provided its status is not lost or suspended without reinstatement as described in Paragraph (f).

(f) Herd status

   (1) A Certified Herd or any herd enrolled in the program shall have its status suspended or reduced if:
   (A) the licensee fails to comply with any of the ongoing requirements for captive cervid licenses as identified in 15A NCAC 10H .0301;
   (B) the licensee violates any other North Carolina law or rule related to captive cervids;
   (C) an animal in the herd exhibits clinical signs of CWD;
(D) an animal in the herd can be traced back to a herd with an animal exhibiting clinical signs of CWD; or

(E) the herd is quarantined by the State Veterinarian.

(2) A Certified Herd or any herd enrolled in the program shall lose its status if:

(A) an animal in the herd can be traced back to a herd in which CWD has been detected;

(B) CWD is detected in an animal in the herd; or

(C) the licensee loses his or her license.

The Wildlife Resources Commission shall review cases of suspended status upon request. A Certified Herd with suspended status may regain its status if the licensee corrects within 30 days the deficiency under which the status was suspended or, in the case of suspected CWD, the disease was not detected in the suspect animal.

(g) Inspection. If an inspection of the captive cervids is needed as a part of certification, including reinstating a suspended status, the licensee is responsible for assembling, handling and restraining the captive cervids and all costs incurred to present the animals for inspection.

History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274; 113-292;
Amended Eff. January 1, 2012
(a) Seasons. Except as provided in Paragraphs (d) and (e) of this Rule, the open seasons for the practice of falconry as permitted by the rules contained in 15A NCAC 10H .0800 shall coincide with the regular open seasons contained in this Section for squirrels, rabbits, quail, ruffed grouse and pheasant, and with the open seasons set forth in the Code of Federal Regulations for migratory game birds in this state.

(b) Bag Limits. The daily bag, possession and season limits set forth in this Section for squirrels, rabbits, quail, ruffed grouse and pheasant and the daily bag, field possession, and total possession limits set forth in the Code of Federal Regulations for migratory game birds shall apply to falconry except as provided in Paragraph (e) of this Rule.

(c) Out of Season Kills. When any raptor being used in falconry kills any species of wildlife for which there is no open season or a species of game on which the season is then closed, the falconer or person using such raptor shall not take such dead wildlife into his possession but shall leave the same where it lies, provided that the said raptor may be allowed to feed on such dead wildlife before leaving the site of the kill. If the species so killed is a resident species of game on which there is a season limit, the kill shall be included as part of the season limit of the person using the raptor for falconry.

(d) Hunting After Limit Taken. After a falconer has acquired the daily bag, possession or season limit of any lawful species, regardless of the manner of taking, the falconer shall not release any raptor.

(e) Extended Seasons. An extended falconry season on gray and red squirrels and rabbits shall be the Monday on or nearest October 15 until the last day of February. Bag limits for those portions of the season outside the regular seasons shall be 4 squirrels daily, Possession 8; and 3 rabbits daily, Possession 6, and a possession limit of six.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29;
Eff. September 1, 1979;
Amended Eff. May 1, 2008; July 1, 1998.
Amended Eff. August 1, 2012
In addition to the definitions contained in G.S. 113-130, and unless the context requires otherwise, as used in 15A NCAC 10B .0216 and in this Section:

(1) "Falconry permit" or "permit" means a joint federal-state falconry permit, or a separate state falconry permit or license issued by this state or by another state, tribe or territory meeting federal falconry standards and listed in Paragraph (k) of 50 C.F.R. 21.29, which has been certified by the U.S. Fish and Wildlife Service.

(2) "Falconry license" means the annual special purpose falconry license which is required by G.S. 113-270.3(b)(4) in addition to any other applicable general purpose or special purpose license and referenced in the Rules of this Section.

(3) "State" means the State of North Carolina, except when the context indicates reference to another state of the United States.

(4) "Commission" means the North Carolina Wildlife Resources Commission.

(5) "Executive director" means the Executive Director of the North Carolina Wildlife Resources Commission. When action is required by the commission by any provision of this Section, such action may be performed by the executive director on behalf of the commission.

(6) "Bred in captivity" or "captive-bred" refers to raptors hatched in captivity from parents that mated or otherwise transferred gametes in captivity.

(7) "Raptor" means a live migratory bird of the Order Falconiformes or the Order Strigiformes, other than a bald eagle (Haliaeetus leucocephalus).

(8) “Wild-caught” and “wild” raptors means any free-ranging wild raptor held in captivity regardless of its length of captivity or ownership changes according to 50 CFR 21.29(f)(1) which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28; 50 C.F.R. 21.29; Eff. September 1, 1979; Amended Eff. May 1, 2007; May 1, 1995; August 1, 1988; February 1, 1985; Amended Eff. January 1, 2012.
(a) No person shall take a raptor in this state for falconry purposes without having first obtained:
   (1) either:
      (A) a resident falconry permit issued by this state; or
      (B) a General or Master Class falconry permit as defined in Rule .0801 of this Section from another state that issues non-resident falconry permits or licenses; and
   (2) a North Carolina resident or non-resident falconry license as required by G.S. 113-270.3(b)(4).
(b) No person non-resident of this state shall take, possess, transport, or import a raptor for falconry purposes or practice falconry in this state without having first obtained and having in possession:
   (1) a falconry permit as defined in Rule .0801 of this Section from this state or from a state, tribe or territory another state that issues non-resident falconry permits or licenses, which has been certified by the U.S. Fish and Wildlife Service as meeting federal falconry standards; and
   (2) a North Carolina resident or non-resident falconry license as required by G.S.113-270.3(b)(4).
   (3) any other general purpose or special purpose license required by the applicable laws of this state.
Non-resident falconers legally licensed in their home states are exempted from the requirement in subparagraph (a)(2) of this Rule if they are traveling through North Carolina with no intention of practicing falconry while in North Carolina.
(b) No resident of this state shall take, possess, transport, or import a raptor for falconry purposes or practice falconry in this state without having first obtained and having in possession a North Carolina falconry license.
(c) In addition to criminal penalties for violation provided by federal law and state statute, licenses are subject to suspension or revocation in accordance with applicable law.
15A NCAC 10H .0803  APPLICATION FOR PERMIT-LICENSE

(a) Any individual resident of this state who wishes to take raptors in this state or to practice falconry must submit an application for a falconry license on a form supplied by the commission and proof of a successful examination as described in 10H .0804 of this Section. Non-residents may substitute a valid falconry permit or license from their state in lieu of the proof of a successful examination and a letter, if required, provided that the state which issued the falconry permit or license has been certified by the U.S. Fish and Wildlife Service as meeting federal falconry standards permit to the commission on a form approved by the U.S. Fish and Wildlife Service.

(b) Apprentice license applications must have attached a letter from a sponsor as described in paragraph b of 10H .0807 of this Section.

(c) General license applications must have attached a letter from a General or Master falconer as described in paragraph c of 10H .0807 of this Section.

(d) Any application submitted by an individual less than 18 years of age must be co-signed by that individual’s parent or legal guardian. The parent or legal guardian is legally responsible for the underage falconer’s activities.

(e) A falconer with an expired license less than five years old can apply for a new license at his previous level on a form supplied by the Commission, provided the falconer can show proof he has previously met the requirements for the level of license sought. A falconer who has not had an active license within the past five years can apply for a new license on a form supplied by the Commission, but he must pass the examination described in 10H .0804 of this section and pass facilities inspection in order to be reinstated at his previous level. He must prove he has previously met the requirements for the level of license sought.

(f) Applications shall be accompanied by a fee in the amount of ten dollars ($10.00) to defray the cost of administering the examination required by Rule .0804 of this Section.

History Note:  Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28; 50 C.F.R. 21.29; Eff. September 1, 1979. 
Amended Eff. January 1, 2012
15A NCAC 10H .0804 EXAMINATION

Before any falconry license permit is issued the applicant shall be required to answer correctly at least 80 percent of the questions on a supervised examination approved by the U.S. Fish and Wildlife Service and administered by the Commission, relating to basic biology, care, and handling of raptors, literature, laws, regulations and other appropriate subject matter. Such examination shall not be required of any applicant who holds a currently valid permit from another state, tribe or territory meeting the federal standards and which has been certified by the U.S. Fish and Wildlife Service, and listed in Paragraph (k) of 50 C.F.R. 21.29. The cost for taking the exam is ten dollars ($10.00).

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;
Amended Eff. January 1, 2012
15A NCAC 10H .0805  DURATION OF PERMIT LICENSE

A falconry license or the renewal of such a license is valid when issued by the state and expires on
June 30, June 30 of the second calendar year after it is issued, unless a different period is specified on the permit or
the renewal.

History Note:  Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28;
Amended Eff. January 1, 2012
Every falconry permit shall be issued subject to the following special conditions:

(1) A permittee may not take, transport or possess a golden eagle (Aquila chrysaetos) unless authorized in writing by the U.S. Fish and Wildlife Service.

(2) Sales, transfer, purchase and barter. A permittee may trade or transfer a wild-caught raptor to another permittee if the transaction occurs entirely within the state and no money or other consideration is involved. A permittee may trade or transfer a raptor to another permittee in an interstate transaction if the prior written approval of the Commission is obtained and no money or other consideration is involved in the transaction. A permittee must report all acquisitions and dispositions of raptors to the U.S. Fish and Wildlife Service and to the Commission on forms supplied by the Commission. A permittee may purchase, trade, sell or barter a lawfully possessed raptor which is bred in captivity under a federal raptor propagation permit and banded with a numbered seamless marker provided by the issuing office of the U.S. Fish and Wildlife Service, provided:

(a) the person receiving such raptor is authorized to possess it under this Section, or 50 CFR 21.29(15); and

(b) the permittee transferring such raptor has acquired it from a person authorized to possess it as provided by Subitem (2)(a) of this Rule.

(b) Acquisition from a rehabilitator. A permittee may acquire a raptor from a permitted rehabilitator subject to the restrictions and conditions set forth in 50 CFR 21.29(e)(7)(i) - (ii) which is hereby incorporated by reference, including subsequent amendments and editions.

(c) A permittee may not take, possess, or transport a raptor in violation of the restrictions, conditions, and requirements of the federal and state falconry regulations.

(d) Death. If a permittee dies his raptors may be transferred in accordance with 50 CFR 21.29(f)(21), which is hereby incorporated by reference, including subsequent amendments and editions, for up to 90 days. After 90 days the Commission will determine disposition of the birds.

(e) Status change. Any status change of a raptor, including death of the raptor or the permittee, loss due to theft, acquisition, sale, transfer, intentional release and rebanding must be reported as set forth in 50 CFR 21.29(e)(6)(i) - (iii) which is hereby incorporated by reference, including subsequent amendments and editions.

(f) Disposition of dead birds. Dead birds must be disposed of in a manner described in 50 CFR 21.29(f)(13)(i) - (v) which is hereby incorporated by reference, including subsequent amendments and editions.

(4) The falconry seasons and the daily, possession and season bag limits are contained in 15A NCAC 10B 0216.

(5) A permittee must have his permit in possession at all times when raptor trapping devices or raptors are in his possession away from his residence.

(6) In addition to criminal penalties for violations provided by federal and state statutes, permits are subject to suspension or revocation in accordance with applicable law.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28; 50 C.F.R. 21.29; Eff. September 1, 1979; Amended Eff. February 1, 1994; April 1, 1991; February 1, 1985. Amended Eff. January 1, 2012.
15A NCAC 10H .0807  CLASSES LEVELS OF PERMITS/LICENSES

(a) Falconry licenses. Falconry licenses are issued at three levels based upon the age and experience of the falconer.

(b) Apprentice Class. Apprentice class level falconry permits/licenses are subject to the following conditions, requirements and limitations set forth in 50 CFR 21.29(c)(3)(i) which is hereby incorporated by reference, including subsequent amendments and editions. The following restrictions are in addition to those set forth in federal code:

1. The permittee must be at least 14 years old.
2. Regardless of the age of the permittee, the apprentice must have a sponsor who is a holder of a general or master falconry permit for the period during which the apprentice permit is held. The apprentice's sponsor must be a North Carolina resident or must live within 200 miles of the apprentice. A sponsor may not have more than three apprentices at any one time. A sponsor must provide written justification to the Commission when he decides to drop an apprentice. The Commission will notify the apprentice who must obtain another sponsor and so advise the Commission within 90 days. The apprentice's raptors may be seized by the Commission and the permit revoked if after the 90 day period the apprentice fails to obtain another sponsor and/or to notify the Commission of the same. If after 180 days, the apprentice fails to obtain another sponsor and/or to notify the Commission of the same, he shall be required to reapply and be reexamined prior to the reissuance of his permit.
3. The permittee may not possess more than one raptor and may not obtain more than one raptor for replacement during any period of 12 months.
4. The permittee may possess only the following raptors which must be taken from the wild: an American kestrel (Falco sparverious), a red-tailed hawk (Buteo jamaicensis), or a red-shouldered hawk (Buteo lineatus).

(c) General Class. General class level falconry permits/licenses are subject to the following conditions, requirements and limitations set forth in 50 CFR 21.29(c)(3)(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

1. The permittee must be at least 18 years old.
2. The permittee shall have at least two years experience in the practice of falconry at the apprentice level or its equivalent. The permittee's apprentice sponsor must provide written certification of the falconer's skills on forms supplied by the Commission. This certification must also be approved by at least one other general or master class falconer by his signature and falconry permit number on the form.
3. The permittee may not possess more than two raptors and may not obtain more than two raptors for replacement during any period of 12 months.
4. The permittee may not take, transport, or possess any golden eagle or any species listed as endangered or threatened under the federal regulations, except as provided by the federal falconry regulations.

(d) Master Class. Master class level falconry permits/licenses are subject to the following conditions, requirements and limitations set forth in 50 CFR 21.29(c)(3)(iii) which is hereby incorporated by reference, including subsequent amendments and editions.

1. The permittee must have at least five years' experience in the practice of falconry at the general class level or its equivalent.
2. The permittee may not possess more than three raptors and may not obtain more than two raptors taken from the wild for replacement during any period of 12 months.
3. The permittee may not take, transport, or possess any golden eagle for falconry purposes unless authorized in writing by the U.S. Fish and Wildlife Service.
4. The permittee may not take species listed as endangered in 50 CFR 17 but may transport or possess such species in accordance with 50 CFR 17.
5. The permittee may not take during any period of 12 months, as part of his three-bird limitation, more than one raptor listed as threatened in 50 CFR 17 and then only in accordance with 50 CFR 17.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29; Eff. September 1, 1979; Amended Eff. May 1, 1995; May 1, 1991; February 1, 1985. Amended Eff. January 1, 2012.
15A NCAC 10H .0808  FACILITIES AND EQUIPMENT:

(a) Inspection and Certification. Prior to initial issuance of a North Carolina falconry license to a resident of North Carolina, the applicant’s raptor housing facilities and falconry equipment shall be certified by a representative of the Commission as meeting the standards set forth in Subsections (b) and (c) of this Rule.

Applicants must have indoor facilities or outdoor facilities as described in paragraph b. Applicants may have both types of facilities.

(b) Housing Facilities. The primary consideration of raptor housing, whether indoors (mews) or outdoors (weathering area), being protection of the raptor from the environment, predators, and domestic animals undue disturbance, the applicant shall have holding facilities meeting the following standards:

(1) Standards for Apprentice Class Falconry Facilities: All facilities. All facilities must conform to the standards in 50 CFR 21.29(d)(1)(ii)(A) which is hereby incorporated by reference, including subsequent amendments and editions.

(A) Indoor Facilities (Mews). Indoor facilities must conform to the standards in 50 CFR 21.29(d)(1)(ii)(B) which is hereby incorporated by reference, including subsequent amendments and editions. In addition to the federal standards, Minimum size of the mews shall be 8 x 8 feet with access provided by. The mews must have a door that allows easy access and maintenance, and that shall close automatically or be securable inside and outside. Mews should be located away from undue disturbance and shade should be provided. There shall be at least one window, protected on the inside by vertical bars spaced narrower than the width of the raptor’s body and containing a window perch. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided. The interior of the mews shall be free of splinters, protruding nails and other obstructions that could be injurious to the raptor. Any lighting fixtures shall be shielded or otherwise protected.

(B) Outdoor Facilities (Weathering Areas). Weathering areas. Outdoor facilities must conform to the standards in 50 CFR 21.29(d)(1)(ii)(D) which is hereby incorporated by reference, including subsequent amendments and editions. In addition to the federal standards, shall be fenced and covered with netting or wire mesh, or roofed to protect the raptor from disturbance and attack by predators. Covers or roofs shall not be less than seven feet. The enclosed area shall be no less than 8 x 8 feet, but large enough to insure the raptor cannot strike the fence, cover or roof when flying from the perch. The floor of the weathering area shall be covered with a thick layer of natural or artificial material that allows for adequate drainage. Protection from excessive sun, wind, and inclement weather shall be provided for the raptor. The weathering area shall also include a jump box, A frame, or similar structure constructed of weatherproof material and which will offer the raptor a secure perch with adequate head and tail clearance. At least two perches shall be provided for the raptor. These shall be covered with artificial turf, hemp rope, or similar material. Secured leash shall offer access to all perches and bath container yet should not allow the raptor to come in contact with the fence and be free from entanglement. All areas accessible to the raptor shall be smooth and free of splinters and other obstructions that could be injurious to the raptor.

(2) Standards for General and Master Class Falconry Facilities:

(A) Indoor Facilities (Mews). The mews shall be of a size to allow easy access for caring for the raptors held in the facility and shall have a secure door that can be easily closed. If more than one raptor is to be kept in a mews, the raptors shall be tethered or separated by partitions and the area for each raptor shall be large enough to allow the raptor to fully extend its wings. There shall be at least one window, protected on the inside by vertical bars spaced narrower than the width of the raptor’s body and containing a window perch. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided. The interior of the mews shall be free of splinters, protruding nails and other obstructions that could be injurious to the raptor. Any lighting fixtures shall be shielded or otherwise protected.

(B) Outdoor Facilities (Weathering Areas). Weathering areas. Outdoor facilities shall be fenced and covered with netting or wire mesh, or roofed to protect the raptor’s from disturbance and attack by predators, except that perches more than six and one-half feet high need not be covered or roofed. The enclosed area shall be large enough to insure the raptor(s) cannot strike the fence when flying from the perch. The floor of the weathering area shall allow for adequate drainage. Protection from excessive sun, wind, and inclement weather shall be
provided for each raptor. Adequate perches shall be provided. All areas accessible to the
raptor shall be smooth and free of splinters and other obstructions that could be injurious
to the raptor.

(4) Human facilities. Raptors may be brought inside a human dwelling as needed to address health,
training and safety issues. Human facilities must conform to the standards in 50 CFR
21.29(d)(1)(ii)(C) which is hereby incorporated by reference, including subsequent amendments
and editions.

(5) A licensee may have his raptors in the open temporarily under the conditions set forth in
21.29(d)(1)(iii) which is hereby incorporated by reference, including subsequent amendments and
editions.

(c) Equipment. Licensees must possess the equipment listed in 50 CFR 21.29(d)(3) which is hereby incorporated
by reference, including subsequent amendments and editions.

The following items shall be in the possession of the applicant before he can obtain a permit:

(1) At least one pair of Alymeri type (two-piece) jesses constructed of pliable high-quality leather or
suitable synthetic material.

(2) At least one flexible, weather-resistant leash and one figure-eight type swivel of acceptable
falconry design.

(3) At least one suitable bath, 2”-6” deep and wider than the length of the raptor for drinking and
bathing for each raptor.

(4) A reliable scale or balance with perch attached for weighing raptors held and capable of weighing
up to five pounds and graduated to increments of not more than 1/2 ounce or 15 grams.

(5) Outdoor Perches. At least one portable weathering area perch of an acceptable design (block
perch, ring perch, or bow perch) shall be provided for each raptor.

(6) At least one pair of bells of falconry design and of appropriate size.

(d) Maintenance. All facilities and equipment shall be kept at or above the standards contained in Paragraphs (b)
and (c) of this Rule at all times, regardless whether the facilities are located on property owned by the
licensee or owned by another.

(e) Transportation and Temporary Holding. A raptor may be transported or held in temporary facilities as described
in 50 CFR 21.29(d)(4)(5) which is hereby incorporated by reference, including subsequent amendments and
editions, which shall be provided with an adequate perch and protected from extreme temperatures and excessive
disturbance for a period not exceeding 30 days.

(f) Care by others. A licensee may leave his raptors in the care of another person subject to the restrictions in 50
CFR 21.29(d)(6)(7) which is hereby incorporated by reference, including subsequent amendments and editions.

(g) Change of location. A licensee must inform the Commission within 5 days if he moves his facilities.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;
Eff. September 1, 1979;
Amended Eff. May 1, 1995; April 1, 1991.
15A NCAC 10H .0809  MARKING

(a) All peregrine falcons (Falco peregrinus), gyrfalcons (Falco rusticolus), and Harris hawks (Parabuteo unicinctus) and goshawks, possessed - removed from the wild or acquired from a falconer or rehabilitator for falconry purposes must be marked in accordance with the following provisions: banded or microchipped as set forth in 50 CFR 21.29(c)(7)(i) which is hereby incorporated by reference, including subsequent amendments and editions.

(b) Raptors bred in captivity must be banded as set forth in 50 CFR 21.29(c)(7)(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

(1) Any peregrine falcon (Falco peregrinus), gyrfalcon (Falco rusticolus), or Harris hawk (Parabuteo unicinctus), except a captive bred raptor lawfully marked by a numbered, seamless band issued by the Service, must be banded with a permanent, non-reusable, numbered band issued by the Service.

(2) Any peregrine falcon (Falco peregrinus), gyrfalcon (Falco rusticolus), or Harris hawk (Parabuteo unicinctus), possessed for falconry purposes must be banded at all times in accordance with these standards.

(c) Loss or removal of any band must be reported to the issuing office within five working days of the loss and must be replaced as described in 50 CFR 21.29(c)(7)(iii) which is hereby incorporated by reference, including subsequent amendments and editions, with a permanent non-reusable numbered band supplied by the Service.

(3) After the effective date of this Section, before any unmarked raptor of these species is acquired in this state, an appropriate marker must be first acquired and attached to the raptor immediately upon acquisition. A written application is required to obtain any such marker.

(4) Permittees must affix a non-reusable marker to any raptor which may require retrapping. Only marked raptors may be retrapped at any time.

(d) Counterfeiting or Alteration. No person shall counterfeit, alter, or deface any marker required by this Rule, except that permittees licensees may remove the rear tabs on markers and may smooth any surface imperfections provided the integrity of the markers and numbering are not affected.

(e) No raptor removed from the wild may be marked with a seamless numbered band.

(f) A falconer may request a band exemption from the issuing office for a raptor with documented health problems or injuries caused by a band but must adhere to the restrictions set forth in 50 CFR 21.29(c)(7)(v) which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29; Eff. September 1, 1979; Amended Eff. April 1, 1991; July 1, 1988. Amended Eff. January 1, 2012
15A NCAC 10H .0810  TAKING RAPTORS

(a) No raptor shall be taken from the wild in this state except by an individual holding a currently valid falconry license permit as defined in Rule .0801 of this Section and a falconry permit from the individual’s state of residence if the individual is a non-resident of North Carolina. Falconers may only take species of raptors from the wild that are authorized under their level of permit. If a falconer captures an unauthorized species of raptor or other bird, he must release that bird immediately. From this state or another state that issues non-resident falconry permits or licenses and a currently valid resident or non-resident falconry license, and then only in accordance with the following instructions:

(b) All levels of licensees are allowed to take up to two raptors from the wild annually subject to the conditions and restrictions set forth in 50 CFR 21.29(e)(2)(i)-(viii) which is hereby incorporated by reference, including subsequent amendments and editions. Apprentices are allowed to keep only one bird at a time.

(c) Apprentices may take any species of raptor from the wild except for those species specified in 50 CFR 21.29(c)(3)(i) which is hereby incorporated by reference, including subsequent amendments and editions. Apprentices are allowed to keep only one bird at a time.

(d) Any raptor native to this state may be taken from the wild subject to the restrictions on species and license level as follows:

(1) Nestlings. Young birds not capable of flight (eyasses) may not be taken without a special permit issued by the commission. These permits shall be issued only to persons holding general or master class falconry licenses may take nestlings. Nestlings may only be taken, permits and are valid during the period from May 1 through June 30. No more than two nestlings eyasses may be taken by the same licensee permittee during this period. At least one nestling must be left in the nest or aerie.

(2) Young birds. First year (passage) birds may be taken only during the period August 1 through the last day of February, December 31, except that marked raptors may be retrapped at any time.

(3) Only American kestrels kestrels (Falco sparverius) and great horned owls (Bubo Virginianus) may be taken when over one year old, except that any raptor other than an endangered or threatened species taken under a depredation or other special purpose permit issued by the U.S. Fish and Wildlife Service may be used for falconry by general and master class falconers. Only general or master level falconers may take these species. The time period for taking is August 1 through the last day of February.

(4) Federally Listed Species. Only General and Master falconers may take a federally threatened species and the falconer must following the restrictions in 50 CFR 21.29(e)(3)(ix) which is hereby incorporated by reference, including subsequent amendments and editions.

(5) State listed species. A falconer must obtain a North Carolina endangered species permit before taking any raptors listed in 15A NCAC 10I .0103, 15A NCAC 10I .0104 or 15 A NCAC 10I .0105. Furthermore, a falconer must possess a special hunt permit to take a Peregrine falcon (Falco peregrinus tundrius).

(e) Traps must be designed to prevent injury to the raptor. All traps except box-type traps must be attended and viewed from a reasonable distance by the trapper at all times when in use. Box-type traps must be checked every 24 hours. Traps must be of one of the following types:

(1) Leg noose snare traps. Nooses on these traps must be tied in such a manner as to prevent the noose from locking when under pressure. The trapper must use a suitable drag weight based on the species being trapped.

(2) Nets that collapse on and enclose around the raptor.

(3) Box-type traps with automatic closing entry doors or funnels.

(f) Licensees may recapture their own birds at any time. Disposition of banded birds, captive-bred birds and birds wearing falconry equipment is as allowed in 50 CFR 21.29(e)(3)(iv)-(v) which is hereby incorporated by reference, including subsequent amendments and editions.

(g) Licensees must keep their license on their person when trapping raptors.

(h) Raptors injured due to falconry trapping efforts must be treated humanely and in accordance with 50 CFR 21.29(e)(5) which is hereby incorporated by reference, including subsequent amendments and editions.

History Note:  Authority G.S. 113-134; 113-270.3(4); 50 C.F.R. 21.29;
Eff. September 1, 1979;
Amended Eff. July 1, 1998,
Amended Eff. January 1, 2012
15A NCAC 10H .0811  OTHER RESTRICTIONS AND CONDITIONS

(a) A person who possesses a lawfully acquired raptor before the effective date of this Section and who fails to meet
the permit requirements for falconry shall be allowed to retain such raptor, but shall not engage in the practice of
falconry. Each such bird shall be identified with a marker supplied by the commission and cannot be replaced if
death, loss, release, or escape occurs.

(b) A falconry permittee who possesses raptors before the effective date of this Section, in excess of the number
allowed under his class of permit, shall be allowed to retain the extra raptors. All such birds shall be identified with
markers supplied by the commission and no replacement or additional raptor may be obtained until the number in
possession is at least one less than the total number authorized by the class of permit held by the permittee.

(c) No species of raptor which is not indigenous to this state shall be intentionally released to the wild in this state
without written authorization having been first obtained from the commission. When any raptor, whether or not
indigenous to this state, is intentionally released to the wild in this state, the marker shall be removed from such bird
and surrendered to the commission, and a standard federal bird band shall be attached to the bird by a state or
federally authorized federal bird bander.

(d) By written authorization of the permittee accompanying the transfer, a falconry permittee may commit the care
of raptors to another person. If the period of such care will exceed 30 days, the permittee, within three days of the
transfer, shall inform the commission in writing of the transfer and the reason therefore, where the birds are being
held, who is caring for them, and approximately how many days they will remain in the care of such other person.

(a) Falconers must carry their license on their person when conducting any falconry activities away from approved
facilities as described in 10H .0808 of this section.

(b) Visitors to the United States may practice falconry under the conditions set forth in 50 CFR 21.29 (f)(14) which
is hereby incorporated by reference, including subsequent amendments and editions.

(c) A licensee may take his raptors to another country to practice falconry under the conditions set forth in 50 CFR
21.29 (f)(15) which is hereby incorporated by reference, including subsequent amendments and editions.

(d) A licensee who practices falconry in the vicinity of a federally listed species must avoid take of the listed
species as described in 50 CFR 21.29 (f)(17) which is hereby incorporated by reference, including subsequent
amendments and editions.

(e) If a licensee’s raptor takes a non-target species, the licensee may allow his bird to feed on the prey, but not take
the non-target species into his possession.

(f) Feathers that are molted, or those from raptors held in captivity that die, may be retained and
exchanged by falconry licensees only for imping purposes, purposes or otherwise disposed of as set forth
in 50 CFR 21.29(f)(12)(i)-(v) which is hereby incorporated by reference, including subsequent amendments and
editions.

History Note:  Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;


Amended Eff. January 1, 2012
(a) A nonresident of this state who holds a currently valid falconry permit from another state, tribe or territory which has been certified by the U.S. Fish and Wildlife Service, which is listed in Paragraph (k) of 50 C.F.R. 21.29 may transport his raptors into or through this state for use in the practice of falconry, provided all laws and regulations governing the practice of falconry in this state are observed.

(b) A resident of this state who holds a falconry license issued by the commission may transport his raptors into or through other states, tribes and territories certified by the U.S. Fish and Wildlife Service listed in Paragraph (k) of 50 C.F.R. 21.29 for use in the practice of falconry, provided all laws and regulations of such states governing the possession and transportation of raptors and the practice of falconry are observed.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29; Eff. September 1, 1979. Amended Eff. January 1, 2012.
15A NCAC 10H .0813 is proposed for repeal as follows:

**15A NCAC 10H .0813 RAPTOR PROPAGATION PERMIT**

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;
Eff. February 1, 1994;
15A NCAC 10H .0814  RELEASE OF RAPTORS OR MOVED TO OTHER PERMIT

(a) No raptor which is not native to the state of North Carolina and no hybrid of any kind may be released to the wild. Native, captive-bred birds may only be released with written permission from the Commission and under the conditions set forth in 50 CFR 21.29(e)(9)(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

(b) Native, wild birds may be released to the wild under the conditions set forth in 50 CFR 21.29(e)(9)(iii) which is hereby incorporated by reference, including subsequent amendments and editions.

(c) Wild-caught birds may be transferred to another type of permit under the conditions set forth in 50 CFR 21.29(f)(5)(i)-(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

(d) Captive-bred birds may be transferred to another type of permit under the conditions set forth in 50 CFR 21.29(f)(6) which is hereby incorporated by reference, including subsequent amendments and editions.

(e) Hacking and other training and conditioning techniques are allowed under conditions set forth in 50 CFR 21.29(f)(2)(3) which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;
OTHER USES AND ALLOWED ACTIVITIES

(a) Raptors may be used in captive propagation as allowed under the conditions set forth in 50 CFR 21.29(f)(7) which is hereby incorporated by reference, including subsequent amendments and editions.

(b) General and master falconers may use raptors in conservation education programs as set forth in 50 CFR 21.29(f)(8)(i)-(vi) which is hereby incorporated by reference, including subsequent amendments and editions. Other educational uses of raptors are restricted to those allowed in 50 CFR 21.29(f)(9)(i)-(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

(c) General and master falconers may use raptors in abatement activities under the conditions set forth in 50 CFR 21.29(f)(11)(i)-(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

(d) General and master falconers may assist in raptor rehabilitation under the conditions set forth in 50 CFR 21.29(f)(10)(i)-(v) which is hereby incorporated by reference, including subsequent amendments and editions.

(e) Licensees may take bird species for which there is a depredation order by means of falconry in accordance with 50 CFR 21.29(f)(20) which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;
EXHIBIT G-2
July 7, 2011

PROPOSED CHANGES IN HUNTING AND TRAPPING REGULATIONS FOR 2012-2013 NOT RECOMMENDED BY AGENCY STAFF FOR NOTICE AND COMMENT

1. Allow for the sale of deer pelts.
2. Remove Jackson and Macon from the list of wild boar counties.
3. Open raccoon season on the Pee Dee National Wildlife Refuge two weeks prior to the current statewide season.
4. Increase the length of the fox squirrel season, increase the bag limits for fox squirrels and open five new counties to fox squirrel hunting.
5. Make hunting squirrels at Sandhills Game Land by permit only.
6. Make hunting deer in the Richmond County portion of the Pee Dee River Game Land by permit only.
PROPOSED CHANGES IN CROW AND COYOTE REGULATIONS RECOMMENDED BY AGENCY STAFF FOR TEMPORARY RULE-MAKING

Allow electronic calls for take of crows and coyotes.

**Explanation:**

House Bill 432 gives the Commission the authority to adopt rules prescribing seasons and the manner of taking of wild animals and wild birds with the use of artificial light and electronic calls. The bill language that gives that authority to the Commission also eliminates the provision in statute that allows hunters to use electronic calls for crows and coyotes effective **October 1, 2011**. Temporary rules would become effective before that date and allow hunters to continue to use electronic calls for crows and coyotes until permanent rules become effective January 1, 2012.

Proposed rule text:

**15A NCAC 10B .0215 CROWS**

(a) Open Seasons: 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.

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

(b) Bag Limits: No restriction.

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

**History Note:**

Authority G.S. 113-134; 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 Effective October 1, 2011

**15A NCAC 10B .0219 COYOTE**

(a) No closed season.

(b) Bag Limits: No restriction.

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

**History Note:**

Authority G.S. 113-134; 113-291.2;


Temporary Amendment Effective October 1, 2011
PROPOSED CHANGES IN FERAL SWINE REGULATIONS
RECOMMENDED BY AGENCY STAFF
FOR TEMPORARY AND PERMANENT RULE-MAKING

Add feral swine to the Commission’s hunting rules with no closed season and no bag limit.

Explanation:
House Bill 432 reclassifies feral swine as wild animals effective October 1, 2011. Only wild animals regulated through the Commission’s rules may be hunted, unless explicitly allowed in statute. A temporary rule is necessary to allow sportsmen to hunt feral swine until a permanent rule goes into effect. This temporary rule would become effective on October 1, 2011. Agency staff recommends the Commission pursue permanent rule-making concurrent with temporary rule-making and present the proposed change at the nine district public hearings.

Proposed rule text for temporary rule:

15A NCAC 10B .0223  FERAL SWINE
(a) Open season. There is no closed season for taking feral swine by hunting.
(b) Bag limits. There are no bag limit restrictions.

History Note: Authority G.S. 113-129; 113-134; 113-291; 113-291.2
Temporary Amendment Effective October 1, 2011

Proposed rule text for permanent rule:

15A NCAC 10B .0223  FERAL SWINE
(a) Open season. There is no closed season for taking feral swine by hunting.
(b) Bag limits. There are no bag limit restrictions.

History Note: Authority G.S. 113-129; 113-134; 113-291; 113-291.2
Eff. April 1, 2012
PROPOSED CHANGES TO WILDLIFE SERVICE AGENT AGREEMENT RULES

SUMMARY OF PUBLIC COMMENTS RECEIVED FROM LOCAL PUBLIC HEARING, THE WRC INTERNET PORTAL AND WRITTEN CORRESPONDENCE

<table>
<thead>
<tr>
<th>Type of Comment</th>
<th>Total Number Received</th>
<th>Agree</th>
<th>Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Hearing</td>
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<td>—</td>
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</tr>
<tr>
<td>Online</td>
<td>4</td>
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<td>—</td>
<td>2</td>
</tr>
<tr>
<td>Phone</td>
<td>2</td>
<td>—</td>
<td>2</td>
</tr>
</tbody>
</table>

A. Online Comments (presented as submitted)

1. Online March 3 - “Our company, Flowers Marine, Inc. will not be able to attend the meeting in Raleigh tonight; but, we do have some thoughts on the subject. First of all, there is hardly enough profit in doing boat registrations, hunting and fishing licenses to justify doing them with the NCWRC furnishing the equipment and there definitely is not enough profit to justify doing them if we have to furnish our own computer system.”

2. Online April 19 - “I would like to object to the Agent Equipment and Internet Access Proposed Rule Change. Our commission is very low for issuing Hunting and Fishing Licenses. We perform a valuable service for the NCWRC and we need to be supported by the NCWRC. Cutting out our small amount of reimbursement for our internet cost would show that the NCWRC does not value our service.”

3. Online May 9 - “My husband and I own a small marina on Blounts Creek and have been Wildlife Service Agents for 16 months. We fill this is the perfect place to get a fishing or hunting license and boat registration. There is no way we will be able to purchase another computer to continue our wildlife transactions on the compensation from such transactions. It is not our wish to discontinue service for the state, but we do not have the funds for the necessary equipment. We would like to continue using the equipment that was placed with us, if possible. On two occasions in the recent past, I could not proceed with the transactions without the help of the support desk. The support agent had to make
an adjustment from their side so I could continue. I hope this is not the support you want to do away with. We know how tight things are right now, but would appreciate your consideration in helping ours' and other small businesses.”

4. Online May 16 - “If WRC expects us to continue to be their face to the public, we need to be treated fairly, and compensated as such. We have suffered in silence long enough. The last straw for many of my fellow agents was the news that lottery retailers were to receive a 7% commission; whereas license / vessel dealers only get a 6% commission and have to do many transactions at no charge to the sportsman. In addition, less that 20% of customers spend any additional money while waiting for the agents to finish their transactions.”

B. Letter

1. Letter received April 15 from Anne H. Lee, Lee’s Country Store - See attached letter.

2. Letter received May 11 from Laura M. Aulgur, Mountain Harbour Marina – See attached letter.

C. Phone

1. John King – Eastern Outfitters – The 6% commission is not enough to cover the cost to sell licenses and register vessels. The only way he would agree for WRC not to provide the equipment would be if we upped the commission an agent will earn.

2. David Pruitt – Jack Benchers Marine - Why can’t we keep the equipment?
Norman Young Jr.
NC Department of Justice, SSA
9001 Mail Service Center
Raleigh, NC 27699-9001

Dear Mr. Young,

I am writing with regard to NCWRC’s proposed ruling to eliminate equipment and/or support to their agents.

My business has done licenses and boat registration for many years. I would like to continue to be an agent with NCWRC for many years to come.

While I don’t object to providing my own internet access, as I am now, I am concerned about the equipment. Will I get to keep what I am using now?

I have no problem with the existing way of doing things. It is quite easy as it is now.

I am not very computer literate when it comes to change, however. Such as changing, adding equipment, programs, etc. I like things simple – as they are now.

Please consider that there might be more agents like me out there – that are somewhat handicapped in the world of computers.

I also hope that we will not lose our ability to be license agents. To outsource our services, as other states have done, to save money would be another slap in the face of small businesses like ourselves.

Your consideration in this matter will be greatly appreciated.

Sincerely,

Mrs. Anne H. Lee
Lee’s Country Store
3296 Highway 175
Hayesville, NC 28904
May 11, 2011

Cecilia Edgar
NCWRC
1701 Mail Service Center
Raleigh, NC 27699-1701

RE: Computer Equipment

Dear Cecilia Edgar;

I am writing in reference to the state of North Carolina taking away the computer equipment the agents use for processing boat registrations and licenses on behalf of the state. I am not able to use my personal computer to process these items.

It is truly a customer service that we do as the fees you pay are not worth the effort. With you already taking away the help with internet costs we lose money with every transaction we process. If the agents, like myself quit working with the customers you will have to hire more in house people to answer questions. Is that really worth it? How much will you be saving? Do you really think the older generation is willing to sit on hold or use any on line service you may have? I do not think you realize how many hours are spent working with people and answering their questions.

You need to continue to provide the computer support and supplies to the agents.

Regards,

Laura M. Atigur
Mountain Harbour Marina
EXHIBIT I-2
July 7, 2011

PROPOSED RULE CHANGES TO WILDLIFE SERVICE AGENT AGREEMENT

RECOMMENDED BY AGENCY STAFF FOR ADOPTION

15A NCAC 10G .0402 APPOINTMENT OF WILDLIFE SERVICE AGENTS

(a) Any business operating from a fixed location in North Carolina may apply to the Commission for appointment as a Wildlife Service Agent by completing an application provided by the Commission.

(b) Application. Applications for Wildlife Service Agent appointment shall contain the business name, address, county where the business is located, agent contact information, bank account information, business hours, and any other information requested by the Commission that is reasonably necessary to determine the fitness of the applicant to serve as a Wildlife Service Agent.

(c) Qualifications and Requirements. Applicants shall meet the following qualifications in order to be appointed as a Wildlife Service Agent.

1. Businesses shall operate from a fixed location in North Carolina and shall sell a minimum of one thousand dollars ($1,000) in transaction sales annually. This minimum requirement may be waived by the Executive Director if he finds the applicant's services necessary to maintain adequate agent services to the public in that geographic area.

2. An applicant shall have a minimum of one year's experience in operating the business for which the application is made or other equivalent business experience or training. In those cases where other equivalent business experience or training is accepted in lieu of the minimum one year's experience, the applicant shall submit financial statements of the business so that the solvency of the business can be judged.

3. Applicants shall provide a bank account for the purpose of transferring net proceeds from all Wildlife Service Agent transactions to the Commission's account in the State Treasury every week via an electronic transfer of funds.

4. Applicants shall provide a telephone line or other form of Internet connection for the purpose of processing transactions related to services provided by Wildlife Service Agents.

(d) The qualifications as provided by Paragraphs (b) and (c) of this Rule shall be met prior to appointment. Failure to comply with the qualifications and requirements as provided by Paragraph (c) of this Rule, throughout the term of the appointment, may result in termination of the agent appointment. All agents are subject to monitoring of their performance by the Customer Support Section of the Commission.

History Note:  Authority G.S. 113-134; 113-270.1;
Eff. April 1, 1997;
Amended Eff. May 1, 2007; July 1, 1998.
15A NCAC 10G.0403 is proposed for amendment as follows:

15A NCAC 10G.0403 WILDLIFE SERVICE AGENT AGREEMENT
Each Wildlife Service Agent shall execute an Agreement with the Commission acknowledging that the business shall comply with all rules and laws related to the sale of licenses and the registration of vessels. Each Wildlife Service Agent shall execute an Agreement with the Commission and shall comply with all rules, statutes and administrative requirements reasonably related to the sale of licenses and the registration of vessels. All terms and conditions shall be fully set forth in the Agreement at the time of execution. The business shall operate as a public convenience and shall serve the public in an efficient and helpful manner with all reasonable requests for assistance related to the duties of a Wildlife Service Agent whenever open for business. The agent shall be informed and knowledgeable of the laws and rules governing requirements for licenses and vessel transactions and stay abreast of changes in these requirements so that the agent can provide accurate and reliable information and instruction to persons who seek assistance in these matters. The appointment as a Wildlife Service Agent and the Agreement under which the appointment is made are singularly valid for the person named thereon who is authorized to act on behalf of the business and applies only to the business and location named and is non-transferable.

History Note: Authority G.S. 113-134; 113-270.1;
Eff. April 1, 1997;
15A NCAC 10G .0405 is proposed for Amendment as follows:

15A NCAC 10G .0405  WILDLIFE SERVICE AGENT TERMS AND CONDITIONS

Failure to comply with the following terms and conditions of this Section may result in temporary suspension or termination of a Wildlife Service Agent's appointment:

(1) Public Service. Wildlife Service Agents shall provide a public service to all persons seeking assistance with matters related to the duties of a Wildlife Service Agent.

(2) Training. New Wildlife Service Agents shall attend a training session at a location specified by the Commission prior to activation of agent status and prior to receiving any equipment or supplies from the Commission.

(3) Activation of Agent Status. Upon completion of training and receipt of equipment and supplies, Wildlife Service Agents shall have their equipment set up and ready for operation 10 days after the date they receive the equipment and supplies.

(4) Equipment and Internet Service provided by the Commission. Upon completion of training, each Wildlife Service Agent shall be equipped with the computer equipment and peripherals necessary to perform transactions required by the Commission. This computer application is web-based and is linked to the Commission's central database via the Internet. Agents shall provide a telephone line for this purpose. Equipment and service is provided subject to the following:

(a) Using the equipment and Internet service provided, the agent shall issue all transactions required by the Commission. The record of sale and issuance of each item shall be transmitted immediately to the Commission's database via the Internet. The Commission shall communicate information and instructions about individual agent accounts and messages of general interest to all agents via the computer application and the agent web site.

(b) All training, trouble shooting, maintenance, equipment replacements, materials and supplies shall be furnished by the Commission. Toll-free telephone service to link transaction equipment to the system's central database shall be supplied by the Commission.

(c) Upon termination of an agent appointment, all computer equipment and peripherals shall be returned to the Commission as instructed by the Commission.

(d) Wildlife Service Agents shall be financially responsible for any damage to computer equipment and peripherals resulting from negligence, malicious activity, equipment abandonment, failure to return equipment upon request of the Commission or improper electrical service to the equipment. In the event of fire, theft, or natural disaster, if insured, agents shall relinquish to the Commission any insurance payment(s) for damaged computer equipment or peripherals provided by the Commission within 10 days of receipt. Agents shall report, by telephone to the Commission, any lost, stolen, damaged, or destroyed equipment within 48 hours of the occurrence and shall submit a written report within 10 days thereafter.
(5) If equipment and internet service is provided by the Agent. Upon completion of training, each Wildlife Service Agent shall be given access to the Commission's agent web site in order to perform transactions required by the Commission. This web site is linked to the Commission's central database via the internet. Agents using their own equipment shall provide their own Internet service provider and shall provide a telephone line for this purpose. Agents providing their own Internet service provider shall receive a monthly credit to their bank account from the Commission. The amount of monthly credit is determined by the Commission's savings on internet service provider costs as a result of the agent providing his or her own service. Use and service provided by the Agent is subject to the following:

(a) Using the web site provided, the agent shall issue all transactions required by the Commission. There record of sale and insurance of each item shall be transmitted immediately to the Commission's database via the internet. The Commission shall communicate information and instructions about individual agent accounts and message of general interest to all agents via the computer application and the agent web site.

(b) All training, materials, and supplies shall be furnished by the Commission. The Commission shall not provide technical support, trouble-shooting, or maintenance to agents using their own equipment and Internet service provider.

(c) Upon termination of an agent appointment, access to the Commission's agent web site shall be terminated.

(6) Supplies. The Commission shall provide each wildlife service agent the forms and supplies necessary to perform transactions or to provide information required by the Commission. In the event that any records or supplies related to the operations of a Wildlife Service Agent are stolen, lost, damaged or destroyed, the agent shall notify the Commission by telephone within 48 hours of the occurrence and shall submit a written report within 10 days thereafter.

(7) Documentation. Wildlife Service Agents shall mail all transaction documentation to the Commission daily.

(8) Application. Each Wildlife Service Agent shall notify the Commission of any changes to the original application for appointment such as business name, address, agent contact information, bank account information, business hours and other information related to agent appointment, immediately upon its change.

(9) Business Change of Ownership, Location, or Management. If the ownership of the business, location or management changes, then the Agreement becomes null and void. Written notice of any change in ownership, location, or management shall be sent to the Commission at least 10 days prior to the change along with an application for a new Wildlife Service Agreement, if desired, pursuant to the rules in this Section.

(10) Renewal. All Wildlife Service Agent Agreements are issued for a term of three years, but may be renewed upon agreement of the Commission and the Wildlife Service Agent.
Cancellation. A Wildlife Service Agent may cancel the Agreement at any time by sending written notice to the Commission. The Commission shall immediately instruct resigning agents on the procedures for returning all equipment and supplies and to settle their account. Upon resignation of appointment as a Wildlife Service Agent, the former agent must return all consigned equipment and supplies to the Commission and settle the agent financial account within 10 days of the resignation letter's date.

Suspension. The Commission shall temporarily suspend any Wildlife Service Agent appointment for failure to comply with this Rule.

(a) Deficiencies that shall result in temporary suspension include:

(i) Failure to comply with the terms and conditions as outlined in the Wildlife Service agent Agreement.

(ii) Failure to deposit sufficient funds one or more times to cover the electronic transfer of funds each week.

(iii) Failure to operate as a public convenience as specified in the Agreement one or more times.

(iv) Failure to provide proper and correct information one or more times about wildlife transactions and related issues to customers as documented by customer complaints or agency inspections.

(v) Failure to submit or return all required documentation for transactions as outlined in the Agreement one or more times.

(vi) Failure to safeguard or care for the equipment and supplies, and any other act or omission by the agent that results in financial loss or that reflects poorly on the Commission.

(b) Temporary suspension is effective immediately upon communication of that fact to the Wildlife Service Agent. Such communication shall state the grounds for temporary suspension and that the agent may request a hearing within 5 working days if he contests the grounds for temporary suspension. If the initial notification is not in writing, it shall be followed by written notice of temporary suspension containing the same information. An employee of the Commission may enter the premises and impound all property and supplies issued or entitled to by the Commission such as equipment, moneys, record books, reports, license forms, other documents and materials pertinent to the agent being suspended. The Commission must make the impounded property, or copies of it, available to the agent during the period of temporary suspension. If a hearing is requested, it shall be before the Executive Director or his designee and shall be held at a location specified by the Executive Director.

(c) Temporary suspension remains in effect until the hearing. A temporary suspension may not last longer than 30 days, but additional suspensions may be imposed if, at the end of the suspension period, the agent has not corrected the deficiency or deficiencies that resulted in
the suspension. A Wildlife Service Agent may at any time after a hearing appeal his suspension to the Commission. A new suspension shall comply with the provisions of this Item.

(§38) Termination. The Commission may terminate any Wildlife Service Agent appointment for failure to comply with this Rule.

(a) Deficiencies that may result in termination include:

(i) Failure to comply with the terms and conditions as outlined in the wildlife service agreement.

(ii) Failure to deposit sufficient funds two or more times to cover the electronic transfer of funds each week.

(iii) Failure to meet the minimum transaction sales requirement of one thousand dollars ($1,000) annually.

(iv) Failure to operate as a public convenience as specified in the Agreement two or more times.

(v) Failure to provide proper and correct information two or more times about wildlife transactions and related issues to customers as documented by customer complaints or agency inspections.

(vi) Failure to return all required documentation for transactions as outlined in the Agreement two or more times.

(vii) Failure to safeguard or care for the equipment and any other act or omission by the agent that results in financial loss or that reflects poorly on the Commission.

(b) Notice of termination of the appointment may be sent to the Wildlife Service Agent in lieu of or in addition to temporary suspension. The notice must state the grounds for termination of the appointment and the agent's right to a hearing if he has not previously been afforded one. If the appointment is to be terminated, the notice must state the effective date and hour of termination. If the agent has not been previously afforded a hearing, the agent is entitled to a hearing within 14 days before the Executive Director or his designee to be held at a location specified by the Executive Director. If the Executive Director upholds the decision to terminate the appointment, an agent may appeal his termination to the Commission. Pending the hearing and any appeal from it, the termination is held in abeyance, but no transaction may be made once the agent's termination effective date and time have passed.

(c) Upon termination of appointment as a Wildlife Service Agent, the former agent must return all consigned equipment and supplies to the Commission and settle the agent financial account within 10 days of the date of receiving written notice from the Commission. Employees of the Commission may conduct inspections and audits when terminating an agent.
(d) The Executive Director or his designee holding any hearing under this Item must keep a written record of evidence considered and findings made. Upon appeal to the Commission, the Commission Chairman or another presiding officer must cause such a written record of evidence and findings to be made and kept.

(e) No person denied appointment or whose appointment was terminated under this section may apply again for an appointment as a Wildlife Service Agent for a minimum of two years. Upon application, the Commission may not grant the appointment as a Wildlife Service Agent unless the applicant produces evidence, convincing to the Commission, that he meets all standards and qualifications and will comply with all requirements of statutes and rules pertaining to Wildlife Service Agents.

(44) (9) Use of customer identifying information. Customer identifying information for customers of the Commission is protected by G.S. 143-254.5. Wildlife Service Agents shall not disclose any customer identifying information to any third party without the express authorization of the Commission. Wildlife Service Agents shall not use such customer identifying information for any purpose whatsoever other than the processing of Commission transactions requested by the customer. Failure to abide by provisions in this Item shall be grounds for immediate termination of the agency.

History Note: Authority G.S. 113-134; 113-270.1;

NO WAKE ZONE REQUEST – TYRRELL COUNTY, CANAL AT TAYLOR’S BEACH
15A NCAC 10F .0365

The Board of Commissioners of Tyrrell County held a public hearing and submitted a certified Resolution and application for an amendment to 15A NCAC 10F .0365, to establish a no wake zone within the waters of the canal that leads to the marina at Taylor’s Beach on Albemarle Sound in Columbia.

Staff investigated the area and noted several hazards to water safety in the canal including its narrowness and a history of minor boat collisions there.

Tyrrell County has agreed to bear the cost of the purchase, placement and maintenance of the no wake markers. An analysis of minor fiscal impact to local government has been submitted and certified by the Office of State Budget and Management.

Notice of Text was published in the North Carolina Register pursuant to the Administrative Procedure Act. A public hearing to receive comments on the request was held in Raleigh on May 5, 2011. There were no comments received and no attendees at the public hearing.

Staff recommends adoption of the amendment:

15A NCAC 10F .0365 TYRRELL COUNTY

(a) Regulated Area. This Rule applies to the following waters in Tyrrell County:
   (1) That portion of the Scuppernong River from 300 yards west of the Highway 64 bridge to 100 yards east of the Highway 64 bridge as designated by the appropriate markers.
   (2) That portion of the Scuppernong River from the Columbia Boat Ramp extending 200 feet into the river as designated by the appropriate markers.
   (3) The entire waters of the canal that leads to the marina at Taylor’s Beach on Albemarle Sound in Columbia, beginning at a point at 35.95559 N, 76.30219 W.

(b) Speed Limit. It is unlawful to operate a vessel at greater than no-wake speed in the regulated areas described in Paragraph (a) of this Rule.
(c) Placement and Maintenance of Markers. The Board of Commissioners of Tyrrell County is designated as the suitable agency for the placement and maintenance of the markers implementing this Rule.

**Authority G.S. 75A-3; 75A-15**
RESOLUTION
NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

Establish Equality for Nonresident Hunting License Fees with Neighboring States Pursuant to Statutory Authority

Whereas, nonresident hunting license fees in neighboring states, as presented at the North Carolina Wildlife Resources Commission (NCWRC) meeting of July 7, 2011 in Exhibit K, are significantly higher than comparable fees in North Carolina; and

Whereas, G.S. 113-275(a1) gives NCWRC the authority to equalize nonresident fees under these circumstances; and

Whereas, NCWRC staff shall analyze nonresident hunting license fees of neighboring states annually and recommend amendments for Commission consideration;

Now, therefore, be it resolved by the North Carolina Wildlife Resources Commission, in official session on July 7, 2011, that North Carolina nonresident hunting license fees for residents of the states of Georgia, South Carolina, Tennessee and Virginia shall be increased to those fees presented in the table below. These fees are effective immediately for the 2011-2012 season and remain in effect until amended as prescribed above. This Resolution supersedes the July 16, 2003, resolution adopted by the Commission regarding North Carolina nonresident hunting license fees for neighboring states.

<table>
<thead>
<tr>
<th>License Type</th>
<th>GA</th>
<th>SC</th>
<th>TN</th>
<th>VA</th>
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<td>Annual Hunt (basic)</td>
<td>$100</td>
<td>$125</td>
<td>$90</td>
<td>$110</td>
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<tr>
<td>Annual Big Game</td>
<td>$195</td>
<td>$100</td>
<td>$160</td>
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<tr>
<td>6-Day Hunt (basic)</td>
<td>$40</td>
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<tr>
<td>6-Day Big Game</td>
<td>$110</td>
<td>$80</td>
<td>$90</td>
<td>$80</td>
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</tbody>
</table>

Steve Windham
Chairman

Gordon S. Myers
Executive Director
Summary of nonresident hunting licenses purchased by hunters for the period July 1, 2010 – June 30, 2011:

<table>
<thead>
<tr>
<th>State</th>
<th>Annual Hunt (Basic) Sold</th>
<th>Annual Big Game Sold</th>
<th>6-Day Hunt (Basic) Sold</th>
<th>6-Day Big Game Sold</th>
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<tbody>
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<td>GA</td>
<td>224</td>
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<td>4,674</td>
<td>22,696</td>
</tr>
</tbody>
</table>

Proposed neighboring state’s nonresident hunting license fees based upon July 2011 fee analysis:

The tables below represent the current fees North Carolina residents would pay to hunt in each state and the proposed fees each state’s resident would pay to hunt in North Carolina. To create an equitable proposed fee for states without equal short-term basic hunting licenses, fees were calculated by formulating a compromise of what it would cost to hunt in North Carolina for 6 days verses the cost of the neighboring state’s short-term license.

**Georgia**

<table>
<thead>
<tr>
<th>License Types</th>
<th>NC’s Fees for All Other Nonresidents</th>
<th>NC’s Current Fees for GA Residents</th>
<th>GA’s Current Fees for NC Residents</th>
<th>NC’s Proposed Fees for GA Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Hunt (basic)</td>
<td>$60</td>
<td>$60</td>
<td>$100</td>
<td>$100</td>
</tr>
<tr>
<td>Annual Big Game</td>
<td>$60</td>
<td>$118</td>
<td>$195</td>
<td>$195</td>
</tr>
<tr>
<td>6-Day Hunt (basic)</td>
<td>$40</td>
<td>$40</td>
<td>$20 (3-day)</td>
<td>$40</td>
</tr>
<tr>
<td>6-Day Big Game</td>
<td>$40</td>
<td>$103</td>
<td>$90 (3-day)</td>
<td>$110</td>
</tr>
</tbody>
</table>

**South Carolina**

<table>
<thead>
<tr>
<th>License Types</th>
<th>NC’s Fees for All Other Nonresidents</th>
<th>NC’s Current Fees for SC Residents</th>
<th>SC’s Current Fees for NC Residents</th>
<th>NC’s Proposed Fees for SC Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Hunt (basic)</td>
<td>$60</td>
<td>$125</td>
<td>$125</td>
<td>$125</td>
</tr>
<tr>
<td>Annual Big Game</td>
<td>$60</td>
<td>$100</td>
<td>$100</td>
<td>$100</td>
</tr>
<tr>
<td>6-Day Hunt (basic)</td>
<td>$40</td>
<td>$70</td>
<td>$40 (3-day)</td>
<td>$60</td>
</tr>
<tr>
<td>6-Day Big Game</td>
<td>$40</td>
<td>$70</td>
<td>N/A*</td>
<td>$80</td>
</tr>
</tbody>
</table>

*SC does not offer a short-term big game license. To hunt big game short-term in SC, nonresident hunters must purchase an annual big game license.

**Tennessee**

<table>
<thead>
<tr>
<th>License Types</th>
<th>NC’s Fees for All Other Nonresidents</th>
<th>NC’s Current Fees for TN Residents</th>
<th>TN’s Current Fees for NC Residents</th>
<th>NC’s Proposed Fees for TN Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Hunt (basic)</td>
<td>$60</td>
<td>$60</td>
<td>$90</td>
<td>$90</td>
</tr>
<tr>
<td>Annual Big Game</td>
<td>$60</td>
<td>$100</td>
<td>N/A*</td>
<td>$160</td>
</tr>
<tr>
<td>6-Day Hunt (basic)</td>
<td>$40</td>
<td>$55</td>
<td>$50.50 (7-day)</td>
<td>$50</td>
</tr>
<tr>
<td>6-Day Big Game</td>
<td>$40</td>
<td>$50</td>
<td>N/A*</td>
<td>$90</td>
</tr>
</tbody>
</table>

*TN does not offer a stand-alone big game license. To hunt big game in TN, nonresident hunters must purchase either a $250 annual or $175 7-day “all game” license.

**Virginia**

<table>
<thead>
<tr>
<th>License Types</th>
<th>NC’s Fees for All Other Nonresidents</th>
<th>NC’s Current Fees for VA Residents</th>
<th>VA’s Current Fees for NC Residents</th>
<th>NC’s Proposed Fees for VA Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Hunt (basic)</td>
<td>$60</td>
<td>$80</td>
<td>$110</td>
<td>$110</td>
</tr>
<tr>
<td>Annual Big Game</td>
<td>$60</td>
<td>$60</td>
<td>$85</td>
<td>$85</td>
</tr>
<tr>
<td>6-Day Hunt (basic)</td>
<td>$40</td>
<td>$50</td>
<td>$60 (3-day)</td>
<td>$80</td>
</tr>
<tr>
<td>6-Day Big Game</td>
<td>$40</td>
<td>$50</td>
<td>N/A*</td>
<td>$80</td>
</tr>
</tbody>
</table>

*VA does not offer a short-term big game license. To hunt big game short-term in VA, nonresident hunters must purchase an annual big game license.