



## **AGENDA**

### **N.C. WILDLIFE RESOURCES COMMISSION**

**October 3, 2018, 9:00 a.m.**

**1751 Varsity Drive**

**NCWRC Conference Room, 5<sup>th</sup> Floor**

**Raleigh, North Carolina**

**CALL TO ORDER** - *Chairman John Coley*

**This meeting is being recorded as a public record and is audio streaming live at [www.ncwildlife.org](http://www.ncwildlife.org). As a courtesy to others please turn off all cell phones during the meeting.**

**PLEDGE OF ALLEGIANCE** – *Commissioner Mike Johnson*

**INVOCATION** - *Commissioner Landon Zimmer*

### **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 shall 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 John Coley*

**APPROVAL OF MINUTES** – Take action on the August 23, 2018 Wildlife Resources Commission meeting minutes as written in the exhibit and distributed to members (**EXHIBIT A**)

## **ADMINISTRATION**

**Financial Status Report** - Receive a financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund – *Melissa Earp, Finance Office Chief* (**EXHIBIT B**)

**EMPLOYEE SERVICE AWARDS** - Recognize and present service awards to Wildlife Resources Commission Employees - *Executive Director Gordon Myers*

**Break for Photographs**

## **COMMITTEE REPORTS**

**Habitat, Nongame and Endangered Species Committee Report** – *Mark Craig, Chair*

**Fisheries Committee Report** - *Tommy Fonville, Chair*

**Finance Committee Report** – *Landon Zimmer, Chair*

**Boating Safety Committee Report** – *Mike Johnson, Chair*

**Migratory Birds and Waterfowl Committee Report** – *Richard Edwards, Chair*

**Land Use and Access Committee Report** – *Tom Berry, Chair*

**Big Game Committee Report** – *John Litton Clark, Chair*

**Committee of the Whole** – *Chairman John Coley*

**AGENCY SPOTLIGHT – AGENCY BOATING AND FISHING ACCESS PROGRAM OVERVIEW** – *Sara Sherman, Facility Construction Engineer and Steve Bailey, Western Region CI Project Manager*

## **LAND AND WATER ACCESS SECTION**

**Land and Water Access Section Update** - Receive an update on the activities of the Land and Water Access Section – *Brian McRae, Land and Water Access Section Chief*

**Rulemaking – 2019-2020 Game Land Rule Proposals** – Consider staff recommendations for proposed changes in the 2019-2020 game land rule proposals to be presented at statewide public hearings – *Brian McRae* (**EXHIBIT C-1**)

**Fiscal Note for Proposed 2019-2020 Game Land Rules** – Review and consider approval of the Fiscal Note for proposed changes in the 2019-2020 game land rules – *Brian McRae* (**EXHIBIT C-2**)

## **Land Acquisitions and Property Matters**

**Easement Request, Clay County** – Consider a request from the N.C. Department of Transportation for an easement across Shooting Creek Public Fishing Access Area in Clay County – *Jessie Birckhead, Land Acquisition and Grants Manager (EXHIBIT D)*

**Easement Disposition, Yancey County** – Consider a request from the National Park Service to dispose of an easement across Old Perley Toll Road at Pisgah Game Land in Yancey County – *Jessie Birckhead (EXHIBIT E)*

**Property Disposition, Tyrrell County** – Consider staff recommendation for disposition of the Farm House at Texas Plantation Game Land in Tyrrell County– *Jessie Birckhead (EXHIBIT F)*

## **INLAND FISHERIES DIVISION**

**Fisheries Division Update** - Receive a staff update on activities of the Inland Fisheries Division – *Christian Waters, Inland Fisheries Division Chief*

**Rulemaking – 2019-2020 Fishing Rule Proposals** – Consider staff recommendations for proposed changes in the 2019-2020 Inland Fisheries rules proposals to be presented at statewide public hearings - *Christian Waters (EXHIBIT G-1)*

**Fiscal Note for Proposed 2019-2020 Fishing Rules** – Review and consider approval of the Fiscal Note for proposed changes in the 2019-2020 Fishing rules – *Christian Waters (EXHIBIT G-2)*

## **WILDLIFE MANAGEMENT DIVISION**

**Wildlife Management Division Update** – Receive an update on the activities of the Wildlife Management Division – *Dr. David Cobb, Wildlife Management Division Chief*

**Rulemaking - 2019-2020 Wildlife Management Rule Proposals** – Consider staff recommendations for proposed changes in the 2019-2020 Wildlife Management rules proposals to be presented at statewide public hearings – *David Cobb (EXHIBIT H-1)*

**Fiscal Note for Proposed 2019-2020 Wildlife Management Rules** – Review and consider approval of the Fiscal Note for proposed changes in the 2019-2020 Wildlife Management rules – *David Cobb (EXHIBIT H-2)*

## **LAW ENFORCEMENT DIVISION**

**Rulemaking – 2019-2020 Law Enforcement Rule Proposals** – Consider staff recommendations for proposed changes in the 2019-2020 Law Enforcement rules proposals to be presented at statewide public hearings – *Colonel Jon Evans, Law Enforcement Division Chief* (**EXHIBIT I**)

## **WATER SAFETY RULEMAKING**

**Rulemaking Application – 15A NCAC 10F .0317 – Stanly County, Lake Tillery** – Consider an application from Stanly County for approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0317, for a no-wake zone in a cove south of Talon Court, on Lake Tillery – *Betsy Haywood, No-Wake Zone Coordinator* (**EXHIBIT J**)

**Rulemaking Application – 15A NCAC 10F .0303 – Beaufort County** – Consider an application from Beaufort County for approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0303, for a no-wake zone in the canals at the eastern end of the peninsula at Whichard Beach between Chocowinity Bay and the Pamlico River – *Betsy Haywood* (**EXHIBIT K**)

## **WILDLIFE RESOURCES COMMISSION MEETING SCHEDULE**

**2019 Wildlife Resources Commission Meeting Schedule** – Consider approval of the 2019 Commission meeting schedule (**EXHIBIT L**) – *Gordon Myers*

**COMMENTS BY CHAIRMAN** – *Chairman John Coley*

**COMMENTS BY EXECUTIVE DIRECTOR** – *Gordon Myers*

**ADJOURN**



## **EXHIBIT A**

**October 3, 2018**



### **MINUTES**

**August 23, 2018**  
**N.C. Wildlife Resources Commission Meeting**  
**Raleigh, North Carolina**

The August 23, 2018 N.C. Wildlife Resources Commission meeting was called to order by Chairman John Coley at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Coley reminded everyone that the meeting audio is being live streamed and will be available on the Commission's website. He requested that everyone silence electronic devices. Commissioners Richard Edwards, Landon Zimmer, Joe Budd, and Garry Spence were absent.

Commissioner Brad Stanback led the Pledge of Allegiance.

Commissioner John Stone gave the invocation.

### **WELCOME AND MANDATORY ETHICS INQUIRY**

Chairman Coley welcomed the Commissioners and guests, including Nelson MacRae, recipient of the Thomas L. Quay Wildlife Diversity Award and the Executive Director of the N.C. Coastal Land Trust, Camilla Herlevich. Coley advised the Commission of the mandatory ethics inquiry as mandated in N.C. General Statute 138A-15(e). Commissioner Monty Crump recused himself from discussion and action on **Exhibit C-1**, a Phase I property acquisition plan for the High Rock Tract in Davidson, Davie, and Rowan counties.

### **COMMISSIONER ATTENDANCE**

John T. Coley, IV  
Wes Seegars  
Nat Harris  
David W. Hoyle, Jr.  
Tom Berry  
Mark Craig  
John Litton Clark  
Wes Seegars

Brian White  
John A. Stone  
Ray Clifton  
Brad Stanback  
Tommy Fonville  
Monty Crump  
Hayden Rogers

## **VISITORS**

Mike Bryant, National Wildlife Refuge Assoc.  
Heather Clarkson, Defenders of Wildlife  
Meg MacRae, Defenders of Wildlife  
Nelson MacRae  
Hugh MacRae  
Liz MacRae  
Camilla Herlevich, N.C. Coastal Land Trust

Will Robinson, The Nature Conservancy  
Liz Rutledge, N.C. Wildlife Federation  
Joe McClees, McClees Consulting  
Dickson McLean  
Ed Mays, N.C. Handicapped Sportsmen

## **JULY 12, 2018 MEETING MINUTES**

Upon a motion by John Stone and second by Bryan White, the Commission approved the July 12, 2018 Commission minutes as presented in **Exhibit A**, which is incorporated into the official record of this meeting.

## **ADMINISTRATION**

Melissa Earp, Finance Office Chief, presented a status report in **Exhibit B** on the Wildlife Operating Fund and the Wildlife Endowment Fund. As of July 30, 2018, the expenditures from the Wildlife Operating Fund are \$6,293,686.84, and the receipts are \$5,641,303.12. The market value of the Endowment Fund as of June 30, 2018 is \$119,163,396.40. **Exhibit B** is incorporated into the official record of this meeting.

## **2018 THOMAS L. QUAY WILDLIFE DIVERSITY AWARD**

The Commission presented the 2018 Thomas L. Quay Wildlife Diversity Award and a Resolution to conservation leader Nelson MacRae of Wilmington. MacRae, a founder and past president of the N.C. Coastal Land Trust, led a wildlife conservation initiative among private landowners that resulted in permanent conservation easements along the lower Cape Fear River.

**Break for Photographs** – Chairman Coley announced a short recess so that photographs could be taken. The meeting reconvened at 9:20 a.m.

## **COMMITTEE REPORTS**

**Small Game and Wild Turkey Committee Report** - John Stone, Committee Vice Chair, reported that the Small Game and Wild Turkey Committee met on August 22, 2018. Dr. David Cobb, Wildlife Management Division Chief, gave an update on testing for the West Nile virus in grouse. Allison Medford, Wildlife Diversity Biologist, gave an update on the biology and hunting dynamics of fox squirrels.

**Fisheries Committee Report** - Tommy Fonville, Committee Chair, reported that the Fisheries Committee met on August 22, 2018. Steve Murphey and Catherine Blum with the N.C. Division of Marine Fisheries provided an overview of the Fisheries Management Plan process and associated rulemaking. The roles of the Marine Fisheries Commission and Division of Marine Fisheries were discussed. Christian Waters, Inland Fisheries Division Chief, advised the committee of a misprint in the 2018-2019 Regulations Digest concerning river herring in inland waters of coastal rivers. Waters reported that the online version of the Digest is correct, and efforts have been initiated to correct undistributed printed copies. Outreach efforts are underway to inform the public that the harvest moratorium remains in effect for river herring greater than six inches in inland waters of coastal rivers.

**Finance Committee Report** - Brad Stanback, Committee Vice Chair, reported that the Finance Committee met on August 22, 2018. The committee reviewed the reporting components and scenarios for reporting financial matters to the entire board as well as the parameters for the Finance Office to provide data to the Finance Committee. Melissa Earp, Finance Office Chief, provided an update on the Wildlife Endowment Fund and the unrealized gains and losses in the Equity Index Fund over the period June and July 2018. The committee recommended that these updates be provided for both the Equity Index Fund and the Bond Index Fund investments so that the committee can make comparisons between the two and investment determinations. A general discussion was held concerning the staff working group for potential revenue increases for the Commission. The committee was informed that there is progress regarding this matter and that the working group plans to have the strategic scenarios to the Board for the December 2018 meeting.

**Boating Safety Committee Report** - Mike Johnson, Committee Chair, reported that the Boating Safety Committee met on August 22, 2018. Betsy Haywood, No-Wake Zone Coordinator, reviewed for final adoption the proposed extension of a no-wake zone on Pembroke Creek in Edenton, and an application by the Lake Wylie Marine Commission to publish a Notice of Text in the *NC Register* for rulemaking at the Yachtsman at Lake Wylie community in Mecklenburg County. Major Cam Ingram, Wildlife Enforcement Division, gave a boating safety update. Ingram discussed the On the Road, On the Water and Operation Dry Water campaigns during summer holiday weeks, for boating safety and prevention of operation of vessels while under the influence of impairing substances. Since January 1, 2018 there have been 28 fatalities on North Carolina waters. Twenty-two of the 28 persons were not wearing personal flotation devices and most vessels were not under power at the time of the fatalities. Ingram recognized Wildlife Enforcement Officer Darby Enoch, who was chosen as the National Association of State Boating Law Administrators (NASBLA) Boating Safety Education Officer of the Year, and Mike Nunnery, who as chosen as the NASBLA Officer of the Year.

**Land Use and Access Committee (LUAC) Report – August 1, 2018** - Tom Berry, Committee Chair, reported that the LUAC held a special meeting on August 1, 2018 to discuss the land acquisition process, shooting range program, and an introduction to the agency's Infrastructure Analysis and Assessment project being undertaken that will inventory assets and forecast future agency capital requirements needed to maintain, repair, and replace those assets. The Committee also received an update on the progress of agency compliance with Senate Bill 747, which requires all agencies to report real property information.

**LUAC Report – August 22, 2018** - Tom Berry reported that the LUAC met on August 22, 2018. Berry updated the Committee about the recent event held by the Conservation Fund and Haywood Tourism Development Authority celebrating the William H. Silver Game Land. A partnership among numerous organizations secured this game land as habitat for elk in North Carolina. The Committee received an update about current land acquisition projects. A Land Status Spreadsheet was reviewed and will be shared at each LUAC meeting. The Committee reviewed and endorsed the 2018-2019 running schedule for the J. Robert Gordon Sandhills Field Trial Area. The Committee discussed five land acquisition projects and endorsed two Phase I projects and three Phase II projects. Discussion was held about improving efficiency in the process for presenting land acquisition projects in two phases.

**Motion from the LUAC:** Tom Berry made a motion that was seconded by Tommy Fonville and approved, that in the interest of efficiency Phase I approval for land acquisition projects will be delegated to the LUAC.

**Committee of the Whole Report (COW)** - John Coley, Chairman, reported that the COW met on August 22, 2018. Dr. David Cobb gave an update about alligator management and the upcoming alligator reduction hunt in select areas. The COW received initial reviews of rules proposals for Wildlife Management, Fisheries, Land and Water Access, and Law Enforcement to take to statewide public hearings in January 2019. The COW reviewed for final adoption 15A NCAC 10F water safety rules for Motorboat Registration, Safety Equipment and Accident Reports, and General Provisions. The COW reviewed for approval final determinations for 15A NCAC 10A, 10D, 10E, 10G, 10I, 10J, and 10K Rules as part of the 2018 Periodic Review process. The COW reviewed the proposed 2019 January Public Hearing Schedule. North Carolina Attorney General Josh Stein came to the meeting for a roundtable discussion about topics of interest to the Commission.

**Motion from the COW:** Mike Johnson made a motion that was seconded by Brad Stanback and approved, to move the Commission's October meeting dates. Committee meetings will be held on Tuesday, October 2, 2018 and the Commission meeting will be held on Wednesday, October 3, 2018.

### **AGENCY SPOTLIGHT – OVERVIEW OF TROUT MANAGEMENT EFFORTS**

Jake Rash, Coldwater Research Coordinator, presented an overview of the Public Mountain Trout Waters (PMTW) Program that manages wild and stocked waters for trout fishing in 26 western counties. Hatchery operations in 2017 produced 940,000 stocked trout. In 2014, PMTW generated approximately \$383 million for the State's economy. Rash discussed research projects designed to assist management of self-sustaining trout populations. Long term population monitoring will improve understanding of population trends and drivers. The agency collects information on the genetic characteristics of Brook Trout, N.C.'s only native trout species, and is working with partners like the U.S. Forest Service to restore Brook Trout populations. Rash discussed several aquatic nuisance species including whirling disease that can impact the spinal cord of fish; gill lice that attach to the gills of trout; and didymo, invasive microscopic algae that can form dense mats on the bottom of mountain streams. Prevention of further spread of nuisance species includes public education to teach boaters and anglers to clean all equipment, drain boat water after use, thoroughly dry equipment, and never move fish or other organisms from one body of water to another. Rash also shared [www.ncwildlife.org/trout](http://www.ncwildlife.org/trout) as a source for PMTW information (e.g., interactive map, regulations, stocking details, etc.).

## **INLAND FISHERIES**

Christian Waters, Inland Fisheries Division Chief, presented a division update. Waters reported that staff is working to distribute correct information about a misprint that was published in the Regulations Digest. The moratorium remains in effect on possession of all river herring greater than six inches in length in inland fishing waters of coastal rivers. Waters announced that 364 juvenile Red Drum from the Pine Knoll Shores Aquarium were transferred to the Marion Hatchery. They were transitioned from saltwater to hardened freshwater and were being fed commercial feed. A recirculating system allowed the water to be filtered, heated, and hardened with the addition of calcium/manganese. The survival of juveniles in Hyco Lake water, which has lower hardness, will be tested.

## **WILDLIFE EDUCATION**

Kris Smith, Wildlife Education Division Chief, presented a division update. Smith stated that use of social media accounts continues to increase. A recent awareness campaign to stress that it is unlawful to intentionally remove or destroy an electronic hunting dog collar reached 81,525 people. The Education Hub provided summer undergraduate internships for hunting heritage projects, communications, and box turtle tracking. Staff enrichment projects include WED Talks and a diversity survey to determine perspectives and enhance communication and understanding. Pond repair work at the Pechmann Fishing Education Center is ongoing. A recent Wounded Warrior Project was launched including activities such as pier fishing, lure making and fly tying, rod building, fly-casting, and kayak fishing. In the past year 165 programs were held and served 4,774 participants. Upland bird hunting workshops have been held. Camp Canvasback, held at the Eastern 4-H Center in Columbia, had 40 youth participate in the joint program between Wildlife Education and Enforcement, attending classes in shooting safety, water safety, and waterfowl conservation. Twenty received the Hunter Education certification and ten received the Boater Education certification. The Youth Hunter Education Challenge (YHEC) was held in Mansfield, Pennsylvania. Eight teams represented North Carolina and N.C. teams took first place in the Junior and Senior Divisions. A link to the YHEC scores has been added to the Commission's website. Smith announced that on September 8, 2018, L.C. Jones from Duplin County will receive the award for Hunter Safety Educator of the Year.

## **WILDLIFE MANAGEMENT**

Dr. David Cobb, Wildlife Management Division Chief, presented a division update. Dr. Cobb introduced Dr. Sara Schweitzer as new Wildlife Diversity Coordinator. Cobb, Executive Director Gordon Myers and Chairman John Coley made a special presentation to Allen Boynton, who is retiring as Wildlife Diversity Coordinator, and presented him with an alligator painting by Duane Raver. Director Myers thanked Boynton for his scientific integrity and guidance as Wildlife Diversity Coordinator, and specifically mentioned his work on difficult issues, such as the Alligator Management Plan, establishing the conservation team projects, and red wolf on the Albemarle Peninsula.

## **LAND AND WATER ACCESS**

### **Phase I Land Acquisitions**

With Monty Crump recused, and on a motion by David Hoyle, Jr. and second by Wes Seegars, the Commission approved a request presented in **Exhibit C-1** by Jessie Birckhead, Lands Acquisitions and Grants Manager, for staff to work with the State Property Office (SPO) and funding partners to develop an acquisition plan for the High Rock Tract in Davidson, Davie, and Rowan counties for the Alcoa Game Land. **Exhibit C-1** is incorporated into the official record of this meeting.

Upon a motion by Mike Johnson and second by Nat Harris, the Commission approved a request in **Exhibit C-2** for staff to work with the SPO and funding partners to develop an acquisition plan for the Hauser Tract in Polk County. **Exhibit C-2** is incorporated into the official record of this meeting.

### **Phase II Land Acquisitions**

Upon a motion by Tom Berry and second by Ray Clifton the Commission gave final approval to proceed with the acquisition of three properties, presented by Jessie Birckhead in **Exhibits D-1, D-2, and D-3**:

- Riegel Ridge Tract – Columbus County (D-1)
- Murphy Tract – Pender County (D-2)
- Warren Tract –Pamlico County (D-3)

**Exhibits D-1, D-2, and D-3** are incorporated into the official record of this meeting.

### **2018-2019 Field Trial Schedule**

Upon a motion by David Hoyle, Jr. and second by John Litton Clark, the Commission approved the 2018-2019 running schedule, presented by Jessie Birckhead in **Exhibit E**, for the J. Robert Gordon Sandhills Field Trial Area. **Exhibit E** is incorporated into the official record of this meeting.

## **WATER SAFETY RULEMAKING**

### **Final Adoption – 15A NCAC 10F .0325 - No-Wake Zone Extension – Chowan County**

Upon a motion by Mike Johnson and second by David Hoyle, Jr., the Commission adopted an amendment to 15A NCAC 10F .0325 – Chowan County, presented in **Exhibit F** by Betsy Haywood, No Wake Zone Coordinator, for extension of the no-wake zone in Pembroke Creek in Edenton, shore to shore from the W. Queen Street bridge to a line 200 yards southeast. **Exhibit F** is incorporated into the official record of this meeting.

### **Notice of Text – 15A NCAC 10F .0333 - No-Wake Zone – Mecklenburg and Gaston Counties**

Upon a motion by Mike Johnson and second by David Hoyle, Jr., the Commission approved **Exhibit G** presented by Betsy Haywood, an application by the Lake Wylie Marine Commission to publish Notice of Text in the *NC Register* with a public hearing and open comment period, for an amendment to 15A NCAC 10F .0333 – Mecklenburg and Gaston counties, for a proposed no-wake zone in the vicinity of the Yachtsman Community Piers, Terry's Marina, and beach on Lake Wylie in Mecklenburg County. **Exhibit G** is incorporated into the official record of this meeting.

**2016 Periodic Review Final Adoption - 15A NCAC 10F .0100 Motorboat Registration**

Upon a motion by Brian White and second by John Stone, the Commission adopted amendments to 15A NCAC 10F .0103 - .0107, .0109, and .0110; and readopted 10F .0102 as part of the 2016 Periodic Review of Rules, presented in **Exhibit H** by Carrie Ruhlman, Rulemaking Coordinator. **Exhibit H** is incorporated into the official record of this meeting.

**2016 Periodic Review Final Adoption - 15A NCAC 10F .0200 Safety Equipment and Accident Reports**

Upon a motion by Monty Crump and second by Wes Seegars, the Commission adopted amendments to 15A NCAC 10F .0201 and .0202 as part of the 2016 Periodic Review of Rules, presented by Carrie Ruhlman in **Exhibit I**. **Exhibit I** is incorporated into the official record of this meeting.

**2016 Periodic Review Readoption – 15A NCAC 10F .0301 General Provisions**

Upon a motion by Monty Crump and second by Mike Johnson, the Commission approved **Exhibit J**, the readoption of 15A NCAC 10F .0301 - General Provisions for Water Safety Rules. **Exhibit J** is incorporated into the official record of this meeting.

**2018 Periodic Review of Rules Readoption Schedule**

Upon a motion by Monty Crump and second by John Litton Clark, the Commission approved final determinations presented in **Exhibit K** by Carrie Ruhlman, for 15A NCAC 10A, 10D, 10E, 10G, 10I, 10J, and 10K Rules for readoption as part of the 2018 Periodic Review process. **Exhibit K** is incorporated into the official record of this meeting.

**2019 PUBLIC HEARING SCHEDULE**

Upon a motion by David Hoyle, Jr. and second by Wes Seegars, the Commission adopted the January 2019 Public Hearing Schedule for the 2019-2020 Annual Rule Cycle, presented by Gordon Myers, Executive Director in **Exhibit L**. **Exhibit L** is incorporated into the official record of this meeting.

**COMMENTS BY THE CHAIRMAN**

Chairman Coley thanked Commissioners and staff for preparing for and attending meetings. He announced that Commissioner Mark Craig will receive the North Carolina Wildlife Federation Governor's Award on September 8, 2018. Coley reminded everyone of the change in the next meeting dates to October 2 and 3, 2018, due to a conflict with the Wine, Wheels, and Wildlife Congressional Sportsmen's Foundation event.

**COMMENTS BY THE EXECUTIVE DIRECTOR**

Executive Director Gordon Myers recognized Major Chris Huebner who is retiring from the Law Enforcement Division. Myers noted his appreciation for Huebner's years of service as the State Boating Law Administrator.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Coley at 10:25 am.

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

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John T. Coley IV, Chairman

Date

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Gordon Myers, Executive Director

Date



**NORTH CAROLINA WILDLIFE RESOURCES COMMISSION  
WILDLIFE ENDOWMENT FUND  
FUND BALANCES AS OF AUGUST 31, 2018**

BOND INDEX FUND (BIF)	108,584,745.53
EQUITY INDEX FUND (EIF)	13,188,789.60
SHORT TERM INVESTMENT FUND (STIF)	5,022,776.18
<b>TOTAL WILDLIFE ENDOWMENT FUND BALANCE AS OF 8/31/18</b>	<b><u>\$ 126,796,311.31</u></b>

<b>INTEREST INCOME WITHIN FUNDS</b>	<b>EXPENDABLE</b>	<b>NON-EXPENDABLE</b>
ADULT LICENSE SALES	27,019,217.05	
INFANT LICENSE SALES		12,329,677.63
YOUTH LICENSE SALES		1,095,919.73
<b>TOTALS</b>	<b><u>\$ 27,019,217.05</u></b>	<b><u>\$ 13,425,597.36</u></b>

NC Wildlife Resources Commission  
CAFR 52G - Statement of Revenues, Expenditures and Changes in Fund Balances  
Fiscal Year 2018-19 (Through September 25, 2018)

	General	Capital Improvement	Permanent
<b>REVENUES</b>			
Federal funds	9,333,291.00	1,660,431.00	0.00
Local funds	1,590.46	0.00	0.00
Investment earnings	29,523.80	0.00	197,549.17
Sales and services	2,518,339.62	0.00	0.00
Fees, licenses and fines	8,320,342.90	0.00	869,680.00
Contributions, gifts and grants	248,251.55	200,000.00	2,003.00
Miscellaneous	18,905.94	0.00	0.00
<b>TOTAL REVENUES</b>	<b>20,470,245.27</b>	<b>1,860,431.00</b>	<b>1,069,232.17</b>
<b>EXPENDITURES</b>			
Personal services	5,654,281.51	0.00	0.00
Employee benefits	2,658,770.47	0.00	0.00
Contracted personal services	2,404,078.68	56,965.21	0.00
Supplies and materials	2,166,903.14	247,103.01	0.00
Travel	102,945.08	0.00	0.00
Communication	189,026.28	23,466.04	0.00
Utilities	179,942.26	0.00	0.00
Data processing services	343,035.04	0.00	0.00
Other services	964,557.17	538.63	0.00
Claims and benefits	211,499.83	0.00	0.00
Debt service:			
Other fixed charges	56,842.20	0.00	0.00
Capital outlay	873,135.71	2,062,604.53	0.00
Grants, state aid and subsidies	525,681.32	0.00	0.00
Insurance and bonding	38,306.00	0.00	0.00
Other expenditures	274,575.05	3,915.00	0.00
Unclassified/invalid accounts	48,662.01	0.00	0.00
Reimbursements	-388,613.42	6,866.00	0.00
<b>TOTAL EXPENDITURES</b>	<b>16,303,628.33</b>	<b>2,401,458.42</b>	<b>0.00</b>

**NC Wildlife Resources Commission**  
**CAFR 52G - Statement of Revenues, Expenditures and Changes in Fund Balances**  
**Fiscal Year 2018-19 (Through September 25, 2018)**

<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>4,166,616.94</b>	<b>-541,027.42</b>	<b>1,069,232.17</b>
<b>OTHER FINANCING SOURCES (USES)</b>			
. Sale of capital assets	104,248.40	0.00	0.00
. Transfers in	9,162,402.96	267,393.89	0.00
. Transfers out	-10,695,830.73	-206,274.49	0.00
. Appropriations	2,710,888.00	0.00	0.00
<b>TOTAL OTHER FINANCING SOURCES (USES)</b>	<b>1,281,708.63</b>	<b>61,119.40</b>	<b>0.00</b>
<b>EXCESS OF REVENUES AND OTHER SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES</b>	<b>5,448,325.57</b>	<b>-479,908.02</b>	<b>1,069,232.17</b>
<b>FUND BALANCE - JULY 1, As previously stated</b>	<b>14,838,043.55</b>	<b>3,986,758.85</b>	<b>123,569,426.52</b>
<b>FUND BALANCE - JUNE 30</b>	<b>20,286,369.12</b>	<b>3,506,850.83</b>	<b>124,638,658.69</b>

# EXHIBIT C-1

October 3, 2018



## **Proposed Changes to Bear, Bear Sanctuaries, Use of Areas Regulated, and Game Land Regulations for 2019-2020 Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings**

### **Bear/Bear Sanctuaries**

- 1) Clarify bear sanctuary rules in the NCAC and update the county locations of existing bear sanctuaries. Additionally, Bombing Range Bear Sanctuary and part of Green Swamp Bear Sanctuary will be renamed Dare Bear Sanctuary and Juniper Creek Bear Sanctuary, respectively.

#### **Justification:**

These administrative changes will allow staff to better track and implement changes to bear sanctuaries. Additionally, the name changes will reduce confusion by aligning sanctuary names with the names of adjacent game lands.

*15A NCAC 10B .0202 Bear (page 7)*

*15A NCAC 10D .0106 Bear Sanctuaries (page 33)*

### **Use or Areas Regulated**

- 1) Prohibit the use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing Area in Edgecombe County.

#### **Justification:**

Ethridge Pond (28 acres) and Newbold Pond (53 acres) are relatively small ponds. As a result, numerous reports have been received about wakes from boats with gasoline powered motors negatively impacting kayakers, bank anglers, and anglers using the ADA accessible fishing pier. Prohibiting gasoline powered motors at these areas will provide a safer and more enjoyable user experience.

*15A NCAC 10E .0104 Use of Areas Regulated (page 35)*

### **Game Lands**

- 1) Establish a December archery season on South Mountains Game Land and Buffalo Cove Game Land for antlered deer.

#### **Justification:**

The NCAC does not include language allowing the extended archery season on South Mountains Game Land or Buffalo Cove Game Land. This proposal will update the

NCAC to make the deer season at South Mountains Game Land and Buffalo Cove Game Land consistent with the western deer season and the Regulation's Digest.

*15A NCAC 10D .0103 Hunting on game lands (pages 12 and 27)*

- 2) Establish the Conservative either-sex season on Buxton Woods Game Land.

**Justification:**

When Dare County was transitioned to the maximum deer either-sex season in 2009, the intent was for Buxton Woods Game Land to remain in the Conservative Season. This intent was captured in the Regulations Digest, but this change was never incorporated into the NCAC.

*15A NCAC 10D .0103 Hunting on game lands (page 13)*

- 3) Allow deer of either sex to be taken during the first open Saturday of the Deer with Visible Antlers Season at Cold Mountain Game Land.

**Justification:**

The Introductory Gun Either-Sex Deer Season dates were shifted to the beginning of the season during the 2018-2019 regulation cycle. For game lands, the open date for the Introductory Season was moved to the first open Saturday of the Gun Season; however, this change was not captured in the NCAC text for Cold Mountain Game Land.

*15A NCAC 10D .0103 Hunting on game lands (page 15)*

- 4) Add Hyde County to the list of counties comprising Dare Game Land.

**Justification:**

A small portion of Dare Game Land extends into Hyde County and this proposal will correct this administrative oversight.

*15A NCAC 10D .0103 Hunting on game lands (page 16)*

- 5) Change the designation of Dan River Game Land in Rockingham County from a Permit Only Area to a Three Days per Week Area with turkey and deer hunting by permit only.

**Justification:**

Changing the designation of this property to a Three Days per Week Area will increase hunting opportunities while ensuring a quality user experience for hunters, anglers, wildlife viewers, and other outdoor recreationists. Turkey and deer hunting will still be by permit only to conserve these populations and measure hunter interest.

*15A NCAC 10D .0103 Hunting on game lands (page 16)*

- 6) Designate the Little Macedonia Tract of Green Swamp Game Land as a permit-only area for all hunting and trapping.

**Justification:**

The Little Macedonia Tract of Green Swamp Game Land is a small, stand-alone tract that is 264 acres in size. Adjacent to this tract, there are 19 different parcels of private property and 13 residences within 150 yards of the boundary. Currently, deer, bear, and turkey hunting are allowed by permits. However, managing all hunting and trapping on this tract with permits will provide better control of access, reduce conflicts between users and adjacent landowners, and prevent overcrowding.

*15A NCAC 10D .0103 Hunting on game lands (pages 17 and 18)*

- 7) Allow the public to camp in designated camping areas during open hunting seasons on Johns River Game Land.

**Justification:**

Hunting on Johns River Game Land is by permit only and permittees often travel considerable distances to hunt this game land. Adding designated camping areas will enhance the user experience of the permit holders.

*15A NCAC 10D .0103 Hunting on game lands (pages 19 and 20)*

- 8) Allow camping within 100 yards of the Neuse River on the Turkey Quarter Creek Island Tract of Neuse River Game Lands.

**Justification:**

Staff have received public comments requesting camping on the Turkey Quarter Creek Island Tract. This proposal would increase camping opportunities with minimal impacts to the resources.

*15A NCAC 10D .0103 Hunting on game lands (page 22)*

- 9) Prohibit target shooting on the Perkins Game Land in Davie County.

**Justification:**

This change is being made at the request of the landowner.

*15A NCAC 10D .0103 Hunting on game lands (pages 23 and 24)*

- 10) Add Pender County to the list of counties comprising Whitehall Plantation Game Land.

**Justification:**

The Long Ridge tract is an 848-acre tract in Pender County and it is being incorporated into the Whitehall Plantation Game Land.

*15A NCAC 10D .0103 Hunting on game lands (page 31)*

- 11) Prohibit the pursuing or chasing of deer or bear with dogs for the purposes of training or hunting on the Long Ridge Tract of Whitehall Plantation Game Land.

**Justification:**

The Long Ridge tract is an 848-acre tract that is landlocked with no public road frontage. Without perimeter roads to facilitate the recapture of dogs, it is anticipated that dogs will leave the tract and venture onto adjacent private lands. The lack of an appropriate road system and adjacent private land does not lend this property to pursuing deer or bear with the use of dogs.

*15A NCAC 10D .0103 Hunting on game lands (page 31)*

- 12) Prohibit target shooting on White Oak River Game Land.

**Justification:**

Numerous complaints have been received about target shooting on this game land.

Target shooting on this game land has resulted in a safety hazard. Specifically, the most popular area selected for shooting is at the end of a road where a walking trail leads to the White Oak River. This trail is the access route for users entering the game lands via boat and is down range from the target shooting activity. Opportunities exist for target shooting at alternative sites appropriately constructed and monitored to provide a safe

environment for the participants. Specifically, the Holly Shelter Shooting Range is within 45 miles of White Oak River Game Land.

*15A NCAC 10D .0103 Hunting on game lands (page 30)*

- 13) Prohibit target shooting on Bertie County Game Land, Brinkleyville Game Land, Chowan Swamp Game Land, Embro Game Land, Lower Fishing Creek Game Land, Roanoke River Wetlands Game Land, Sandy Creek Game Land, Shocco Creek Game Land, Tar River Game Land, Tillery Game Land, and Voice of America Game Land.

**Justification:**

The Commission is currently constructing the Odom Shooting Range in Northampton County and the range is scheduled to be open in 2019. These game lands fall within a 45-mile radius from the proposed Odom Shooting Range. Currently, popular shooting areas on these game lands contain no back-stop berms and are often located near boundaries with private property, occupied dwellings, and roads. By prohibiting target shooting on these game lands and allowing it only at the Odom Shooting Range, users will have a safe environment for target shooting and user group conflicts can be avoided.

*15A NCAC 10D .0103 Hunting on game lands (pages 11 – 30)*

- 14) Clarify the definition of a Six Days per Week Game Land to indicate that hunting is allowed Monday through Saturday during open seasons. The proposal will also add the definition of a Seven Days per Week Game Land and indicate that hunting is allowed Monday through Sunday during open seasons. Further, as per HB 559 (2017), this rule will indicate that on Sundays, hunting between 9:30 AM and 12:30 PM is prohibited, the use of a firearm to take deer that are run or chased by dogs is prohibited, and hunting within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited.

**Justification:**

HB 559 (2017) gave the Commission the authority to authorize hunting on Sundays on Game Lands. This proposal will amend the definitions of game lands and identify Sunday as an open day for “Seven Days per Week Areas”. This rule also outlines the restrictions to Sunday hunting as outlined in HB 559 (2017).

*15A NCAC 10D .0103 Hunting on game lands (page 10)*

- 15) Allow hunting on Sundays for selected Game Lands. Proposed game lands are as follows:

Region	Game Land	Acres
Coast	Alligator River	14,178
Coast	Angola Bay	34,157
Coast	Cape Fear Wetlands	7,191
Coast	Carteret County	1,936
Coast	Croatan	162,217
Coast	Dare	46,055
Coast	Gull Rock	28,585
Coast	Juniper Creek	19,837

Coast	Light Ground Pocosin	942
Coast	New Lake	1,438
Coast	North River	20,318
Coast	NW River Marsh	2,889
Piedmont	Brinkleyville	1,844
Piedmont	Embro	8,856
Piedmont	Lower Fishing Creek	1,296
Piedmont	Pee Dee River	4,487
Piedmont	Sandy Creek	1,113
Piedmont	Shocco Creek	8,109
Piedmont	Tillery	5,209
Piedmont	Uwharrie	51,850
Piedmont	Vance	853
Mountains	Buffalo Cove	6,631
Mountains	Cold Mountain	3,385
Mountains	Nantahala	533,190
Mountains	Needmore	4,931
Mountains	Pisgah	508,747
Mountains	Pond Mountain	2,908
Mountains	South Mountains	21,697
Mountains	Three Top Mountain	2,486
Mountains	Thurmond Chatham	6,471
Mountains	Toxaway	5,633
Mountains	William H. Silver	1,925

**Justification:**

HB 559 (2017) gave the Commission the authority to authorize hunting on Sunday on Game Lands. Based on staff, partners, and survey input, we have determined the above Six Days per Week Game Lands can sustain the potential increase in hunting pressure if these areas were managed as Seven Days Per Week game lands while still accommodating multiple user groups.

*15A NCAC 10D .0103 Hunting on game lands (pages 10 – 31)*



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

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

- (1) Monday on or nearest October 15 through the Saturday before Thanksgiving and the third Monday after Thanksgiving through January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland counties;
- (2) Second Monday in November through January 1 in Bladen, Brunswick, Carteret, Columbus, Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, Robeson, and Sampson counties;
- (3) Second Saturday in November through the second Sunday thereafter and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Beaufort, Bertie, Craven, Hertford, Jones, Martin, and Washington counties;
- (4) Second Saturday in November through the first Sunday after Thanksgiving and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Dare, Hyde, and Tyrrell counties;
- (5) Second Saturday in November through the second Sunday thereafter and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Currituck, Gates, and Perquimans counties;
- (6) Second Sunday in November through the following Sunday and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Camden, Chowan, and Pasquotank counties;
- (7) Third Saturday in November through the fifth Sunday thereafter in Edgecombe, Greene, Halifax, Lenoir, Nash, Northampton, Pitt, Wayne, and Wilson counties; and
- (8) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A NCAC 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie, Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston, Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Wake, Warren, and Yadkin counties.

**(b) Restrictions**

- (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain, fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw components.
- (2) Bears shall not be taken with the use or aid of:
  - (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum, candy block, oils, spices, peanut butter, or grease;
  - (B) any extracts of substances identified in Part (A) of this Subparagraph;
  - (C) any substances modified by substances identified in Part (A) of this Subparagraph, including any extracts of those substances; or

- (D) any bear bait attractant, including sprays, aerosols, scent balls, and scent powders.
- (3) Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the Saturday before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.
- (4) Bears may be taken with the aid of bait during the entire open season in the counties identified in Subparagraphs (a)(2) through (a)(6) of this Rule.
- (5) Bears shall not be taken while in the act of consuming bait.
- (6) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85, Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.
- (c) No Open Season. ~~There is no open season in those parts of counties included in the following posted bear sanctuaries. It shall be unlawful to take bear on posted bear sanctuaries except when authorized by permit issued by the Commission. See 15A NCAC 10D .0106 for posted bear sanctuaries.~~
- ~~Avery, Burke, and Caldwell counties—Daniel Boone bear sanctuary except by permit only~~
- ~~Beaufort, Bertie, and Washington counties—Bachelor Bay bear sanctuary~~
- ~~Bladen County—Suggs Mill Pond bear sanctuary~~
- ~~Brunswick County—Green Swamp bear sanctuary~~
- ~~Buncombe, Haywood, Henderson, and Transylvania counties—Pisgah bear sanctuary~~
- ~~Carteret, Craven, and Jones counties—Croatan bear sanctuary~~
- ~~Clay County—Fires Creek bear sanctuary~~
- ~~Columbus County—Columbus County bear sanctuary~~
- ~~Currituck County—North River bear sanctuary~~
- ~~Dare County—Bombing Range bear sanctuary except by permit only~~
- ~~Haywood County—Harmon Den bear sanctuary~~
- ~~Haywood County—Sherwood bear sanctuary~~
- ~~Hyde County—Gull Rock bear sanctuary~~
- ~~Hyde County—Pungo River bear sanctuary~~
- ~~Jackson County—Panthertown Bonas Defeat bear sanctuary~~
- ~~Macon County—Standing Indian bear sanctuary~~
- ~~Macon County—Wayah bear sanctuary~~
- ~~Madison County—Rich Mountain bear sanctuary~~
- ~~McDowell and Yancey counties—Mt. Mitchell bear sanctuary except by permit only~~
- ~~Mitchell and Yancey counties—Flat Top bear sanctuary~~
- ~~Wilkes County—Thurmond Chatham bear sanctuary~~
- (d) The daily bag limit for bear is one, the possession limit is one, and the season limit is one.

*History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;*  
*Eff. February 1, 1976;*  
*Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;*  
*Temporary Amendment Eff. July 1, 1999;*  
*Amended Eff. July 1, 2000;*  
*Temporary Amendment Eff. July 1, 2002;*  
*Amendment Eff. August 1, 2002;*  
*Temporary Amendment Eff. September 1, 2003;*  
*Temporary Amendment Expired Eff. December 27, 2003;*  
*Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May*  
*1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;*  
*Temporary Amendment Eff. May 31, 2016;*  
*Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016.*

**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 or 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 remaining in or attached to the tree.

(d) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals and game birds, unless hunting is allowed by permit. Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or game bird seasons. On managed waterfowl impoundments, persons shall:

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

On designated youth waterfowl days occurring after the end of the regular waterfowl seasons only, youths may hunt on managed waterfowl impoundments from ½ hour before sunrise to sunset. Restrictions (1), (3), and (5) in this Paragraph shall apply. 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 that 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.

(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, Thanksgiving Day, Christmas Day, 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, Thanksgiving Day, Christmas Day, and New Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Falconry may also be practiced on Sundays. These "open days" also apply to either-sex deer 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 on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday during the open seasons.

- (4) For purposes of this Section, "Seven Days per Week Area" refers to a Game Land on which any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, and Sunday during the open seasons. On Sundays, hunting between 9:30 AM and 12:30 PM is prohibited, the use of a firearm to take deer that are run or chased by dogs is prohibited, and hunting within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited

(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 pursuant to this Chapter. Feral Swine 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)~~(g) 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 open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter 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 Davidson, Davie, Rowan, and Stanly counties.

(C) On the Lick Creek Tract, deer and bear hunting is archery only.

- (2) Alligator River Game Land in Tyrrell County

(A) ~~Six~~ Seven 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~~ Seven 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) Target shooting is prohibited.

- 1 (4) Bachelor Bay Game Land in Bertie, Martin, and Washington counties  
2 (A) Six Days per Week Area  
3 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
4 Antlers Season.
- 5 (5) Bertie County Game Land in Bertie County  
6 (A) Six Days per Week Area  
7 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
8 Antlers Season.  
9 (C) Target Shooting is prohibited.
- 10 (6) Bladen Lakes State Forest Game Land in Bladen County  
11 (A) Three Days per Week Area  
12 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
13 Antlers Season.  
14 (C) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.  
15 (D) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.  
16 (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.  
17 (F) Camping is restricted to September 1 through the last day of February and March  
18 31through May 14 in areas both designated and posted as camping areas.  
19 (G) The use of dogs for pursuing or taking foxes is prohibited March 15 through July 15.
- 20 (7) Brinkleyville Game Land in Halifax County  
21 (A) ~~Six~~ Seven Days per Week Area  
22 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible  
23 Antlers Season through the second Friday thereafter.  
24 (C) Horseback riding is prohibited.  
25 (D) Target Shooting is prohibited.
- 26 (8) Brunswick County Game Land in Brunswick County  
27 (A) Hunting is by permit only.  
28 (B) The use of dogs for hunting deer is prohibited.
- 29 (9) Buckhorn Game Land in Orange County  
30 (A) Hunting is by permit only.  
31 (B) Horseback riding is prohibited.
- 32 (10) Buckridge Game Land in Tyrrell County.  
33 (A) Three Days per Week Area  
34 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
35 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. If any of these days falls on a Tuesday, Friday or Saturday, bear hunting is allowed on those days.
- (D) Target shooting is prohibited.
- (11) Buffalo Cove Game Land in Caldwell and Wilkes Counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. ~~and during the Deer With Visible Antlers Season.~~ Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer may be taken with blackpowder 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 first open Saturday 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 all the 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 open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on:
- (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, Thursdays, and Saturdays 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. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.
- (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 March 31 through May 14.
- (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.
- (14) Buxton Woods Game Land in Dare County:
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken ~~all the first open day days~~ of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Target shooting is prohibited.
- (15) Cape Fear River Wetlands Game Land in Pender County
- (A) ~~Six~~ Seven 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.
- (E) Target shooting is prohibited.
- (16) Carteret County Game Land in Carteret County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (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 first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (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



- 1                   allowed only on roads opened to vehicular traffic and on those gated roads and trails that  
2                   are posted for equestrian use. People age 16 or older horseback riding on this game land  
3                   shall possess a Game Lands license.
- 4                   (D)     The area encompassed by the following roads is permit-only for all quail and woodcock  
5                   hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of  
6                   SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the  
7                   intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to  
8                   the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR  
9                   1730 to NC 86, north on NC 86 to NC 62.
- 10                  (E)     On the posted waterfowl impoundment, waterfowl hunting is by permit only after  
11                  November 1.
- 12                  (F)     Camping and the presence of campers and tents in designated Hunter Camping Areas are  
13                  limited to September 1 through the last day of February and March 31 through May 14.
- 14                  (G)     Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.
- 15       (18)     Chatham Game Land in Chatham County
- 16                  (A)     Six Days per Week Area
- 17                  (B)     Deer of either sex may be taken the first open day of the applicable Deer With Visible  
18                  Antlers Season through the second Friday thereafter.
- 19                  (C)     Wild turkey hunting is by permit only.
- 20                  (D)     Horseback riding is allowed only during June, July, and August; and on Sundays during  
21                  the remainder of the year except during open turkey and deer seasons.
- 22                  (E)     Target shooting is prohibited.
- 23       (19)     Chowan Game Land in Chowan County
- 24                  (A)     Six Days per Week Area
- 25                  (B)     Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers  
26                  Season.
- 27       (20)     Chowan Swamp Game Land in Bertie, Gates, and Hertford counties.
- 28                  (A)     Six Days per Week Area
- 29                  (B)     Deer of either sex may be taken all the open days of the applicable Deer With Visible  
30                  Antlers Season.
- 31                  (C)     Bear hunting is restricted to the first three hunting days during the November bear season  
32                  and the first three hunting days during the second week of the December bear season except  
33                  that portion of Chowan Swamp Game Land in Gates County that is east of Highway  
34                  158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the  
35                  Chowan River where the bear season is the same as the season dates for the Gates County  
36                  bear season.

- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (E) Horseback riding is prohibited except during May 16 through August 31 and on Sundays only September 1 through May 15 on those roads that are open to vehicular traffic and on those gated roads and trails posted for equestrian use.
- (F) Target shooting is ~~prohibited~~ prohibited. ~~on the Sand Banks tract in Gates County, the area west of Sand Banks Road, east of the Chowan River and north of US 13/158 to the NC-VA state line.~~
- (21) Cold Mountain Game Land in Haywood County
- (A) ~~Six~~ Seven 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 first open ~~day~~ Saturday of the applicable Deer With Visible Antlers Season.
- (22) 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.
- (23) Croatan Game Land in Carteret, Craven, and Jones counties
- (A) ~~Six~~ Seven 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.
- (24) 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 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.
- (25) Dan River Game Land in Rockingham County
- (A) ~~Hunting and trapping is by permit only.~~ Three Days per Week Area
- (B) Deer hunting is by permit only.
- (C) Wild turkey hunting is by permit only.
- ~~(B)(D)~~ (D) Horseback riding is prohibited except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Lands license.
- ~~(C)(E)~~ (E) Target shooting is prohibited.
- (26) Dare Game Land in Dare and Hyde counties ~~County~~
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) No hunting is allowed on posted parts of bombing range.
- (D) The use and training of dogs is prohibited from March 1 through June 30.
- (27) 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.
- (28) 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.
- (29) Elk Knob Game Land in Watauga County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (30) Embro Game Land in Halifax and Warren counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.

- 1                   (D)     Target Shooting is prohibited.
- 2           (31)    Goose Creek Game Land in Beaufort and Pamlico counties
- 3                   (A)     Six Days per Week Area
- 4                   (B)     Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 5                             Antlers Season.
- 6                   (C)     Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
- 7                             impoundments shall be taken only on the following days:
- 8                                 (i)       the opening and closing days of the applicable waterfowl seasons;
- 9                                 (ii)       Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 10                                (iii)      Tuesdays and Saturdays of the applicable waterfowl seasons.
- 11                  (D)     Beginning on the first open waterfowl season day in October and through the end of the
- 12                             waterfowl season, waterfowl hunting is by permit only on the following waterfowl
- 13                             impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith
- 14                             Creek, and Hobucken.
- 15                  (E)     On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except
- 16                             waterfowl hunting on designated waterfowl hunting days and trapping during the trapping
- 17                             season, are restricted to the posted Scouting-only Zone during the period November 1
- 18                             through March 15.
- 19                  (F)     Camping is restricted to September 1 through the last day of February and March 31
- 20                             through May 14 in areas both designated and posted as camping areas.
- 21                  (G)     Hunting and vehicular access on the Parker Farm Tract is restricted from September 1
- 22                             through January 1 and April 1 through May 15 to individuals that possess a valid hunting
- 23                             opportunity permit.
- 24           (32)    Green River Game Land in Henderson, and Polk counties
- 25                   (A)     Six Days per Week Area
- 26                   (B)     Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
- 27                             Antlers Season.
- 28                   (C)     Horseback riding is prohibited.
- 29           (33)    Green Swamp Game Land in Brunswick County
- 30                   (A)     Six Days per Week Area
- 31                   (B)     Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 32                             Antlers Season.
- 33                   (C)     On that portion north of Big Macedonia Road, east of Makatoka Road, south of Little
- 34                             Macedonia Road, and west of Green Swamp Road, hunting and trapping for bear, deer,
- 35                             ~~and turkey~~ is by permit only.

- (D) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on that portion of the game land that is north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road.
- (34) Gull Rock Game Land in Hyde County
- (A) ~~Six~~ Seven 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 on posted waterfowl impoundments shall be taken only on the following days:
- (i) the opening and closing days of the applicable waterfowl seasons; and
- (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 the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
- (E) 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, except for that portion designated as bear sanctuary.
- (35) 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 open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on the following days:
- (i) Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;
- (ii) Thanksgiving, Christmas, and New Year's Days; and
- (iii) 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, except on those areas posted as an archery zone.
- (F) Target shooting is prohibited.
- (G) Horseback riding is prohibited.
- (36) Headwaters State Forest Game Land in Transylvania County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season
- (37) Hill Farm Game Land in Stokes County- hunting and trapping is by permit only.
- (38) Holly Shelter 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.

- 1 (C) Waterfowl may be taken only on the following days:
  - 2 (i) the opening and closing days of the applicable waterfowl seasons;
  - 3 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
  - 4 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 5 (D) Camping is restricted to September 1 through the last day of February and March 31
- 6 through May 14 in areas designated and posted as camping areas.
- 7 (E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east
- 8 of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and
- 9 bear hunting are permit only.
- 10 (F) The use of dogs for hunting deer and bear is prohibited:
  - 11 (i) all open days on that portion of the game land that is south of Baby Branch
  - 12 extending west to Stag Park Road, west of Shaw Road, north of Meeks Road
  - 13 extending west to Stag Park Road and east of Stag Park Road; and
  - 14 (ii) on Tuesdays, Thursdays, and Fridays, with the exception of Thanksgiving,
  - 15 Christmas, and New Year's days, and except for the area north of Bear Garden
  - 16 Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River,
  - 17 south of NC 53 and west of NC 50, where the use of dogs for deer and bear hunting
  - 18 is by permit only.
- 19 (G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the
- 20 last day of February and April 1 to May 15 to individuals that possess valid hunting
- 21 opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.
- 22 (H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on and
- 23 within 100 yards of trails designated for Disabled Sportsman Access.
- 24 (I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.
- 25 (J) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- 26 (39) Hyco Game land in Person County
  - 27 (A) Six Days per Week Area
  - 28 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
  - 29 Antlers Season through the second Friday thereafter.
  - 30 (C) Target shooting is prohibited.
- 31 (40) J. Morgan Futch Game Land in Tyrrell County - Permit Only Area.
- 32 (41) Johns River Game Land in Burke County
  - 33 (A) Hunting is by permit only.
  - 34 (B) During permitted deer hunts, deer of either sex may be taken by permit holders.
  - 35 (C) Entry on posted waterfowl impoundments is prohibited October 1 through March 31,
  - 36 except by lawful waterfowl hunting permit holders and only on those days written on the
  - 37 permits.

- (D) The use or construction of permanent hunting blinds is prohibited.
- (E) Camping and the presence of campers and tents in designated Hunter Camping Areas is limited to August 31 through the last day of February and March 31 through May 14.
- (42) 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:
- (i) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
- (ii) Thanksgiving, Christmas, and New Year's Days; and
- (iii) 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. People age 16 or older who ride horseback on trails occurring entirely within the game land boundaries shall possess a Game Lands license.
- (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.
- (43) Juniper Creek Game Land in Brunswick and Columbus counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.
- (C) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (44) Kerr Scott Game Land in Wilkes County
- (A) Six Days per Week Area
- (B) Use of centerfire rifles is prohibited.
- (C) Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable Deer With Visible Antlers Season is 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.
- (45) 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.
- (E) Waterfowl hunting on posted waterfowl impoundments is by permit only.
- (46) Lee Game Land in Lee County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Target shooting is prohibited.
- (47) Light Ground Pocosin Game Land in Pamlico County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer with Visible Antlers Season.
- (48) 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.
- (49) Lower Fishing Creek Game Land in Edgecombe and Halifax counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.
- (F) Target Shooting is prohibited.
- (50) Mayo Game Land in Person County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on:
- (i) Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;
- (ii) Christmas and New Year's Days; and
- (iii) the opening and closing days of the applicable waterfowl seasons.



- (D) Target shooting is prohibited.
- (51) Mitchell River Game Land in Surry County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (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.
- (52) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.
- (53) Needmore Game Land in Macon and Swain counties.
- (A) ~~Six~~ Seven 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) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- (54) Neuse River Game Land in Craven 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) Camping is allowed any time within 100 yards of the Neuse River on that portion of the game land that lies west of NC-43.
- (55) New Lake Game Land in Hyde and Tyrrell counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (56) Nicholson Creek Game Land in Hoke County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest September 10 through the Friday before Thanksgiving Day.
- (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the Saturday before Thanksgiving Day through the Wednesday 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 Day.
- (E) Deer of either sex may be taken the first 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) On Lake Upchurch, the following activities are prohibited:
- (i) Operating any vessel or vehicle powered by an internal combustion engine; and
  - (ii) Swimming.
- (I) Target shooting is prohibited.
- (57) North River Game Land in Camden and Currituck counties
- (A) ~~Six~~ Seven 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.
- (58) Northwest River Marsh Game Land in Currituck County
- (A) ~~Six~~ Seven 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.
- (59) Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties
- (A) ~~Six~~ Seven Days per Week Area
  - (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
  - (C) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US-74.
  - (D) Target shooting is prohibited.
  - (E) Horseback riding is allowed only on roads opened to vehicular traffic and only during the following times:
    - (i) during June, July, and August; and
    - (ii) on Sundays during the other months or parts of months when deer and turkey seasons are closed.
- (60) Perkins Game Land in Davie County
- (A) Three Days per Week Area
  - (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
  - (C) Horseback riding is prohibited from November 1 through January 1.
  - (D) Target Shooting is prohibited.

- (61) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (C) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- (62) Pond Mountain Game Land in Ashe County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Horseback riding is prohibited except on designated trails from May 16 through August 31 and Sundays from September 1 through October 31. All horseback riding is prohibited from November 1 through May 15.
- (63) Pungo River Game Land in Hyde 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.
- (64) Rendezvous Mountain State Forest Game Land in Wilkes County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (C) Bear hunting is prohibited.
- (65) Rhodes Pond Game Land in Cumberland and Harnett counties
- (A) Hunting is by permit only.
- (B) Swimming is prohibited on the area.
- (66) 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 the last day of February and March 31 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.
- (D) Target Shooting is prohibited.
- (67) Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- (68) Robeson Game Land in Robeson County

- 1 (A) Three Days per Week Area
- 2 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 3 Antlers Season.
- 4 (69) Rockfish Creek Game Land in Hoke County
- 5 (A) Three Days per Week Area
- 6 (B) Deer of either sex may be taken with archery equipment on open hunting days from the
- 7 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving Day.
- 8 (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning
- 9 the fourth Saturday before Thanksgiving Day through the Wednesday of the second week
- 10 thereafter.
- 11 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
- 12 Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.
- 13 (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 14 Antlers Season.
- 15 (F) The use of dogs for hunting deer is prohibited.
- 16 (G) Wild turkey hunting is by permit only.
- 17 (H) Taking fox squirrels is prohibited.
- 18 (I) Target shooting is prohibited.
- 19 (70) Rocky Run Game Land in Onslow County - Hunting is by permit only.
- 20 (71) Sampson Game Land in Sampson County
- 21 (A) Three Days per Week Area
- 22 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 23 Antlers Season.
- 24 (C) Target shooting is prohibited.
- 25 (72) Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties
- 26 (A) Three Days per Week Area
- 27 (B) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22
- 28 through March 31 except as follows:
- 29 (i) deer of either-sex may be taken with archery equipment on all the open days of
- 30 the archery season through the fourth Friday before Thanksgiving Day; with
- 31 blackpowder firearms and archery equipment all the open days of the
- 32 blackpowder firearms season through the third Wednesday before Thanksgiving
- 33 Day; and only deer with visible antlers may be taken with all legal weapons from
- 34 the second Saturday before Thanksgiving Day through the Saturday following
- 35 Thanksgiving Day;
- 36 (ii) dove may be taken all open days from the opening day of the dove season through
- 37 the third Saturday thereafter;

- (iii) squirrel (gray and fox) may be taken all the open days from second Monday before Thanksgiving Day through the Saturday following Thanksgiving Day;
  - (iv) rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;
  - (v) waterfowl may be taken on open days during any waterfowl season;
  - (vi) wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and
  - (vii) raccoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.
- (C) The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.
- (D) The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer may be taken with archery equipment on all open hunting days during the archery season, the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph.
- (E) Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and the Deer With Visible Antlers season.
- (F) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- (G) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.
- (H) Wild turkey hunting is by permit only.
- (I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited unless participating 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 March 31 through May 14.
- (K) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- (73) Sandy Creek Game Land in Nash and Franklin Counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.

- (E) Target Shooting is prohibited.
- (74) Sandy Mush Game Land in Buncombe and Madison counties.
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday 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(f).
- (E) Dove hunting is by permit only from the opening day through the second Saturday of dove season.
- (75) Second Creek Game Land in Rowan County- hunting is by permit only.
- (76) Shocco Creek Game Land in Franklin, Halifax, Nash, and Warren counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (E) Target Shooting is prohibited.
- (77) South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. ~~and during the Deer With Visible Antlers Season.~~ Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer may be taken with blackpowder 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 first open Saturday 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.
- (78) Stones Creek Game Land in Onslow County

- 1 (A) Six-Day per Week Area
- 2 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 3 Antlers Season.
- 4 (C) The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.
- 5 (D) Swimming in all lakes is prohibited.
- 6 (E) Waterfowl on posted waterfowl impoundments may be taken only on the following days:
- 7 (i) the opening and closing days of the applicable waterfowl seasons;
- 8 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 9 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 10 (F) Target shooting is prohibited.
- 11 (G) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- 12 (79) Suggs Mill Pond Game Land in Bladen and Cumberland counties
- 13 (A) Hunting and trapping is by permit only.
- 14 (B) Camping is restricted to September 1 through the last day of February and March 31
- 15 through May 14 in areas both designated and posted as camping areas.
- 16 (C) Entry is prohibited on scheduled hunt or trapping days except for:
- 17 (i) hunters or trappers holding special hunt or trapping permits; and
- 18 (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.
- 19 (D) During the period of November 1 through January 31, except on Sundays, the use of vessels
- 20 on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only
- 21 by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by
- 22 the Wildlife Resources Commission pursuant to G.S. 113-264(d).
- 23 (E) During the period of November 1 through March 15, the use of vessels on managed
- 24 waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters
- 25 possessing a valid and current Hunting Opportunity Permit issued by the Wildlife
- 26 Resources Commission pursuant to G.S. 113-264(d).
- 27 (80) Sutton Lake Game Land in New Hanover and Brunswick counties
- 28 (A) Six Days per Week Area
- 29 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 30 Antlers Season through the first Friday thereafter.
- 31 (C) Target shooting is prohibited.
- 32 (81) Tar River Game Land in Edgecombe County ~~—hunting is by permit only—~~
- 33 (A) Hunting is by permit only
- 34 (B) Target Shooting is prohibited
- 35 (82) Texas Plantation Game Land in Tyrrell County - hunting is by permit only.
- 36 (83) Three Top Mountain Game Land in Ashe County
- 37 (A) Six Days per Week Area

- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Horseback riding is prohibited.
- (84) Thurmond Chatham Game Land in Alleghany and Wilkes counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (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. People age 16 or older horseback riding on this game land shall possess a Game Lands license.
- (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.
- (85) Tillery game Land in Halifax County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.
- (E) Wild turkey hunting is by permit only.
- (F) Target Shooting is prohibited.
- (86) Toxaway Game Land in Jackson and Transylvania counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday 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.
- (87) Uwharrie Game Land in Davidson, Montgomery, and Randolph counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) On the posted waterfowl impoundment, 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) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.
- (D) Target shooting is prohibited, except at the Flintlock Valley Shooting Range.



- 1 (88) Vance Game Land in Vance County  
2 (A) ~~Six~~ Seven Days per Week Area  
3 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
4 Antlers Season.  
5 (C) The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the  
6 Nutbush Peninsula tract.
- 7 (89) Van Swamp Game Land in Beaufort and Washington counties  
8 (A) Six Days per Week Area  
9 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
10 Antlers Season.  
11 (C) Bear may only be taken the first three hunting days during the November Bear Season and  
12 the first three hunting days during the second week of the December Bear Season.
- 13 (90) Voice of America Game Land in Beaufort County—~~hunting and trapping is by permit only.~~  
14 (A) Hunting and trapping is by permit only.  
15 (B) Target Shooting is prohibited.
- 16 (91) White Oak River Game Land in Onslow County  
17 (A) Three Days per Week Area  
18 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
19 Antlers Season.  
20 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl  
21 impoundments shall be taken only on the following days:  
22 (i) the opening and closing days of the applicable waterfowl seasons;  
23 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and  
24 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.  
25 (D) Beginning on the first open waterfowl season day in October and through the end of the  
26 waterfowl season, a permit is required for hunting posted waterfowl impoundments.  
27 (E) The Huggins Tract and Morton Tracts have the following restrictions:  
28 (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting  
29 Opportunity Permit issued by the Wildlife Resources Commission pursuant to  
30 G.S. 113-264(d);  
31 (ii) hunting is by permit only; and  
32 (iii) the use of dogs for hunting deer is prohibited.  
33 (F) Wild turkey hunting is by permit only.  
34 (G) Target Shooting is prohibited.
- 35 (92) Whitehall Plantation Game Land in Bladen ~~County~~ and Pender counties  
36 (A) Hunting and trapping is by permit only.

- (B) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- ~~(C)~~ Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Long Ridge Tract.
- (93) William H. Silver Game Land in Haywood County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- ~~(h)~~ On permitted type hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications shall 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 shall validate the kill and report the kill to a wildlife cooperator agent or by phone.
- ~~(i)~~ 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:
- (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
  - (2) Bertie County—Roanoke River National Wildlife Refuge;
  - (3) Bladen County—Suggs Mill Pond Game Lands;
  - (4) Burke County—John's River Waterfowl Refuge;
  - (5) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
  - (6) Dare County—Roanoke Sound Marshes Game Lands; and
  - (7) Henderson and Transylvania counties—DuPont State Forest Game Lands.
- ~~(j)~~ Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission. Written permission may be granted only when entry onto the Waterfowl Refuge will not compromise the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need or the 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.
- ~~(k)~~ Feral swine may be taken by licensed hunters during the open season for any game animal or game bird using any legal manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the use of dogs for hunting deer or bear, and during the applicable deer or bear season.
- ~~(l)~~ 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 prohibited in Paragraph (h) of this Rule.
- ~~(m)~~ 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

1 the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited  
2 weapon choice, the allowed weapons shall be stated on each permit.

3 ~~(n)~~ As used in this Rule, horseback riding includes all equine species.

4 ~~(o)~~ When waterfowl hunting is ~~specifically permitted~~ authorized in this Rule on Christmas and New Years' Day  
5 and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

6  
7 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*

8 *Eff. February 1, 1976;*

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

10 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September*  
11 *1, 1994; July 1, 1994;*

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

13 *Amended Eff. July 1, 2000;*

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

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

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

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

18 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014;*  
19 *January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*  
20 *1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October*  
21 *1, 2004.*

**15A NCAC 10D .0106 BEAR SANCTUARIES**

(a) It shall be unlawful to take bear on posted bear sanctuaries as set forth in Paragraph (b) of this rule, except when authorized by permit issued by the Commission on sanctuaries specified in Subparagraph (c) of this Rule.

(b) The following shall be posted bear sanctuaries:

- Bachelor Bay bear sanctuary – Bertie and Washington counties
- Columbus County bear sanctuary – Brunswick and Columbus counties
- Croatan bear sanctuary – Carteret, Craven, and Jones counties
- Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties
- Dare bear sanctuary – Dare and Hyde counties.
- Fires Creek bear sanctuary – Clay County
- Flat Top bear sanctuary – Mitchell and Yancey counties
- Green Swamp bear sanctuary – Brunswick County
- Gull Rock bear sanctuary – Hyde County
- Harmon Den bear sanctuary – Haywood County
- Juniper Creek bear sanctuary – Brunswick and Columbus counties
- Mt. Mitchell bear sanctuary – McDowell and Yancey counties
- North River bear sanctuary – Camden and Currituck counties
- Panthertown – Bonas Defeat bear sanctuary – Jackson County
- Pisgah Bear Sanctuary – Buncombe, Haywood, Henderson and Transylvania
- Pungo River bear sanctuary – Hyde County
- Rich Mountain bear sanctuary – Madison County
- Sherwood bear sanctuary – Haywood County
- Suggs Mill Pond bear sanctuary – Bladen and Cumberland counties
- Standing Indian bear sanctuary – Macon County
- Thurmond Chatham bear sanctuary – Allegheny and Wilkes counties
- Wayah bear sanctuary – Macon County

(c) It shall be lawful to take bear on the following sanctuaries when authorized by permit issued by the Commission:

- Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties
- Dare bear sanctuary – Dare and Hyde counties
- Mt. Mitchell bear sanctuary – McDowell and Yancey counties

(d) Feral Swine shall not be taken with the use of dogs on bear sanctuaries.

(e) Dogs shall not be trained or allowed to run unleashed between March 1 and the Monday on or nearest October 15 on bear sanctuaries located in and west of the counties and parts of counties described in 15A NCAC 10B .0109.

*History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;  
Eff. August 1, 2019.*

**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 by an individual with a valid concealed handgun permit. The individual carrying a handgun must adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. The permission to carry a handgun does not apply to access areas on the following game lands:

- (1) Bladen Lakes State Forest
- (2) Buckhorn
- (3) Butner-Falls of Neuse
- (4) Chatham
- (5) DuPont State Forest
- (6) Harris
- (7) Hyco
- (8) Jordan
- (9) Kerr Scott
- (10) Lee
- (11) Mayo
- (12) Pee Dee River north of U.S 74
- (13) Sutton Lake
- (14) Vance
- (15) the portion of R. Wayne Bailey-Caswell that is located north of U.S. 158 and east of N.C. 119

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 full, 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 means idling speed or a slow speed creating no appreciable wake.

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

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

11 (g) It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or  
12 boating access areas without prior written authorization of the Wildlife Resources Commission. Written authorization  
13 will only be granted to persons acting on behalf of the Commission, to persons conducting scientific investigations or  
14 surveys, and for release of rehabilitated wildlife. Written authorization will not be granted for any feeding or release  
15 that is inimical to the conservation of native wildlife resources. For the purpose of enforcing this Paragraph,  
16 "domesticated animals" does not include pets under the control of the owner and raptors or hunting dogs where  
17 otherwise permitted for hunting or training purposes.

18 (h) The use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing  
19 Area in Edgecombe County is prohibited.

20  
21 *History Note: Authority G.S. 75A-14; 113-134; 113-264;*

22 *Eff. February 1, 1976;*

23 *Amended Eff. August 1, 2012; August 1, 2010; May 1, 2009; July 1, 1995; February 1, 1994;*

24 *September 1, 1992; July 1, 1991.*

# EXHIBIT C-2

October 3, 2018



## **Fiscal Note for Proposed Bear, Bear Sanctuaries, Use of Areas Regulated, and Game Land Rule Amendments for the Wildlife Resources Commission**

**Rule Amendments:** 15A NCAC 10B .0202 Bear  
15A NCAC 10D. 0103 Hunting on Game Lands  
15A NCAC 10D .0106 Bear Sanctuaries  
15A NCAC 10E .0104 Use of Areas Regulated

**Agency Contact:** Michael Smallwood  
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**Impact Summary:** State Government: Yes  
Local Government: Yes  
Private Impact: Yes  
Substantial Economic Impact: No

**Authority:** G.S. 113 – 134; 113-264; 113-291.1; 113-291.5

### **BACKGROUND**

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

As part of its mission, WRC conducts an annual review of its fish, wildlife, boating safety, and game land regulations, to determine whether such rules need to be adjusted in order to accomplish the objectives of: managing wildlife resources through a biologically sustainable harvest of such resources by hunters, trappers and anglers consistent with sound conservation objectives; ensuring the safety of the boating public; managing Commission-owned land for the

conservation of wildlife resources and the enjoyment of the public; and implementing legislative directives.

Many of the proposed rule changes are expected to increase hunting, fishing, and outdoor recreation opportunities, while others are expected to restrict such opportunities. Additional changes are intended to improve the quality of future opportunities.

Although the Commission does not have a mechanism to determine the fiscal impact of these specific rule changes on recreationists' behavior, economic research on the value individuals place on outdoor recreation can provide useful context for rules that affect opportunities for recreation. Taking the median of the findings across multiple studies, researchers have estimated that the value of hunting per person per day is approximately \$63; both hiking and "nature-related recreation" are valued at \$47 per person per day; and fishing is valued at approximately \$53 per person per day.<sup>1</sup> These figures represent individuals' total willingness to pay to engage in the activity, less the cost to do so. It does not represent any economic activity generated by the activity, such as retail sales. Note that these estimates are not species or location-specific. However, to the extent that the proposed rules induce recreationists to increase or decrease their trips in particular areas of the state, these findings provide a rough approximation of the costs or benefits to the individual.

The following is a summary of the proposed rule amendments to the bear rule 15A NCAC 10B .0202, with the proposed text included in Appendix A.

### **15A NCAC 10D .0202 Bear**

The proposed changes to this rule cover topics related to bear sanctuaries.

For the reasons outlined below, the WRC believes that the proposed rule changes will have minimal fiscal impacts.

This proposed amendment clarifies bear sanctuary rules in the NCAC. These administrative changes will allow staff to better track and implement changes to bear sanctuaries.

#### Fiscal Impact

##### *State Impact*

No impact

##### *Local Impact*

No impact

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<sup>1</sup> Rosenberger, Randall S.; White, Eric M.; Kline, Jeffrey D.; Cvitanovich, Claire. 2017. Recreation economic values for estimating outdoor recreation economic benefits from the National Forest System. Gen. Tech. Rep. PNWGTR-957. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 33 p.



### *Private Impact*

No impact

The following is a summary of the proposed rule amendments to the game land rule 15A NCAC 10D .0103, with the proposed text included in Appendix A.

### **15A NCAC 10D .0103 Hunting on Game Lands**

The proposed changes to this rule cover multiple general topic areas, including: game lands, target shooting, deer, bear, and permit requirements.

For the reasons outlined below, the WRC believes that the proposed rule changes will have minimal fiscal impacts.

### ***Deer***

- A. This proposed amendment will establish a December archery season on South Mountains Game Land and Buffalo Cove Game Land for antlered deer. The NCAC does not include language allowing the extended archery season on South Mountains Game Land or Buffalo Cove Game Land. This proposal will update the NCAC to make the deer season at South Mountains Game Land and Buffalo Cove Game Land consistent with the western deer season and the Regulation's Digest.

### Fiscal Impact

#### *State Impact*

The proposed amendment will have a state government impact by increasing days afield by which hunters will generate additional tax and license revenue. This rule change will afford archery deer hunters on South Mountains and Buffalo Cove Game Lands an extra 20 days afield and extend the season from 61 days to 81 days. These additional days should translate into more licenses, hotel stays, fuel, and equipment being purchased. Negative impacts to the State will be minimal as land management practices will not change because of this proposal. Also, financial impacts will not be substantial to the WRC Law Enforcement Division as they are currently actively patrolling these areas.

#### *Local Impact*

The proposed amendment may have a local government impact by increasing days afield by hunters which will generate local tax revenue through hotel taxes, fuel taxes, and sales tax on other hunting related purchases.

#### *Private Impact*

Private individuals will incur no costs as a result of this proposed amendment. They will however have increased opportunities for wildlife-based recreation and local businesses should see an increase in revenue due to an increase in days afield by hunters. User conflicts

between non-hunters and archery hunters might increase; however, this has not been a problem in the past when the December archery season has been offered.

- B. The proposed amendment will allow deer of either sex to be taken during the first open Saturday of the Deer with Visible Antlers Season at Cold Mountain Game Land. The Introductory Gun Either-Sex Deer Season dates were shifted to the beginning of the season during the 2018-2019 regulation cycle. For game lands, the open date for the Introductory Season was moved to the first open Saturday of the Gun Season; however, this change was not captured in the NCAC text for Cold Mountain Game Land.

#### Fiscal Impact

##### *State Impact*

This proposed amendment will not have a state government impact. This proposal is simply moving the one day of the Gun Either-Sex Deer Season from the last open day of the regular gun season to the first open Saturday of the regular gun season. No land management or law enforcement activities will change because of this proposal.

##### *Local Impact*

No local government impact is expected since the proposal only consists of moving one day of the specified season from the end to the beginning of the season.

##### *Private Impact*

Private individuals will incur no costs as a result of this proposed amendment. Also, allowing this extended archery season is consistent with the deer management objectives of the WRC Wildlife Management Division and the goal of maintaining a healthy, robust deer herd in North Carolina.

- C. The proposed amendment will establish the Conservative either-sex season on Buxton Woods Game Land. When Dare County was transitioned to the maximum deer either-sex season in 2009, the intent was for Buxton Woods Game Land to remain in the Conservative Season. This intent was captured in the Regulations Digest but this change was never incorporated into the NCAC.

#### Fiscal Impact

##### *State Impact*

No Impact

##### *Local Impact*

No impact

##### *Private Impact*

No Impact

## ***Game Lands***

- A. The proposed amendment will add Hyde County to the list of counties comprising Dare Game Land. A small portion of Dare Game Land extends into Hyde County and this proposal will correct this administrative oversight.

### Fiscal Impact

#### *State Impact*

No Impact

#### *Local Impact*

No impact

#### *Private Impact*

No Impact

- B. The proposed amendment will clarify bear sanctuary rules in the NCAC. These administrative changes will allow staff to better track and implement changes to bear sanctuaries.

### Fiscal Impact

#### *State Impact*

No Impact

#### *Local Impact*

No impact

#### *Private Impact*

No Impact

- C. This proposed amendment would add Pender County to the list of counties comprising Whitehall Plantation Game Land. The Long Ridge tract is an 848-acre tract in Pender County and it is being incorporated into the Whitehall Plantation Game Land.

### Fiscal Impact

#### *State Impact*

Initial cost of boundary establishment will be \$5,110 (14.6 miles at \$350 per mile). WRC does not anticipate needing to devote additional staff time to patrolling in this area as its location is immediately adjacent to an existing game land.

#### *Local Impact*

County property tax revenue may be decreased by a minimal amount. The Pender County property tax rate is \$0.685/\$100 of property valued. The tract was purchased by WRC for \$1.5 million dollars. Assuming that the property was valued by the county at the market price, this could result in a loss of approximately \$10,275 in tax revenue for Pender County. However, revenue from user groups enjoying wildlife-based recreation should increase. This revenue to the local economy will be realized through increased travel to this area to use the new game land and will result in purchases of food, gas, lodging, and equipment.

#### *Private Impact*

Positive impacts should be expected due to this tract becoming accessible to the public. This new game land will benefit hunters, hikers, bird watchers, and other wildlife-based recreationists. The number of recreational trips to this new game land is unknown, but the recreational value of nature related activities is valued at \$47/day and the value of hunting related activities is approximately \$63/day.<sup>2</sup> The tract was previously privately owned and access to the public was not allowed. Although this tract of land was previously privately-owned, there will be no change in land-use. This specific tract may experience increased user traffic compared to when it was privately owned; however, utilization is expected to be consistent and in-line with game land management practices. Any associated negative impacts from this tract being added to the game land will be minimal.

- D. This amendment will change the designation of Dan River Game Land in Rockingham County from a Permit Only Area to a Three Days per Week Area with turkey and deer hunting by permit only. Changing the designation of this property to a Three Days per Week Area will increase hunting opportunities while ensuring a quality user experience for hunters, anglers, wildlife viewers, and other outdoor recreationists. Turkey and deer hunting will still be by permit only to conserve these populations and measure hunter interest.

#### Fiscal Impact

##### *State Impact*

The change to a Three Day per Week Area will result in a loss of permit fees for small game hunting and trapping. For the 2018-2019 hunting season, permit revenue for the Dan River Game Land, if all permits are allotted, would total \$1,976 (247 permits x \$8/permit = \$1,976). These permits will not be offered for the 2019-2020 hunting season; therefore, the designation change could result in a loss of \$1,976. Land management costs and practices will not change at this location as a result of this proposal. Also, Law Enforcement staff are already patrolling this area for permit holders; although, a more frequent presence at this location might be needed as it changes to a Three Day per Week Area. However, a fiscal impact to the Law Enforcement Division will not be realized as staff will be reallocated to address priority enforcement needs. If this reallocation of resources is needed it is possible

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<sup>2</sup> Rosenberger, Randall S.; White, Eric M.; Kline, Jeffrey D.; Cvitanovich, Claire. 2017. Recreation economic values for estimating outdoor recreation economic benefits from the National Forest System. Gen. Tech. Rep. PNWGTR-957. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 33 p.

that a loss in enforcement capacity in other areas could be realized. This potential need and loss is unknown at this time and will be addressed by the WRC if needed.

#### *Local Impact*

This proposal could result in more hunters traveling to the game land. Revenue to the local economy could increase as users purchase food, gas, lodging, and equipment. Associated negative impacts are expected to be minimal.

#### *Private Impact*

Private individuals will be afforded more opportunities to hunt this game land. The increase in hunting opportunities could have a negative impact on adjacent landowners as an increase in traffic and noise associated with gun shots could be realized. Despite this, negative impacts are expected to be minimal.

#### ***Target Shooting***

These proposed amendments will prohibit target shooting on White Oak River Game Land, Bertie County Game Land, Brinkleyville Game Land, Chowan Swamp Game Land, Embro Game Land, Lower Fishing Creek Game Land, Roanoke River Wetlands Game Land, Sandy Creek Game Land, Shocco Creek Game Land, Tar River Game Land, Tillery Game Land, Voice of America Game Land, and Perkins Game Land. Currently, popular shooting areas on these game lands contain no back-stop berms and are often located near boundaries with private property, occupied dwellings, and roads. By prohibiting target shooting on these game lands and allowing it only at NCWRC Shooting Ranges, users will have a safe environment for target shooting and user group conflicts can be avoided.

#### Fiscal Impact

##### *State Impact*

Agency staff are responsible for maintenance and upkeep of the game lands. Individuals utilizing this area for target shooting regularly deposit tires and a variety of other material used as targets on the property, which then must be cleaned up by staff. Time required to maintain these areas, while not precisely known, is estimated to cost the agency \$13,104 per year ( $\$21/\text{hr} \times 208\text{hrs/clean up} \times 3 \text{ clean-ups/year} = \$13,104$ ). Explicitly prohibiting target shooting may result in a reduction of this activity, which would be a cost savings to the agency in staff time. However, if individuals continue to target shoot on this game land, and enforcement officers encounter the activity, individuals can be charged with a Class 3 misdemeanor with a fine of \$25 and court costs.

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

##### *Local Impact*

This proposed amendment will have no local government impact.

### *Private Impact*

This proposed amendment could affect private individuals who want to target shoot, as they will now need to travel to an official shooting range. The closest WRC ranges to these Game Lands are 45 miles. Depending on where the individual is traveling from, this could impose a minimal financial burden. Due to lack of data, the agency is unable to quantify this potential cost. However, the improved safety anticipated by this amendment is expected to exceed the potential cost to individuals. Currently, popular shooting areas on these game lands contain no back-stop berms and are often located near boundaries with private property, occupied dwellings, and roads.

### *Permit Requirements*

This proposed amendment will designate the Little Macedonia Tract of Green Swamp Game Land as a permit-only area for all hunting and trapping. To help conserve the resources and provide for quality user experiences it is anticipated that 70 permits will be available each year. There are also nineteen different parcels of private property adjacent to this tract. If hunting opportunities on this property are left unrestricted and not managed, conflicts between hunters and adjacent landowners would likely be a regular occurrence. This amendment is also being proposed to help maintain cooperative relationships with adjacent landowners.

### Fiscal Impact

#### *State Impact*

The agency imposes a \$8 administrative fee for permit hunt applications. The Little Macedonia tract is expected to offer 70 permit hunt opportunities each year. If the agency assumes that all 70 permits will be claimed, the anticipated revenue will total approximately \$560 per year (\$8/permit x 70 permits/yr = \$560/yr).

#### *Local Impact*

The proposed amendment will have no local government impact.

#### *Private Impact*

Because the agency is proposing to limit hunting opportunities on the Little Macedonia Tract, private individuals will incur the \$8 fee associated with applying for permit hunt opportunities. The total annual impact to private individuals is anticipated to be approximately \$560 per year (\$8/permit x 70 permits/yr = \$560/yr). However, it should be noted that these opportunities are voluntary. It is assumed that hunters who choose to purchase a permit value the hunting opportunity at or above the cost of the permit.

### *Camping*

These amendments will allow the public to camp in a designated camping area during open hunting seasons on Johns River Game Land. Additionally, camping will be allowed within 100 yards of the Neuse River on the Turkey Quarter Creek Island Tract of Neuse River Game Lands all year. This area will only be accessible by boat.

### Fiscal Impact

#### *State Impact*

The agency anticipates a one-time cost of approximately \$3,000 to state resources for the establishment of this campground, which will include materials (\$1,100), labor (\$21/hr x 32 hrs = \$672), and equipment (\$1,228). This will be a primitive campground and maintenance will be performed once per year. The cost of maintenance, including labor (\$21/hr x 16 hrs = \$336) and equipment (\$0.46/mi. x 30 mi. = \$14) is estimated at \$350 per year. Designated campgrounds will not be established on Neuse River Game Land.

Environmental impacts are expected to be negligible, as camping on the Johns River Game Land is only allowed during the hunting seasons and the camping area on the Neuse River Game Land is only accessible by boat.

#### *Local Impact*

If hunters are not currently staying in the area overnight while hunting, these camping areas may have a positive impact on local economies, as users can plan for extended weekends that may result in the purchase of food, gas, and equipment in the local area. However, if users are currently staying in hotels and instead choose to camp on the game land, these camp sites might reduce the number of lodging stays in the local area, thereby decreasing local tax revenue. At this time, the WRC does not have a mechanism to measure or estimate changes in hunter behavior as a result of the new campsites; however, due to the limited size and primitive natures of these campsites, the availability of these campsites is expected to have an overall minimal impact on local economies.

#### *Private Impact*

Creating campgrounds will enhance opportunities for sportsmen by providing them with an option to camp on the Johns River and Neuse River Game Lands. The camping areas could provide a benefit to hunters by decreasing the trip related costs of hunting on game lands. However, due to lack of data, the agency cannot quantify this benefit.

### ***Pursuing or Chasing Deer and Bear***

This proposed regulation will prohibit the pursuing or chasing of deer or bear with dogs for the purposes of training or hunting on the Long Ridge Tract of Whitehall Plantation Game Land. The size of the property, lack of an extensive road system, adjacent land use, and lack of historical hunting practices, indicate this property is not conducive to pursuing deer or bear with the use of dogs.

### Fiscal Impact

Because this is a new tract of land and this addition is not changing an existing regulation, there are no anticipated fiscal impacts to state resources, local governments, or private individuals.

## *Hunting on Sundays*

- A. This proposed amendment would clarify the definition of a Six Days per Week Game Land to indicate that hunting is allowed Monday through Saturday during open seasons. The proposal will also add the definition of a Seven Days per Week Game Land and indicate that hunting is allowed Monday through Sunday during open seasons. Further, as per HB 559 (2017), this rule will indicate that on Sundays, hunting between 9:30 AM and 12:30 PM is prohibited, the use of a firearm to take deer that are run or chased by dogs is prohibited, and hunting within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited. HB 559 (2017) gave the Commission the authority to authorize hunting on Sundays on Game Lands. This proposal will amend the definitions of game lands and identify Sunday as an open day for “Seven Days per Week Areas”. This rule also outlines the restrictions to Sunday hunting as outlined in HB 559 (2017). This proposed rule does not allow for the hunting of migratory birds on Sundays.

### Fiscal Impact

#### *State Impact*

All game lands being considered for Sunday hunting are Six Day per Week game lands. The addition of a seventh day is not anticipated to change land management practices or law enforcement presence. Law Enforcement Division staff are already patrolling game lands and private lands on Sunday. This change might result in a reallocation of Law Enforcement resources in some instances. If this reallocation of resources is needed it is possible that a loss in enforcement capacity in other areas could be realized. This potential for a loss in capacity is unknown at this time and will be addressed by the WRC if needed.

Initially, there is a possibility for increased violations as hunters become familiar with the change in rules for hunting on Sundays. However, the agency does not expect that violations will substantially increase from current levels. The agency regularly engages in outreach and education with hunters on an ongoing basis with the regulated community regarding hunting season changes. Because of these efforts, the agency does not anticipate a significant change in citations or associated penalties.

Allowing hunting on Sundays may result in an increase in hunting trips overall, or a shift in existing trips from other days to Sunday. Because Sunday hunting on game lands is a new opportunity, more individuals may be interested in hunting in general. While the agency anticipates this increase in participation to be minimal, it could increase license sales.

#### *Local Impact*

This proposal could lead to extended weekend trips for hunters and yield an increase to local economies as food, gas, equipment, and lodging are purchased. Alternatively, this proposal could lead to fewer trips on Sundays by non-hunters and result in a negative impact to local economies. The agency’s intent is that these lands are used and shared by multiple user groups.

#### *Private Impact*



This proposal has the potential to have both a positive and negative private impact. Hunters may view this proposal as a positive as they will be afforded another weekend day to hunt. However, non-hunters might see this a negative impact and decide to not use the game land during Sunday while hunters are active. To determine opinions, the agency conducted an online opinion survey about Sunday hunting on game lands. Almost 6,700 responses were received in this survey. In summary, 53% of the respondents supported Sunday hunting on game lands while 47% opposed it. Those in favor supported the idea of an extra weekend day to hunt, especially with school-aged children. Those who opposed Sunday hunting on game lands expressed concern regarding conflicts with different user groups, the potential for a diminished outdoor experience, and safety concerns. The selected game lands were chosen due to their ability to support multiple user groups with limited conflicts. The agency plans to evaluate the survey results and refine the proposed list if results suggest changes are warranted.

The ability to hunt on Sundays will increase opportunities for hunters using game lands. While the agency cannot predict how many hunters will take advantage of this opportunity, the daily value of a hunting trip is approximately \$63/day.

Those who oppose Sunday hunting on game lands expressed concern regarding conflicts with different user groups, the potential for a diminished outdoor experience, and safety concerns. These individuals may choose to no longer use game lands on Sundays during hunting seasons. The daily value of a nature based recreational trip is \$47/day. The difference between the increase in value for hunters and the decrease in value for nature-based recreational users cannot be quantified due to uncertainties in behavioral changes of individuals using game lands.

- B. This amendment would allow hunting on Sundays for selected Game Lands. Proposed game lands are as follows:

<b>Region</b>	<b>Game Land</b>	<b>Acres</b>
Coast	Alligator River	14,178
Coast	Angola Bay	34,157
Coast	Cape Fear Wetlands	7,191
Coast	Carteret County	1,936
Coast	Croatan	162,217
Coast	Dare	46,055
Coast	Gull Rock	28,585
Coast	Juniper Creek	19,837
Coast	Light Ground Pocosin	942
Coast	New Lake	1,438
Coast	North River	20,318
Coast	NW River Marsh	2,889
Piedmont	Brinkleyville	1,844
Piedmont	Embro	8,856
Piedmont	Lower Fishing Creek	1,296

Piedmont	Pee Dee River	4,487
Piedmont	Sandy Creek	1,113
Piedmont	Shocco Creek	8,109
Piedmont	Tillery	5,209
Piedmont	Uwharrie	51,850
Piedmont	Vance	853
Mountains	Buffalo Cove	6,631
Mountains	Cold Mountain	3,385
Mountains	Nantahala	533,190
Mountains	Needmore	4,931
Mountains	Pisgah	508,747
Mountains	Pond Mountain	2,908
Mountains	South Mountains	21,697
Mountains	Three Top Mountain	2,486
Mountains	Thurmond Chatham	6,471
Mountains	Toxaway	5,633
Mountains	William H. Silver	1,925

HB 559 (2017) gave the Commission the authority to authorize hunting on Sunday on Game Lands. The above Game Lands were determined by staff and partner input to be good areas to provide increased hunting opportunities while limiting the potential for user conflicts. Further, these Game Lands are currently being managed as Six Days Per Week game lands and professional judgment by the WRC suggests that the wildlife resources in these areas can sustain the potential increase in hunting pressure if these areas were managed as Seven Days Per Week game lands.

#### Fiscal Impact

##### *State Impact*

All game lands being considered for Sunday hunting are currently Six Day per Week Game Lands. The addition of a seventh day will not change land management practices or law enforcement presence. Law Enforcement Division staff are already patrolling game lands and private lands on Sunday. This change might result in a reallocation of Law Enforcement resources in some instances. If this reallocation of resources is needed it is possible that a loss in enforcement capacity in other areas could be realized. This potential for a loss in capacity is unknown at this time and will be addressed by the WRC if needed.

##### *Local Impact*

This proposal could lead to extended weekend trips for hunters and yield an increase to local economies as food, gas, equipment, and lodging are purchased. However, because the increase in total hunters and number of additional trips per hunter is unknown, the resulting increase in local sales tax revenue is unknown. Alternatively, this proposal could lead to

fewer trips on Sundays by non-hunters and result in a negative impact to local economies. Uncertainty regarding non-hunter behavior also exists and the overall impact of this loss to local revenue is unknown.

### *Private Impact*

Hunters on these lands who wish to hunt an additional weekend day may view this proposal as a positive. However, non-hunters might see this a negative impact and decide to not use the game land during Sunday while hunters are active. To determine opinions, the agency conducted an online opinion survey about Sunday hunting on game lands. Almost 6,700 responses were received in this survey. In summary, 53% of the respondents supported Sunday hunting on game lands while 47% opposed it. As noted above, the value of hunting is estimated to be at \$63/day and the value of nature-based recreation is estimated to be at \$47/day. Actual changes in user behavior are not known at this time, however, the selected game lands were chosen due to their ability to support multiple user groups with limited conflicts. We plan to evaluate the survey results and refine the proposed list if results suggest changes are warranted. The public will also be able to provide further input regarding this proposal when it is presented to the public. Changing these Six Day per Week Areas to Seven Day per Week Areas will not negatively affect wildlife populations and this change is consistent with the management objectives of the WRC Wildlife Management Division.

The following is a summary of the proposed rule amendments to the game land rules 15A NCAC 10D .0106, with the proposed text included in Appendix A.

### **15A NCAC 10D .0106 Bear Sanctuaries**

The proposed changes to this rule cover topics related to bear sanctuaries.

For the reasons outlined below, the WRC believes that the proposed rule changes will have minimal fiscal impacts.

This proposed amendment clarifies bear sanctuary rules in the NCAC and update the county locations of existing bear sanctuaries. Additionally, Bombing Range Bear Sanctuary and part of Green Swamp Bear Sanctuary will be renamed Dare Bear Sanctuary and Juniper Creek Bear Sanctuary, respectively. These administrative changes will allow staff to better track and implement changes to bear sanctuaries. Additionally, the name changes will reduce confusion by aligning sanctuary names with the names of adjacent game lands.

#### Fiscal Impact

##### *State Impact*

No impact

##### *Local Impact*

No impact

##### *Private Impact*

No impact

The following is a summary of the proposed rule amendments to the use of areas regulated rule 15A NCAC 10E .0104, with the proposed text included in Appendix A.

## **15A NCAC 10E .0104 USE OF AREAS REGULATED**

The proposed changes to this rule cover topics related to areas regulated.

For the reasons outlined below, the WRC believes that the proposed rule changes will have minimal fiscal impacts.

This proposed amendment prohibits the use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing Area in Edgecombe County. Ethridge Pond (28 acres) and Newbold Pond (53 acres) are relatively small ponds. As a result, numerous reports have been received about wakes from boats with gasoline powered motors negatively impacting kayakers, bank anglers, and anglers using the ADA accessible fishing pier. Prohibiting gasoline powered motors at these areas will provide a safer and more enjoyable user experience.

### Fiscal Impact

#### *State Impact*

No impact

#### *Local Impact*

No impact

#### *Private Impact*

Increased use by kayakers, bank anglers, and anglers using the ADA accessible fishing pier should be realized. Users with only gasoline powered motors would need to travel 5 miles to the next closest boating access area suitable for gasoline powered motors.

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

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

- (1) Monday on or nearest October 15 through the Saturday before Thanksgiving and the third Monday after Thanksgiving through January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland counties;
- (2) Second Monday in November through January 1 in Bladen, Brunswick, Carteret, Columbus, Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, Robeson, and Sampson counties;
- (3) Second Saturday in November through the second Sunday thereafter and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Beaufort, Bertie, Craven, Hertford, Jones, Martin, and Washington counties;
- (4) Second Saturday in November through the first Sunday after Thanksgiving and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Dare, Hyde, and Tyrrell counties;
- (5) Second Saturday in November through the second Sunday thereafter and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Currituck, Gates, and Perquimans counties;
- (6) Second Sunday in November through the following Sunday and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Camden, Chowan, and Pasquotank counties;
- (7) Third Saturday in November through the fifth Sunday thereafter in Edgecombe, Greene, Halifax, Lenoir, Nash, Northampton, Pitt, Wayne, and Wilson counties; and
- (8) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A NCAC 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie, Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston, Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Wake, Warren, and Yadkin counties.

**(b) Restrictions**

- (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain, fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw components.
- (2) Bears shall not be taken with the use or aid of:
  - (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum, candy block, oils, spices, peanut butter, or grease;
  - (B) any extracts of substances identified in Part (A) of this Subparagraph;
  - (C) any substances modified by substances identified in Part (A) of this Subparagraph, including any extracts of those substances; or

- (D) any bear bait attractant, including sprays, aerosols, scent balls, and scent powders.
- (3) Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the Saturday before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.
- (4) Bears may be taken with the aid of bait during the entire open season in the counties identified in Subparagraphs (a)(2) through (a)(6) of this Rule.
- (5) Bears shall not be taken while in the act of consuming bait.
- (6) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85, Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.
- (c) No Open Season. ~~There is no open season in those parts of counties included in the following posted bear sanctuaries. It shall be unlawful to take bear on posted bear sanctuaries except when authorized by permit issued by the Commission. See 15A NCAC 10D .0106 for posted bear sanctuaries.~~
- ~~Avery, Burke, and Caldwell counties—Daniel Boone bear sanctuary except by permit only~~
- ~~Beaufort, Bertie, and Washington counties—Bachelor Bay bear sanctuary~~
- ~~Bladen County—Suggs Mill Pond bear sanctuary~~
- ~~Brunswick County—Green Swamp bear sanctuary~~
- ~~Buncombe, Haywood, Henderson, and Transylvania counties—Pisgah bear sanctuary~~
- ~~Carteret, Craven, and Jones counties—Croatan bear sanctuary~~
- ~~Clay County—Fires Creek bear sanctuary~~
- ~~Columbus County—Columbus County bear sanctuary~~
- ~~Currituck County—North River bear sanctuary~~
- ~~Dare County—Bombing Range bear sanctuary except by permit only~~
- ~~Haywood County—Harmon Den bear sanctuary~~
- ~~Haywood County—Sherwood bear sanctuary~~
- ~~Hyde County—Gull Rock bear sanctuary~~
- ~~Hyde County—Pungo River bear sanctuary~~
- ~~Jackson County—Panthertown Bonas Defeat bear sanctuary~~
- ~~Macon County—Standing Indian bear sanctuary~~
- ~~Macon County—Wayah bear sanctuary~~
- ~~Madison County—Rich Mountain bear sanctuary~~
- ~~McDowell and Yancey counties—Mt. Mitchell bear sanctuary except by permit only~~
- ~~Mitchell and Yancey counties—Flat Top bear sanctuary~~
- ~~Wilkes County—Thurmond Chatham bear sanctuary~~
- (d) The daily bag limit for bear is one, the possession limit is one, and the season limit is one.

*History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;*  
*Eff. February 1, 1976;*  
*Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;*  
*Temporary Amendment Eff. July 1, 1999;*  
*Amended Eff. July 1, 2000;*  
*Temporary Amendment Eff. July 1, 2002;*  
*Amendment Eff. August 1, 2002;*  
*Temporary Amendment Eff. September 1, 2003;*  
*Temporary Amendment Expired Eff. December 27, 2003;*  
*Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May*  
*1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;*  
*Temporary Amendment Eff. May 31, 2016;*  
*Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016.*



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

2    (a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of alcohol  
3    or any narcotic drug, or fail to comply with restrictions enacted by the National Park Service regarding the use of the  
4    Blue Ridge Parkway where it adjoins game lands listed in this Rule.

5    (b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic or gates,  
6    or otherwise prevent vehicles from using any roadway.

7    (c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached  
8    by nails, screws, bolts, or wire to a tree on any game land designated herein. This prohibition does not apply to lag-  
9    screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.

10   (d) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals  
11   and game birds, unless hunting is allowed by permit. Individual game lands or parts thereof may be closed to hunting  
12   or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or  
13   game bird seasons. On managed waterfowl impoundments, persons shall:

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

19   On designated youth waterfowl days occurring after the end of the regular waterfowl seasons only, youths may hunt  
20   on managed waterfowl impoundments from ½ hour before sunrise to sunset. Restrictions (1), (3), and (5) in this  
21   Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the  
22   trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the  
23   portion of the impoundment outside of the posted "Scouting-only Zone." No person shall attempt to obscure the sex  
24   or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal that  
25   has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods  
26   without prior written authorization of the Commission or its agent. A decision to grant or deny authorization shall be  
27   made based on the best management practices for the wildlife species in question. No person shall take or attempt to  
28   take any game birds or game animals attracted to such foods.

29   (e) Definitions:

- 30           (1)     For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be  
31                   taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day,  
32                   Christmas Day, and New Year's Days within the federally-announced season.  
33           (2)     For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any  
34                   game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays,  
35                   Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days, except for game lands in this  
36                   Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Falconry may also be  
37                   practiced on Sundays. These "open days" also apply to either-sex deer 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 on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday during the open seasons.

- (4) For purposes of this Section, "Seven Days per Week Area" refers to a Game Land on which any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, and Sunday during the open seasons. On Sundays, hunting between 9:30 AM and 12:30 PM is prohibited, the use of a firearm to take deer that are run or chased by dogs is prohibited, and hunting within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited

(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 pursuant to this Chapter. Feral Swine 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)~~(g) 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 open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter 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 Davidson, Davie, Rowan, and Stanly counties.
- (C) On the Lick Creek Tract, deer and bear hunting is archery only.
- (2) Alligator River Game Land in Tyrrell County
- (A) ~~Six~~ Seven 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~~ Seven 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) Target shooting is prohibited.

- 1 (4) Bachelor Bay Game Land in Bertie, Martin, and Washington counties  
2 (A) Six Days per Week Area  
3 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
4 Antlers Season.
- 5 (5) Bertie County Game Land in Bertie County  
6 (A) Six Days per Week Area  
7 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
8 Antlers Season.  
9 (C) Target Shooting is prohibited.
- 10 (6) Bladen Lakes State Forest Game Land in Bladen County  
11 (A) Three Days per Week Area  
12 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
13 Antlers Season.  
14 (C) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.  
15 (D) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.  
16 (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.  
17 (F) Camping is restricted to September 1 through the last day of February and March  
18 31through May 14 in areas both designated and posted as camping areas.  
19 (G) The use of dogs for pursuing or taking foxes is prohibited March 15 through July 15.
- 20 (7) Brinkleyville Game Land in Halifax County  
21 (A) ~~Six~~ Seven Days per Week Area  
22 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible  
23 Antlers Season through the second Friday thereafter.  
24 (C) Horseback riding is prohibited.  
25 (D) Target Shooting is prohibited.
- 26 (8) Brunswick County Game Land in Brunswick County  
27 (A) Hunting is by permit only.  
28 (B) The use of dogs for hunting deer is prohibited.
- 29 (9) Buckhorn Game Land in Orange County  
30 (A) Hunting is by permit only.  
31 (B) Horseback riding is prohibited.
- 32 (10) Buckridge Game Land in Tyrrell County.  
33 (A) Three Days per Week Area  
34 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
35 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. If any of these days falls on a Tuesday, Friday or Saturday, bear hunting is allowed on those days.
- (D) Target shooting is prohibited.
- (11) Buffalo Cove Game Land in Caldwell and Wilkes Counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. ~~and during the Deer With Visible Antlers Season.~~ Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer may be taken with blackpowder 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 first open Saturday 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 all the 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 open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on:
- (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, Thursdays, and Saturdays 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. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.
- (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 March 31 through May 14.
- (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.
- (14) Buxton Woods Game Land in Dare County:
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken ~~all the first open day days~~ of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Target shooting is prohibited.
- (15) Cape Fear River Wetlands Game Land in Pender County
- (A) ~~Six~~ Seven 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.
- (E) Target shooting is prohibited.
- (16) Carteret County Game Land in Carteret County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (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 first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (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

- 1                   allowed only on roads opened to vehicular traffic and on those gated roads and trails that  
2                   are posted for equestrian use. People age 16 or older horseback riding on this game land  
3                   shall possess a Game Lands license.
- 4                   (D)     The area encompassed by the following roads is permit-only for all quail and woodcock  
5                   hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of  
6                   SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the  
7                   intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to  
8                   the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR  
9                   1730 to NC 86, north on NC 86 to NC 62.
- 10                  (E)     On the posted waterfowl impoundment, waterfowl hunting is by permit only after  
11                  November 1.
- 12                  (F)     Camping and the presence of campers and tents in designated Hunter Camping Areas are  
13                  limited to September 1 through the last day of February and March 31 through May 14.
- 14                  (G)     Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.
- 15       (18)     Chatham Game Land in Chatham County
- 16                  (A)     Six Days per Week Area
- 17                  (B)     Deer of either sex may be taken the first open day of the applicable Deer With Visible  
18                  Antlers Season through the second Friday thereafter.
- 19                  (C)     Wild turkey hunting is by permit only.
- 20                  (D)     Horseback riding is allowed only during June, July, and August; and on Sundays during  
21                  the remainder of the year except during open turkey and deer seasons.
- 22                  (E)     Target shooting is prohibited.
- 23       (19)     Chowan Game Land in Chowan County
- 24                  (A)     Six Days per Week Area
- 25                  (B)     Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers  
26                  Season.
- 27       (20)     Chowan Swamp Game Land in Bertie, Gates, and Hertford counties.
- 28                  (A)     Six Days per Week Area
- 29                  (B)     Deer of either sex may be taken all the open days of the applicable Deer With Visible  
30                  Antlers Season.
- 31                  (C)     Bear hunting is restricted to the first three hunting days during the November bear season  
32                  and the first three hunting days during the second week of the December bear season except  
33                  that portion of Chowan Swamp Game Land in Gates County that is east of Highway  
34                  158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the  
35                  Chowan River where the bear season is the same as the season dates for the Gates County  
36                  bear season.

- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (E) Horseback riding is prohibited except during May 16 through August 31 and on Sundays only September 1 through May 15 on those roads that are open to vehicular traffic and on those gated roads and trails posted for equestrian use.
- (F) Target shooting is ~~prohibited~~ prohibited. ~~on the Sand Banks tract in Gates County, the area west of Sand Banks Road, east of the Chowan River and north of US 13/158 to the NC-VA state line.~~
- (21) Cold Mountain Game Land in Haywood County
- (A) ~~Six~~ Seven 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 first open ~~day~~ Saturday of the applicable Deer With Visible Antlers Season.
- (22) 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.
- (23) Croatan Game Land in Carteret, Craven, and Jones counties
- (A) ~~Six~~ Seven 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.
- (24) 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 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.
- (25) Dan River Game Land in Rockingham County
- (A) ~~Hunting and trapping is by permit only.~~ Three Days per Week Area
- (B) Deer hunting is by permit only.
- (C) Wild turkey hunting is by permit only.
- ~~(B)(D)~~ (D) Horseback riding is prohibited except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Lands license.
- ~~(C)(E)~~ (E) Target shooting is prohibited.
- (26) Dare Game Land in Dare and Hyde counties ~~County~~
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) No hunting is allowed on posted parts of bombing range.
- (D) The use and training of dogs is prohibited from March 1 through June 30.
- (27) 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.
- (28) 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.
- (29) Elk Knob Game Land in Watauga County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (30) Embro Game Land in Halifax and Warren counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.



- 1                   (D)     Target Shooting is prohibited.
- 2           (31)    Goose Creek Game Land in Beaufort and Pamlico counties
- 3                   (A)     Six Days per Week Area
- 4                   (B)     Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 5                             Antlers Season.
- 6                   (C)     Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
- 7                             impoundments shall be taken only on the following days:
- 8                                 (i)       the opening and closing days of the applicable waterfowl seasons;
- 9                                 (ii)      Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 10                                (iii)     Tuesdays and Saturdays of the applicable waterfowl seasons.
- 11                  (D)     Beginning on the first open waterfowl season day in October and through the end of the
- 12                             waterfowl season, waterfowl hunting is by permit only on the following waterfowl
- 13                             impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith
- 14                             Creek, and Hobucken.
- 15                  (E)     On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except
- 16                             waterfowl hunting on designated waterfowl hunting days and trapping during the trapping
- 17                             season, are restricted to the posted Scouting-only Zone during the period November 1
- 18                             through March 15.
- 19                  (F)     Camping is restricted to September 1 through the last day of February and March 31
- 20                             through May 14 in areas both designated and posted as camping areas.
- 21                  (G)     Hunting and vehicular access on the Parker Farm Tract is restricted from September 1
- 22                             through January 1 and April 1 through May 15 to individuals that possess a valid hunting
- 23                             opportunity permit.
- 24           (32)    Green River Game Land in Henderson, and Polk counties
- 25                   (A)     Six Days per Week Area
- 26                   (B)     Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
- 27                             Antlers Season.
- 28                   (C)     Horseback riding is prohibited.
- 29           (33)    Green Swamp Game Land in Brunswick County
- 30                   (A)     Six Days per Week Area
- 31                   (B)     Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 32                             Antlers Season.
- 33                   (C)     On that portion north of Big Macedonia Road, east of Makatoka Road, south of Little
- 34                             Macedonia Road, and west of Green Swamp Road, hunting and trapping for bear, deer,
- 35                             ~~and turkey~~ is by permit only.

- (D) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on that portion of the game land that is north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road.
- (34) Gull Rock Game Land in Hyde County
- (A) ~~Six~~ Seven 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 on posted waterfowl impoundments shall be taken only on the following days:
- (i) the opening and closing days of the applicable waterfowl seasons; and
- (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 the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
- (E) 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, except for that portion designated as bear sanctuary.
- (35) 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 open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on the following days:
- (i) Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;
- (ii) Thanksgiving, Christmas, and New Year's Days; and
- (iii) 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, except on those areas posted as an archery zone.
- (F) Target shooting is prohibited.
- (G) Horseback riding is prohibited.
- (36) Headwaters State Forest Game Land in Transylvania County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season
- (37) Hill Farm Game Land in Stokes County- hunting and trapping is by permit only.
- (38) Holly Shelter 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) 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 seasons.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
- (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:
- (i) all open days 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; and
  - (ii) on Tuesdays, Thursdays, and Fridays, with the exception of Thanksgiving, Christmas, and New Year's days, and except for the area north of 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, where the use of dogs for deer and bear hunting is by permit only.
- (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.
- (H) 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.
- (I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.
- (J) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- (39) Hyco Game land in Person County
- (A) Six Days per Week Area
  - (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
  - (C) Target shooting is prohibited.
- (40) J. Morgan Futch Game Land in Tyrrell County - Permit Only Area.
- (41) 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.

- 1 (D) The use or construction of permanent hunting blinds is prohibited.
- 2 (E) Camping and the presence of campers and tents in designated Hunter Camping Areas is
- 3 limited to August 31 through the last day of February and March 31 through May 14.
- 4 (42) Jordan Game Land in Chatham, Durham, Orange, and Wake counties
- 5 (A) Six Days per Week Area
- 6 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 7 Antlers Season.
- 8 (C) Waterfowl may be taken only on:
- 9 (i) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
- 10 (ii) Thanksgiving, Christmas, and New Year's Days; and
- 11 (iii) the opening and closing days of the applicable waterfowl seasons.
- 12 (D) Horseback riding is prohibited except on those areas posted as American Tobacco Trail
- 13 and other areas posted for equestrian use. Unless otherwise posted, horseback riding is
- 14 permitted on posted portions of the American Tobacco Trail anytime the trail is open for
- 15 use. On all other trails posted for equestrian use, horseback riding is allowed only during
- 16 June, July, and August, and on Sundays the remainder of the year except during open turkey
- 17 and deer seasons. People age 16 or older who ride horseback on trails occurring entirely
- 18 within the game land boundaries shall possess a Game Lands license.
- 19 (E) Target shooting is prohibited.
- 20 (F) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- 21 (G) The use of bicycles is restricted to designated areas, except that this restriction does not
- 22 apply to hunters engaged in the act of hunting during the open days of the applicable
- 23 seasons for game birds and game animals.
- 24 (43) Juniper Creek Game Land in Brunswick and Columbus counties
- 25 (A) ~~Six~~ Seven Days per Week Area
- 26 (B) Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.
- 27 (C) Camping is restricted to September 1 through the last day of February and March 31
- 28 through May 14 in areas both designated and posted as camping areas.
- 29 (44) Kerr Scott Game Land in Wilkes County
- 30 (A) Six Days per Week Area
- 31 (B) Use of centerfire rifles is prohibited.
- 32 (C) Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable
- 33 Deer With Visible Antlers Season is prohibited.
- 34 (D) Tree stands shall not be left overnight; and no screws, nails, or other objects penetrating
- 35 the bark shall be used to attach a tree stand or blind to a tree.
- 36 (E) Deer of either sex may be taken on all open days of the applicable Deer With Visible
- 37 Antlers season.

- 1 (F) Hunting on posted waterfowl impoundments is by permit only.
- 2 (G) The use of firearms for hunting wild turkey is prohibited.
- 3 (45) Lantern Acres Game Land in Tyrrell and Washington counties
- 4 (A) Six Days per Week Area
- 5 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 6 Antlers Season.
- 7 (C) Wild turkey hunting is by permit only.
- 8 (D) The use of dogs for hunting deer on the Godley Tract is prohibited.
- 9 (E) Waterfowl hunting on posted waterfowl impoundments is by permit only.
- 10 (46) Lee Game Land in Lee County
- 11 (A) Six Days per Week Area
- 12 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 13 Antlers Season through the second Friday thereafter.
- 14 (C) Target shooting is prohibited.
- 15 (47) Light Ground Pocosin Game Land in Pamlico County
- 16 (A) ~~Six~~ Seven Days per Week Area
- 17 (B) Deer of either sex may be taken all the open days of the applicable Deer with Visible
- 18 Antlers Season.
- 19 (48) Linwood Game Land in Davidson County
- 20 (A) Six Days per Week Area
- 21 (B) Deer of either sex may be taken on all of the open days of the applicable Deer With Visible
- 22 Antlers Season.
- 23 (49) Lower Fishing Creek Game Land in Edgecombe and Halifax counties
- 24 (A) ~~Six~~ Seven Days per Week Area
- 25 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 26 Antlers Season through the second Friday thereafter.
- 27 (C) Horseback riding is prohibited.
- 28 (D) The use of dogs for hunting deer is prohibited.
- 29 (F) Target Shooting is prohibited.
- 30 (50) Mayo Game Land in Person County
- 31 (A) Six Days per Week Area
- 32 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 33 Antlers Season through the second Friday thereafter.
- 34 (C) Waterfowl shall be taken only on:
- 35 (i) Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;
- 36 (ii) Christmas and New Year's Days; and
- 37 (iii) the opening and closing days of the applicable waterfowl seasons.

- (D) Target shooting is prohibited.
- (51) Mitchell River Game Land in Surry County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (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.
- (52) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.
- (53) Needmore Game Land in Macon and Swain counties.
- (A) ~~Six~~ Seven 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) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- (54) Neuse River Game Land in Craven 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) Camping is allowed any time within 100 yards of the Neuse River on that portion of the game land that lies west of NC-43.
- (55) New Lake Game Land in Hyde and Tyrrell counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (56) Nicholson Creek Game Land in Hoke County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest September 10 through the Friday before Thanksgiving Day.
- (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the Saturday before Thanksgiving Day through the Wednesday 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 Day.
- (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season.

- 1 (F) The use of dogs for hunting deer is prohibited.
- 2 (G) Wild turkey hunting is by permit only.
- 3 (H) On Lake Upchurch, the following activities are prohibited:
- 4 (i) Operating any vessel or vehicle powered by an internal combustion engine; and
- 5 (ii) Swimming.
- 6 (I) Target shooting is prohibited.
- 7 (57) North River Game Land in Camden and Currituck counties
- 8 (A) ~~Six~~ Seven Days per Week Area
- 9 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 10 Antlers Season.
- 11 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or
- 12 shoreline.
- 13 (D) Hunting on the posted waterfowl impoundment is by permit only.
- 14 (58) Northwest River Marsh Game Land in Currituck County
- 15 (A) ~~Six~~ Seven Days per Week Area
- 16 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 17 Antlers Season.
- 18 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or
- 19 shoreline.
- 20 (59) Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties
- 21 (A) ~~Six~~ Seven Days per Week Area
- 22 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 23 Antlers Season through the second Friday thereafter.
- 24 (C) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North
- 25 of US-74.
- 26 (D) Target shooting is prohibited.
- 27 (E) Horseback riding is allowed only on roads opened to vehicular traffic and only during the
- 28 following times:
- 29 (i) during June, July, and August; and
- 30 (ii) on Sundays during the other months or parts of months when deer and turkey
- 31 seasons are closed.
- 32 (60) Perkins Game Land in Davie County
- 33 (A) Three Days per Week Area
- 34 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
- 35 Antlers Season.
- 36 (C) Horseback riding is prohibited from November 1 through January 1.
- 37 (D) Target Shooting is prohibited.

- (61) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (C) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- (62) Pond Mountain Game Land in Ashe County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Horseback riding is prohibited except on designated trails from May 16 through August 31 and Sundays from September 1 through October 31. All horseback riding is prohibited from November 1 through May 15.
- (63) Pungo River Game Land in Hyde 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.
- (64) Rendezvous Mountain State Forest Game Land in Wilkes County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (C) Bear hunting is prohibited.
- (65) Rhodes Pond Game Land in Cumberland and Harnett counties
- (A) Hunting is by permit only.
- (B) Swimming is prohibited on the area.
- (66) 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 the last day of February and March 31 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.
- (D) Target Shooting is prohibited.
- (67) Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- (68) Robeson Game Land in Robeson County



- 1 (A) Three Days per Week Area
- 2 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 3 Antlers Season.
- 4 (69) Rockfish Creek Game Land in Hoke County
- 5 (A) Three Days per Week Area
- 6 (B) Deer of either sex may be taken with archery equipment on open hunting days from the
- 7 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving Day.
- 8 (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning
- 9 the fourth Saturday before Thanksgiving Day through the Wednesday of the second week
- 10 thereafter.
- 11 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
- 12 Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.
- 13 (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 14 Antlers Season.
- 15 (F) The use of dogs for hunting deer is prohibited.
- 16 (G) Wild turkey hunting is by permit only.
- 17 (H) Taking fox squirrels is prohibited.
- 18 (I) Target shooting is prohibited.
- 19 (70) Rocky Run Game Land in Onslow County - Hunting is by permit only.
- 20 (71) Sampson Game Land in Sampson County
- 21 (A) Three Days per Week Area
- 22 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 23 Antlers Season.
- 24 (C) Target shooting is prohibited.
- 25 (72) Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties
- 26 (A) Three Days per Week Area
- 27 (B) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22
- 28 through March 31 except as follows:
- 29 (i) deer of either-sex may be taken with archery equipment on all the open days of
- 30 the archery season through the fourth Friday before Thanksgiving Day; with
- 31 blackpowder firearms and archery equipment all the open days of the
- 32 blackpowder firearms season through the third Wednesday before Thanksgiving
- 33 Day; and only deer with visible antlers may be taken with all legal weapons from
- 34 the second Saturday before Thanksgiving Day through the Saturday following
- 35 Thanksgiving Day;
- 36 (ii) dove may be taken all open days from the opening day of the dove season through
- 37 the third Saturday thereafter;

- (iii) squirrel (gray and fox) may be taken all the open days from second Monday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (iv) rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;
- (v) waterfowl may be taken on open days during any waterfowl season;
- (vi) wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and
- (vii) raccoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.
- (C) The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.
- (D) The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer may be taken with archery equipment on all open hunting days during the archery season, the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph.
- (E) Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and the Deer With Visible Antlers season.
- (F) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- (G) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.
- (H) Wild turkey hunting is by permit only.
- (I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited unless participating 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 March 31 through May 14.
- (K) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- (73) Sandy Creek Game Land in Nash and Franklin Counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.

- (E) Target Shooting is prohibited.
- (74) Sandy Mush Game Land in Buncombe and Madison counties.
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday 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(f).
- (E) Dove hunting is by permit only from the opening day through the second Saturday of dove season.
- (75) Second Creek Game Land in Rowan County- hunting is by permit only.
- (76) Shocco Creek Game Land in Franklin, Halifax, Nash, and Warren counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (E) Target Shooting is prohibited.
- (77) South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties
- (A) ~~Six~~ Seven Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. ~~and during the Deer With Visible Antlers Season.~~ Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer may be taken with blackpowder 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 first open Saturday 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.
- (78) Stones Creek Game Land in Onslow County

- 1 (A) Six-Day per Week Area
- 2 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 3 Antlers Season.
- 4 (C) The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.
- 5 (D) Swimming in all lakes is prohibited.
- 6 (E) Waterfowl on posted waterfowl impoundments may be taken only on the following days:
- 7 (i) the opening and closing days of the applicable waterfowl seasons;
- 8 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 9 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 10 (F) Target shooting is prohibited.
- 11 (G) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- 12 (79) Suggs Mill Pond Game Land in Bladen and Cumberland counties
- 13 (A) Hunting and trapping is by permit only.
- 14 (B) Camping is restricted to September 1 through the last day of February and March 31
- 15 through May 14 in areas both designated and posted as camping areas.
- 16 (C) Entry is prohibited on scheduled hunt or trapping days except for:
- 17 (i) hunters or trappers holding special hunt or trapping permits; and
- 18 (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.
- 19 (D) During the period of November 1 through January 31, except on Sundays, the use of vessels
- 20 on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only
- 21 by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by
- 22 the Wildlife Resources Commission pursuant to G.S. 113-264(d).
- 23 (E) During the period of November 1 through March 15, the use of vessels on managed
- 24 waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters
- 25 possessing a valid and current Hunting Opportunity Permit issued by the Wildlife
- 26 Resources Commission pursuant to G.S. 113-264(d).
- 27 (80) Sutton Lake Game Land in New Hanover and Brunswick counties
- 28 (A) Six Days per Week Area
- 29 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 30 Antlers Season through the first Friday thereafter.
- 31 (C) Target shooting is prohibited.
- 32 (81) Tar River Game Land in Edgecombe County ~~—hunting is by permit only—~~
- 33 (A) Hunting is by permit only
- 34 (B) Target Shooting is prohibited
- 35 (82) Texas Plantation Game Land in Tyrrell County - hunting is by permit only.
- 36 (83) Three Top Mountain Game Land in Ashe County
- 37 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible  
2 Antlers Season through the first Friday thereafter.
- 3 (C) Horseback riding is prohibited.
- 4 (84) Thurmond Chatham Game Land in Alleghany and Wilkes counties
- 5 (A) ~~Six~~ Seven Days per Week Area
- 6 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible  
7 Antlers Season through the second Friday thereafter.
- 8 (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and  
9 all horseback riding is prohibited from September 1 through May 15. People age 16 or  
10 older horseback riding on this game land shall possess a Game Lands license.
- 11 (D) The maximum period of consecutive overnight camping at any designated campground is  
12 14 days within any 30 day period from May 1 through August 31. After 14 consecutive  
13 days of camping all personal belongings must be removed from the game land.
- 14 (85) Tillery game Land in Halifax County
- 15 (A) ~~Six~~ Seven Days per Week Area
- 16 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible  
17 Antlers Season through the second Friday thereafter.
- 18 (C) Horseback riding is prohibited.
- 19 (D) The use of dogs for hunting deer is prohibited.
- 20 (E) Wild turkey hunting is by permit only.
- 21 (F) Target Shooting is prohibited.
- 22 (86) Toxaway Game Land in Jackson and Transylvania counties
- 23 (A) ~~Six~~ Seven Days per Week Area
- 24 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible  
25 Antlers Season.
- 26 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
27 all horseback riding is prohibited from September 1 through May 15.
- 28 (87) Uwharrie Game Land in Davidson, Montgomery, and Randolph counties
- 29 (A) ~~Six~~ Seven Days per Week Area
- 30 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible  
31 Antlers Season through the second Friday thereafter.
- 32 (C) On the posted waterfowl impoundment, waterfowl may be taken only on the following  
33 days:
- 34 (i) the opening and closing days of the applicable waterfowl seasons;
- 35 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 36 (iii) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.
- 37 (D) Target shooting is prohibited, except at the Flintlock Valley Shooting Range.

- 1 (88) Vance Game Land in Vance County
- 2 (A) ~~Six~~ Seven Days per Week Area
- 3 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 4 Antlers Season.
- 5 (C) The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the
- 6 Nutbush Peninsula tract.
- 7 (89) Van Swamp Game Land in Beaufort and Washington counties
- 8 (A) Six Days per Week Area
- 9 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 10 Antlers Season.
- 11 (C) Bear may only be taken the first three hunting days during the November Bear Season and
- 12 the first three hunting days during the second week of the December Bear Season.
- 13 (90) Voice of America Game Land in Beaufort County—~~hunting and trapping is by permit only.~~
- 14 (A) Hunting and trapping is by permit only.
- 15 (B) Target Shooting is prohibited.
- 16 (91) White Oak River Game Land in Onslow County
- 17 (A) Three Days per Week Area
- 18 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 19 Antlers Season.
- 20 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
- 21 impoundments shall be taken only on the following days:
- 22 (i) the opening and closing days of the applicable waterfowl seasons;
- 23 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 24 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 25 (D) Beginning on the first open waterfowl season day in October and through the end of the
- 26 waterfowl season, a permit is required for hunting posted waterfowl impoundments.
- 27 (E) The Huggins Tract and Morton Tracts have the following restrictions:
- 28 (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting
- 29 Opportunity Permit issued by the Wildlife Resources Commission pursuant to
- 30 G.S. 113-264(d);
- 31 (ii) hunting is by permit only; and
- 32 (iii) the use of dogs for hunting deer is prohibited.
- 33 (F) Wild turkey hunting is by permit only.
- 34 (G) Target Shooting is prohibited.
- 35 (92) Whitehall Plantation Game Land in Bladen ~~County~~ and Pender counties
- 36 (A) Hunting and trapping is by permit only.

- (B) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- ~~(C)~~ Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Long Ridge Tract.
- (93) William H. Silver Game Land in Haywood County
- (A) ~~Six~~ Seven Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- ~~(h)~~ On permitted type hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications shall 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 shall validate the kill and report the kill to a wildlife cooperator agent or by phone.
- ~~(i)~~ 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:
- (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
  - (2) Bertie County—Roanoke River National Wildlife Refuge;
  - (3) Bladen County—Suggs Mill Pond Game Lands;
  - (4) Burke County—John's River Waterfowl Refuge;
  - (5) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
  - (6) Dare County—Roanoke Sound Marshes Game Lands; and
  - (7) Henderson and Transylvania counties—DuPont State Forest Game Lands.
- ~~(j)~~ Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission. Written permission may be granted only when entry onto the Waterfowl Refuge will not compromise the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need or the 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.
- ~~(k)~~ Feral swine may be taken by licensed hunters during the open season for any game animal or game bird using any legal manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the use of dogs for hunting deer or bear, and during the applicable deer or bear season.
- ~~(l)~~ 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 prohibited in Paragraph (h) of this Rule.
- ~~(m)~~ 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

1 the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited  
2 weapon choice, the allowed weapons shall be stated on each permit.

3 ~~(n)~~ As used in this Rule, horseback riding includes all equine species.

4 ~~(o)~~ When waterfowl hunting is ~~specifically permitted~~ authorized in this Rule on Christmas and New Years' Day  
5 and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

6  
7 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*  
8 *Eff. February 1, 1976;*  
9 *Temporary Amendment Eff. October 3, 1991;*  
10 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September*  
11 *1, 1994; July 1, 1994;*  
12 *Temporary Amendment Eff. October 1, 1999; July 1, 1999;*  
13 *Amended Eff. July 1, 2000;*  
14 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*  
15 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*  
16 *Temporary Amendment Eff. June 1, 2003;*  
17 *Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);*  
18 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014;*  
19 *January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*  
20 *1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October*  
21 *1, 2004.*  
22  
23  
24



1 **15A NCAC 10D .0106 BEAR SANCTUARIES**

2 (a) It shall be unlawful to take bear on posted bear sanctuaries as set forth in Paragraph (b) of this rule, except when  
3 authorized by permit issued by the Commission on sanctuaries specified in Subparagraph (c) of this Rule.

4 (b) The following shall be posted bear sanctuaries:

5 Bachelor Bay bear sanctuary – Bertie and Washington counties  
6 Columbus County bear sanctuary – Brunswick and Columbus counties  
7 Croatan bear sanctuary – Carteret, Craven, and Jones counties  
8 Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties  
9 Dare bear sanctuary – Dare and Hyde counties.  
10 Fires Creek bear sanctuary – Clay County  
11 Flat Top bear sanctuary – Mitchell and Yancey counties  
12 Green Swamp bear sanctuary – Brunswick County  
13 Gull Rock bear sanctuary – Hyde County  
14 Harmon Den bear sanctuary – Haywood County  
15 Juniper Creek bear sanctuary – Brunswick and Columbus counties  
16 Mt. Mitchell bear sanctuary – McDowell and Yancey counties  
17 North River bear sanctuary – Camden and Currituck counties  
18 Panthertown – Bonas Defeat bear sanctuary – Jackson County  
19 Pisgah Bear Sanctuary – Buncombe, Haywood, Henderson and Transylvania  
20 Pungo River bear sanctuary – Hyde County  
21 Rich Mountain bear sanctuary – Madison County  
22 Sherwood bear sanctuary – Haywood County  
23 Suggs Mill Pond bear sanctuary – Bladen and Cumberland counties  
24 Standing Indian bear sanctuary – Macon County  
25 Thurmond Chatham bear sanctuary – Allegheny and Wilkes counties  
26 Wayah bear sanctuary – Macon County

27 (c) It shall be lawful to take bear on the following sanctuaries when authorized by permit issued by the Commission:

28 Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties  
29 Dare bear sanctuary – Dare and Hyde counties  
30 Mt. Mitchell bear sanctuary – McDowell and Yancey counties

31 (d) Feral Swine shall not be taken with the use of dogs on bear sanctuaries.

32 (e) Dogs shall not be trained or allowed to run unleashed between March 1 and the Monday on or nearest October 15  
33 on bear sanctuaries located in and west of the counties and parts of counties described in 15A NCAC 10B .0109.

34  
35 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;*  
36 *Eff. August 1, 2019.*

**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 by an individual with a valid concealed handgun permit. The individual carrying a handgun must adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. The permission to carry a handgun does not apply to access areas on the following game lands:

- (1) Bladen Lakes State Forest
- (2) Buckhorn
- (3) Butner-Falls of Neuse
- (4) Chatham
- (5) DuPont State Forest
- (6) Harris
- (7) Hyco
- (8) Jordan
- (9) Kerr Scott
- (10) Lee
- (11) Mayo
- (12) Pee Dee River north of U.S 74
- (13) Sutton Lake
- (14) Vance
- (15) the portion of R. Wayne Bailey-Caswell that is located north of U.S. 158 and east of N.C. 119

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 full, 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 means idling speed or a slow speed creating no appreciable wake.

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

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

11 (g) It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or  
12 boating access areas without prior written authorization of the Wildlife Resources Commission. Written authorization  
13 will only be granted to persons acting on behalf of the Commission, to persons conducting scientific investigations or  
14 surveys, and for release of rehabilitated wildlife. Written authorization will not be granted for any feeding or release  
15 that is inimical to the conservation of native wildlife resources. For the purpose of enforcing this Paragraph,  
16 "domesticated animals" does not include pets under the control of the owner and raptors or hunting dogs where  
17 otherwise permitted for hunting or training purposes.

18 (h) The use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing  
19 Area in Edgecombe County is prohibited.

20  
21 *History Note: Authority G.S. 75A-14; 113-134; 113-264;*

22 *Eff. February 1, 1976;*

23 *Amended Eff. August 1, 2012; August 1, 2010; May 1, 2009; July 1, 1995; February 1, 1994;*

24 *September 1, 1992; July 1, 1991.*

# EXHIBIT D

October 3, 2018



## North Carolina Wildlife Resources Commission

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October 3, 2018

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

FROM: Jessie Birckhead, Land Acquisition and Grants Manager  
Land and Water Access

SUBJECT: DOT Easement request across Shooting Creek Public Fishing Area

NCDOT seeks to purchase a 0.766-acre Permanent Utility Easement (PUE) across Shooting Creek Public Fishing Area in Clay County. This request is needed due to relocation of electric facilities resulting from improvements to NC 175. The NCDOT has determined that 0.368 acres of Temporary Construction Easement (TCE) will also be needed for this project.

Staff recommends seeking Commission approval to grant the easement to NCDOT with compensation to be fair market value as determined by the NC State Property Office.

Land and Water Access

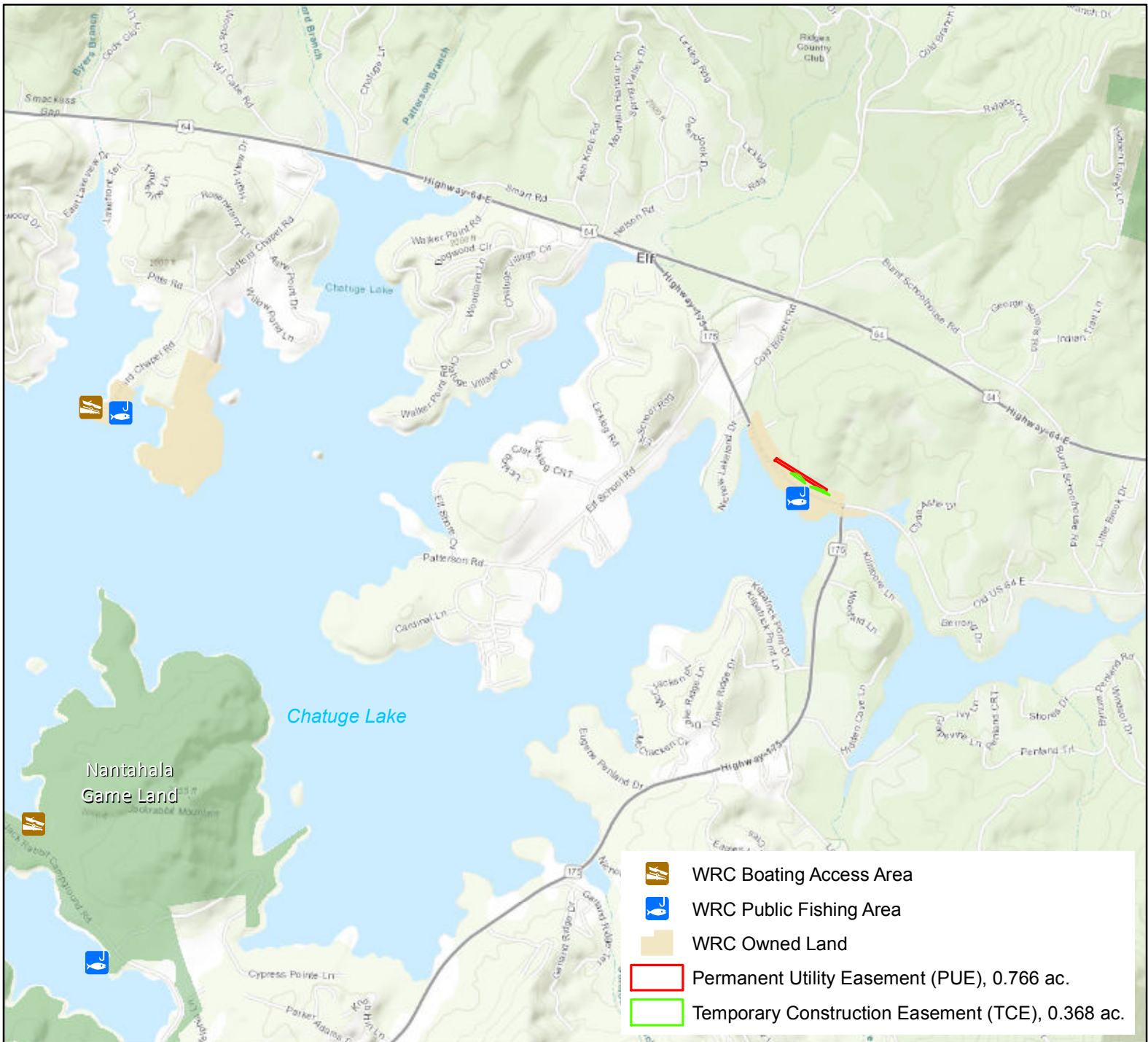
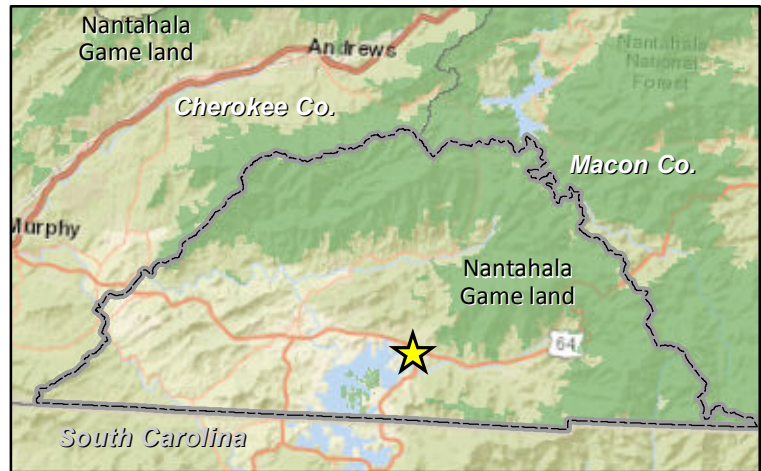
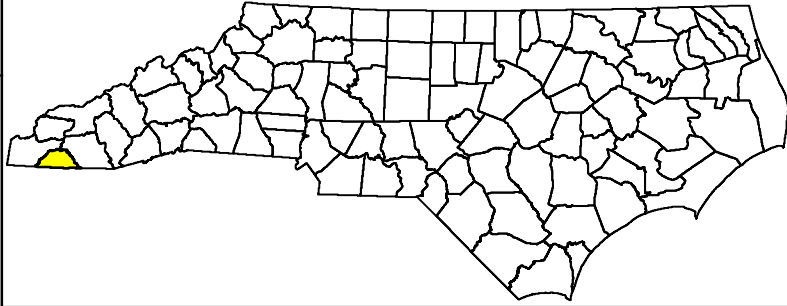
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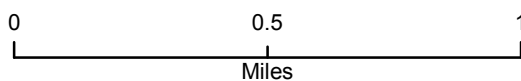
Phone: 919-707-0150

Fax: 919-707-0162

# **DOT Easement Request** **Clay County** **1.134 Acres**

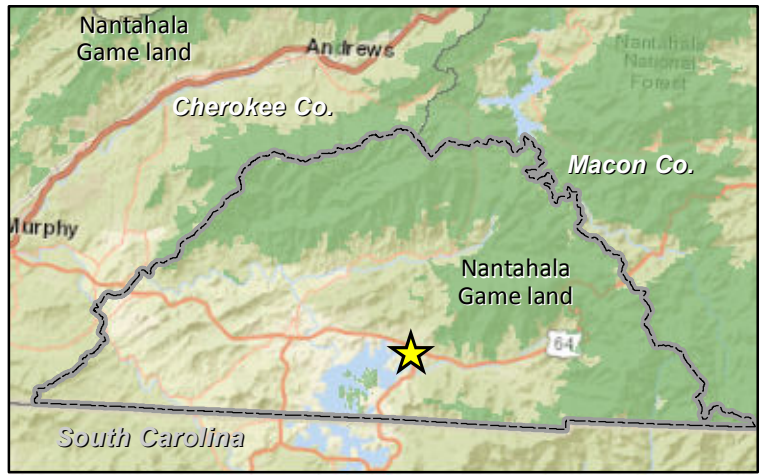
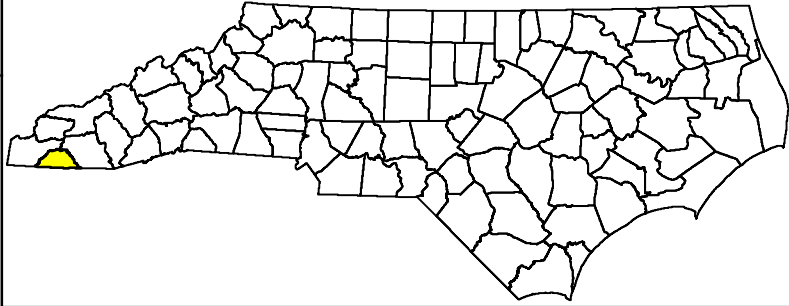


**October 3, 2018**





# DOT Easement Request Clay County 1.134 Acres



Shooting Creek Public Fishing Area



WRC Owned Land



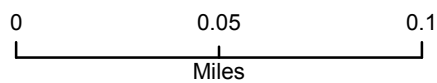
Permanent Utility Easement (PUE), 0.766 ac.



Temporary Construction Easement (TCE), 0.368 ac.



October 3, 2018



# EXHIBIT E

October 3, 2018



## North Carolina Wildlife Resources Commission

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October 3, 2018

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

FROM: Jessie Birckhead, Land Acquisition and Grants Manager  
Land and Water Access

SUBJECT: Easement Disposition – Old Perley Toll Road, Pisgah Game Land

On August 1<sup>st</sup>, 2018 the Wildlife Resources Commission received a letter from the National Park Service requesting consideration of disposition of an easement on Old Perley Toll Road at Pisgah Game Land in Yancy County. This road does not provide public access and is not utilized by WRC employees. Disposition of this deed-reserved right to use Old Perley Toll Road will not impact management of Pisgah Game Land.

Staff requests Commission approval to work with the National Park Service to dispose of this easement.

Land and Water Access

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Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606

Phone: 919-707-0150

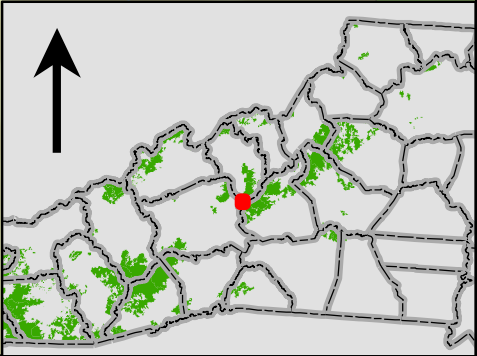
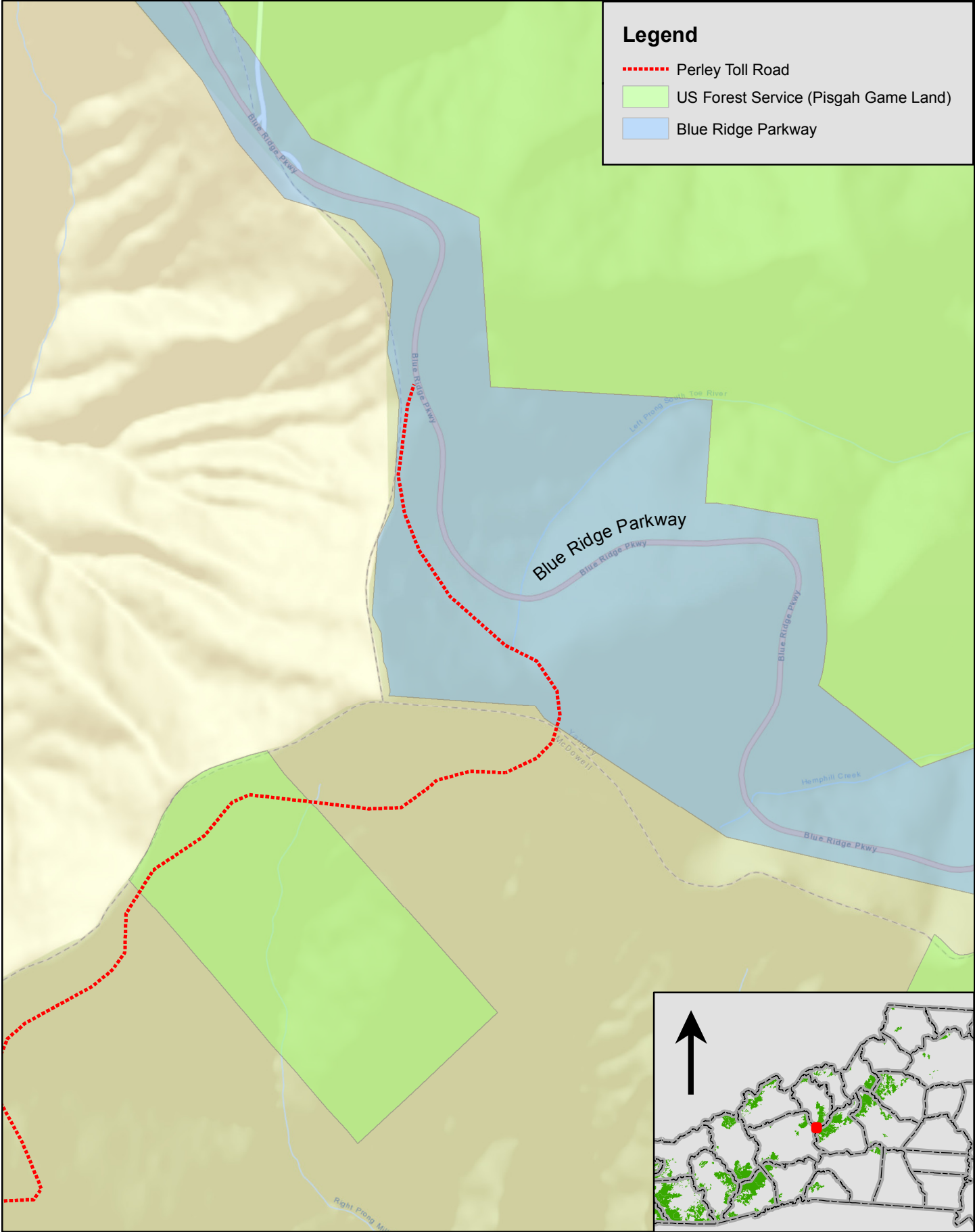
Fax: 919-707-0162



# Old Perley Toll Road

**Legend**

- Perley Toll Road
- US Forest Service (Pisgah Game Land)
- Blue Ridge Parkway



0 0.25 0.5 1 Miles



# EXHIBIT F

October 3, 2018



## North Carolina Wildlife Resources Commission

October 3, 2018

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

FROM: Jessie Birckhead, Land Acquisition and Grants Manager  
Land and Water Access

SUBJECT: Property Disposition – Farm House at Texas Plantation Game Land

At their October 5<sup>th</sup>, 2017 meeting, Commissioners were presented with a request from staff to dispose of a farm house and corresponding 1.28-acre lot acquired with the purchase of the Texas Plantation Game Land property in Tyrrell County. The Commission requested that staff formulate a recommendation for disposition of the house but to retain the parcel of land it is located on. Since that time, several parties interested in the farm house have stepped forward and a site visit was conducted by the NC State Historic Preservation Office to investigate the historic significance of the farm house. The NC State Historic Preservation Office has strongly recommended preservation of the house (Referred to as the “Free and Easy Plantation”) on the current site due to its architectural and historical significance.

An adjacent landowner who has a family connection to the farm house is interested in acquiring the house and lot in exchange for approximately 8 acres of land adjacent to the Texas Plantation Game Land. This approach would allow for the needed disposition of the farm house with a net gain of 6.72 acres to the Texas Plantation Game Land. The approximately 8-acres that would come to the WRC would provide useable area for recreation and management as opposed to the farm house and lot which provide no opportunities for users and are a management liability for staff. Additionally, this plan would allow for preservation of the historic and cultural significant

Land and Water Access

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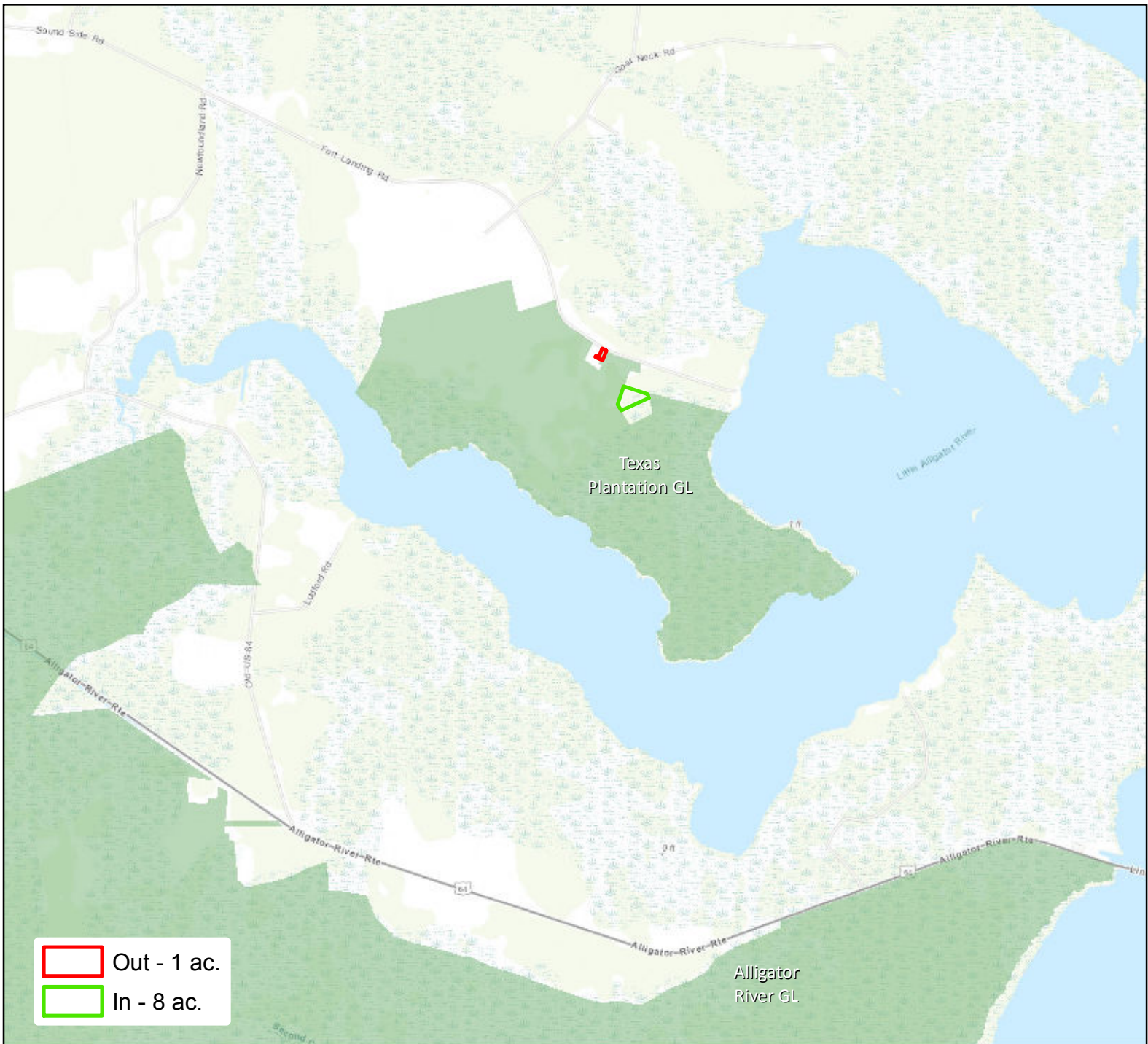
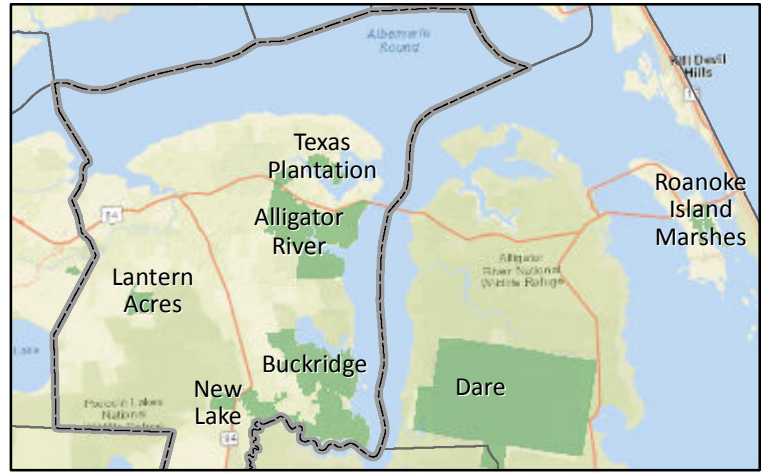
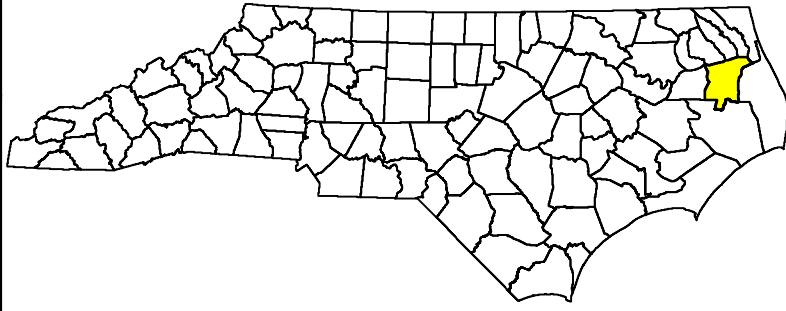
Phone: 919-707-0150

Fax: 919-707-0162

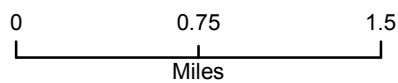
farm house while reducing boundary complexity in and around the farm house site. If this plan receives approval, staff will acquire appraisals for both parcels and work with the NC State Property Office to proceed with the disposition of the house and lot and the acquisition of the 8-acre site.

Staff requests Commission approval to proceed with the plan outlined above.

# WRC Property Exchange Tyrrell County

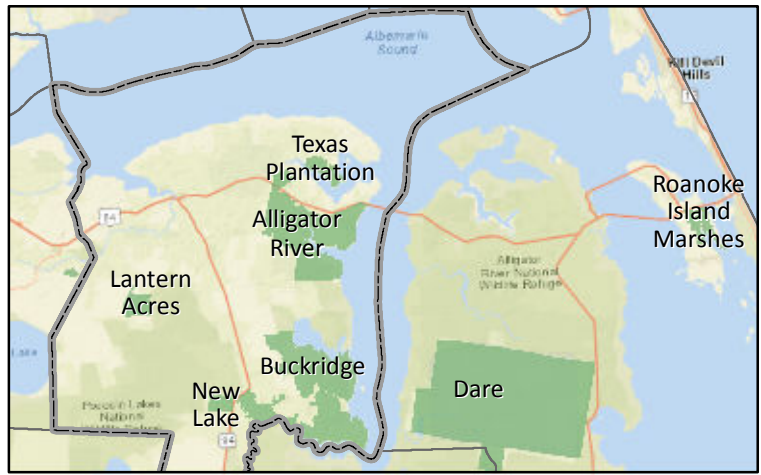
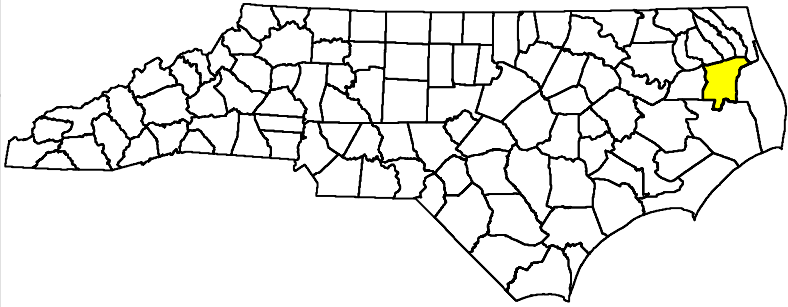


October 3, 2018





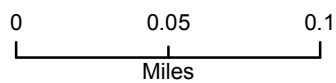
# WRC Property Exchange Tyrrell County



- Out - 1 ac.
- In - 8 ac.



October 3, 2018



# EXHIBIT G-1

October 3, 2018



## **Proposed Changes to Inland Fisheries Regulations for 2019-2020 Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings**

### **Trout**

- 1) Designate Apalachia Reservoir in Cherokee County as Public Mountain Trout Waters and classify as Special Regulation Trout Waters and establish a 3-fish daily creel limit including only one trout greater than 14 inches.

#### **Justification:**

Beginning in 2012, Commission biologists conducted a four-year experimental trout stocking at Apalachia Reservoir to evaluate its potential for put-grow-and-take trout management. Research has shown that Brown Trout stocked in the reservoir can reach large sizes (greater than 20 inches), but an angler creel revealed that 72% of the annual Brown Trout harvest occurs in the three months following stocking. This regulation proposal would improve trout fishing by reducing harvest and allowing more Brown Trout to survive and grow to larger sizes.

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 11)*

*15A NCAC 10C .0316 Trout (page 30)*

- 2) Modify the upper boundary of Delayed Harvest Trout Waters on Helton Creek in Ashe County removing approximately 1.0 mile from Public Mountain Trout Waters. The designated reach will be from the S.R. 1372 bridge to the North Fork New River.

#### **Justification:**

The upper Delayed Harvest Trout Waters reach of Helton Creek has been posted against trespass. The proposed change would more accurately reflect the portion of the stream that is stocked and accessible to the public.

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)*

- 3) Modify the upper boundary of Hatchery Supported Trout Waters on Big Laurel Creek in Madison County removing 4.7 miles from Public Mountain Trout Waters. The designated reach will be from Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of Bearpen Branch.

#### **Justification:**

The upper Hatchery Supported Trout Waters reach of Big Laurel Creek has been posted

against trespass. The proposed change would more accurately reflect the portion of the stream that is stocked and accessible to the public.

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 14)*

- 4) Modify the upper boundary of Hatchery Supported Trout Waters on Meadow Fork Creek in Madison County removing 1.0 mile from Public Mountain Trout Waters. The designated reach will be from Meadow Fork Campground to Spring Creek.

**Justification:**

The upper Hatchery Supported Trout Waters reach of Meadow Fork Creek has been posted against trespass. The proposed change would more accurately reflect the portion of the stream that is stocked and accessible to the public.

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 14)*

- 5) Modify the lower boundary of Delayed Harvest Trout Waters on East Fork French Broad River in Transylvania County removing 0.9 miles from Public Mountain Trout Waters. The designated reach will be from East Fork Baptist Church to the downstream S.R. 1107 bridge.

**Justification:**

The lower Delayed Harvest Trout Waters reach of the East Fork French Broad River has been posted against trespass. The proposed change would more accurately reflect the portion of the stream that is stocked and accessible to the public.

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 16)*

- 6) Modify the lower boundary of the upper Delayed Harvest Trout Waters section on the Watauga River in Watauga County removing approximately 0.4 miles from Public Mountain Trout Waters. The designated reach will be from the S.R. 1114 bridge to the Valle Crucis Community Park lower boundary.

**Justification:**

The lower end of the upper Delayed Harvest Trout Waters reach of the Watauga River has been posted against trespass. The proposed change would more accurately reflect the portion of the stream that is stocked and accessible to the public.

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 17)*

- 7) Clarify the upper boundary of Hatchery Supported Trout Waters on Big Hungry River in Henderson County. The designated reach is from S.R. 1885 to the Green River. This proposal will not add or remove any Public Mountain Trout Waters.

**Justification:**

This is an administrative change. In 2014, the Commission adopted a rule change that defined the boundaries of the Hatchery Supported Trout Waters reach of the Big Hungry River. The change was inadvertently removed in a subsequent reformatting of 15A NCAC 10C .0205.

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 12)*



## **Black Bass**

- 1) Remove the closed harvest season of December 1 to March 31 for black bass at Sutton Lake. The minimum size limit is 14 inches, and the daily creel limit is five fish.

### **Justification:**

Removing the closed harvest season would expand angler opportunities for black bass harvest at Sutton Lake. An angler creel survey conducted 2015-2016 found over 55% of anglers opposed the closed harvest season while only 10% of the interviewed anglers were in favor of the current closed harvest season for black bass. The creel survey also documented that less than 2% of angler-caught black bass are harvested during the open harvest season. Negative biological impacts are unlikely since most anglers practice catch-and-release.

*15A NCAC 10C .0305 Black Bass (page 23)*

- 2) Clarify that the exception to the general statewide regulation for black bass establishing a 14-inch minimum size limit with no exception in the Albemarle Sound and its tributaries applies to all associated tributaries and canals of all tributary river systems.

### **Justification:**

This is an administrative change. Some anglers have expressed confusion regarding the size and creel limits in tributary rivers. The current wording of this rule allows for ambiguity regarding the limits in waters that are tributary to the example river systems listed in the rule.

*15A NCAC 10C .0305 Black Bass (page 23)*

## **Crappie**

- 1) Remove the exception to the general statewide regulation for crappie in B. Everett Jordan Reservoir by reducing the minimum size limit from 10 inches to 8 inches. The creel limit would remain 20 fish per day.

### **Justification:**

Anglers have expressed interest in aligning the size limit for crappie at Jordan Reservoir with other fishing waters across the state. The proposed change would provide additional angling opportunity. Crappie abundance, size structure, and age structure indicate the population can support the additional harvest.

*15A NCAC 10C .0306 Crappie (page 25)*

- 2) Establish an exception to the general statewide regulation for crappie in the North Carolina portion of John H. Kerr Reservoir by implementing a 9-inch minimum size limit and a 25-fish daily creel limit.

### **Justification:**

The proposed change was requested by Virginia Department of Game and Inland Fish (VDGIF) to reduce angler harvest and improve the quality of the reservoir's crappie fishery. By agreement, VDGIF is the primary lead for fisheries management activities at

John H. Kerr Reservoir. VDGIF staff has observed high harvest rates and a reduced density of crappie.

*15A NCAC 10C .0306 Crappie (page 25)*

## **American Shad and Hickory Shad**

- 1) Modify the general statewide regulation for American Shad and Hickory Shad to establish a daily creel limit of 10 fish in combination, including no more than 1 American Shad. This proposal will not affect river systems where harvest of more than one American Shad is specifically allowed (Tar River, Cape Fear River, Pee Dee River, and their tributaries) or in select Piedmont reservoirs where no American Shad may be possessed.

### **Justification:**

The new general statewide regulation as proposed is a conservation measure limiting harvest in smaller river systems where limited American Shad data are available. The proposed change would provide consistency with shad regulations in joint and coastal fishing waters as established by the NC Division of Marine Fisheries and within the framework of the NC American Shad Sustainable Fishery Management Plan.

*15A NCAC 10C .0313 Shad (American and Hickory) (page 27)*

## **Striped Bass**

- 1) Modify the exception to the general statewide regulation for Striped Bass and their hybrids in the portion of the Dan River downstream of the dam at Union Street in Danville, VA and in the North Carolina portion of John H. Kerr Reservoir by reducing the minimum size limit from 24 to 20 inches from October 1 to May 31. The daily creel limit would remain two in combination from October 1 to May 31. From June 1 to September 30, there is no minimum size limit and a 4-fish daily creel limit.

### **Justification:**

The proposed change was requested by Virginia Department of Game and Inland Fish (VDGIF) to increase harvest opportunity of Striped Bass in the reservoir. By agreement, VDGIF is the primary lead for fisheries management activities at John H. Kerr Reservoir. VDGIF staff report few Striped Bass reach the current 24-inch minimum size limit, and biological data indicate few larger Striped Bass in the reservoir.

*15A NCAC 10C .0314 Striped Bass (page 28)*

## **Alewife and Blueback Herring**

- 1) Extend the upper boundary for the river herring (Alewife and Blueback Herring) harvest moratorium on the Neuse River upstream from Milburnie Dam, which has been removed, to Falls Lake Dam.

### **Justification:**

The moratorium on river herring applies to coastal rivers where they conduct annual spawning runs in the spring. In most mainstem coastal rivers, the first impoundment is



used as the upstream extent of the harvest moratorium. In winter of 2017, Milburnie Dam on the Neuse River was removed, and the moratorium is proposed to be extended upstream to Falls Lake Dam, the next barrier to anadromous fish migration.

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes (pages 31 and 32)*

*15A NCAC 10C .0402 Taking Nongame Fishes for Bait and Personal Consumption (page 35)*

- 2) Remove the possession restriction for river herring (Alewife and Blueback Herring) in the Little Tennessee River Basin except for waters in and upstream of Lake Santeetlah and Cedar Cliff Lake.

**Justification:**

The possession of river herring was originally prohibited in the Little Tennessee River Basin to limit their expansion to new waters. However, Blueback Herring have now been introduced in the basin and were most recently discovered in Lake Nantahala and Lake Fontana. Anglers wish to collect Blueback Herring and use them for bait in the waters where they are established and using them for bait poses no additional ecological risk.

*15A NCAC 10C .0211 Possession of Certain Fishes (page 21)*

*15A NCAC 10C .0402 Taking Nongame Fishes for Bait and Personal Consumption (page 35)*

## **Catfish**

- 1) Establish an exception to the general statewide regulation for catfish in the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries by implementing a daily creel limit of five catfish in combination.

**Justification:**

This reach of the Pee Dee River supports a popular catfish fishery, and anglers have expressed concern about overharvest, especially given the amount of habitat available varies substantially with flow from dam releases. The proposed daily creel limit for catfish would prevent excessive harvest.

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes (pages 32 and 33)*

## **Triploid Grass Carp**

- 1) Prohibit the possession or take of Grass Carp on the North Carolina portion of John H. Kerr Reservoir and Lake Norman except for scientific study by permit issued by the Wildlife Resources Commission.

**Justification:**

Triploid Grass Carp are often stocked as part of efforts to control infestations of hydrilla which is classified as a state and federal noxious weed. Hydrilla eradication efforts including the stocking of triploid Grass Carp have been initiated at John H. Kerr Reservoir and Lake Norman. The U.S. Army Corps of Engineers and the Lake Norman Marine Commission have requested the proposed change. Eliminating harvest will help maintain these Grass Carp populations stocked to consume hydrilla.

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes (page 33)*

## Nongame Fishes

- 1) Clarify that the restriction on altering the appearance of nongame fishes subject to a size and/or creel limit such that the fish cannot be identified, measured, or counted applies only to species and associated locations with specific size and/or creel limits.

### **Justification:**

The restriction on altering the appearance of nongame fishes subject to a size and/or creel limit was intended to apply to the species with specific size and creel limits (freshwater mussels, Blue Crab, river herring in coastal rivers, catfish, American eels, Grass Carp, and Gray Trout). There was confusion among anglers as to when the restriction applied and if it impacted the use of cut bait. The proposed change would clarify the species to which the restriction applies.

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes (page 33)*

*15A NCAC 10C .0402 Taking Nongame Fishes for Bait and Personal Consumption (page 35)*

## Equipment

- 1) Extend the upper boundary for the use of bow nets as a special device on the Neuse River upstream from Milburnie Dam, which has been removed, to Falls Lake Dam.

### **Justification:**

Bow nets have been traditionally used to take shad, and by current rule, the open season for bow nets in Wake County on the Neuse River downstream of Milburnie Dam is March 1 to April 30. In winter of 2017, Milburnie Dam was removed, and the use of bow nets is proposed to be extended upstream to Falls Lake Dam, the next barrier to anadromous fish migration.

*15A NCAC 10C .0407 Permitted Special Devices and Open Seasons (page 44)*

- 2) Limit the use of archery equipment on Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries for the take of catfish only.

### **Justification:**

Robust Redhorse is a rare, large native fish found in this reach of the Pee Dee River. It is classified as state endangered and has been petitioned for listing under the federal Endangered Species Act. The Pee Dee River population of Robust Redhorse is estimated to have less than 50 adults. Bowfishers have been observed harvesting large numbers of Smallmouth Buffalo, Common Carp, and other large-bodied nongame fishes from this reach of the Pee Dee River. The proposed change would help protect Robust Redhorse from being mistakenly taken with archery equipment.

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes (page 32)*

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

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

- (1) "Natural bait" means 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.
- (2) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell.
- (3) "Youth anglers" are individuals under 18 years of age.

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

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

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

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

(1) Alleghany

(A) Delayed Harvest Trout Waters are as follows:

Little River (S.R. 1133 bridge to 275 yards downstream of the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank])

(B) Hatchery Supported Trout Waters are as follows:

Big Pine Creek

Bledsoe Creek

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

Cranberry Creek

(Big) Glade Creek

Little River (275 yards downstream from the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank] to McCann Dam)

Meadow Fork

Pine Swamp Creek

Piney Fork

Prathers Creek

(C) Wild Trout Waters are as follows:

All waters located on Stone Mountain State Park

(2) Ashe County

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

Big Horse Creek (Virginia state line to Mud Creek at S.R. 1363, excluding tributaries)

(B) Delayed Harvest Trout Waters are as follows:

Big Horse Creek (S.R. 1324 bridge to North Fork New River)

Helton Creek (~~Virginia State line~~ (SR 1372 bridge to North Fork New River)

South Fork New River (upstream end of Todd Island to the SR 1351 bridge)

Trout Lake

(C) Hatchery Supported Trout Waters are as follows:

Beaver Creek (N.C. 221 to confluence of Beaver Creek and South Beaver Creek)

Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)

Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)

Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)

Cranberry Creek (Alleghany Co. line to South Fork New River)

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

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

1 Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)

2 Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted

3 against trespassing)

4 Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)

5 (C) Wild Trout Waters are as follows:

6 Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)

7 Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)

8 Rockhouse Creek

9 (7) Cherokee County

10 (A) Hatchery Supported Trout Waters are as follows:

11 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)

12 Hyatt Creek (Big Dam Branch to Valley River)

13 Junaluska Creek (Ashturn Creek to Valley River)

14 Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)

15 Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)

16 (B) Special Regulation Trout Waters are as follows:

17 Apalachia Reservoir

18 ~~(B)~~(C) Wild Trout Waters/Natural Bait are as follows:

19 Bald Creek (game land portion)

20 Dockery Creek (game land portion)

21 North Shoal Creek (game land portion)

22 (8) Clay County

23 (A) Delayed Harvest Trout Waters are as follows:

24 Fires Creek (USFS Rd. 340A to the foot bridge in the USFS Fires Creek Picnic Area)

25 (B) Hatchery Supported Trout Waters are as follows:

26 Buck Creek (game land portion downstream of U.S. 64 bridge)

27 Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)

28 Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)

29 (9) Graham County

30 (A) Delayed Harvest Trout Waters are as follows:

31 (Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)

32 (B) Hatchery Supported Trout Waters are as follows:

33 Calderwood Reservoir (Cheoah Dam to Tennessee state line)

34 Cheoah Reservoir

35 Panther Creek (confluence of Stand Creek and Rock Creek to Lake Fontana)

36 Santeetlah Creek (Johns Branch to Lake Santeetlah)

37 (Big) Snowbird Creek (USFS Road 2579 to S.R. 1127 bridge)

38 Stecoah Creek (upper game land boundary to Lake Fontana)

- 1 Tulula Creek (S.R. 1201 to lower bridge on S.R. 1275)
- 2 West Buffalo Creek
- 3 Yellow Creek (Lake Santeetlah hydropower pipeline to Cheoah River)
- 4 (C) Wild Trout Waters are as follows:
- 5 Little Buffalo Creek
- 6 South Fork Squally Creek
- 7 Squally Creek
- 8 (D) Wild Trout Waters/Natural Bait are as follows:
- 9 Deep Creek
- 10 Franks Creek
- 11 Long Creek (game land portion)
- 12 (10) Haywood County
- 13 (A) Delayed Harvest Trout Waters are as follows:
- 14 West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake
- 15 Logan)
- 16 (B) Hatchery Supported Trout Waters are as follows:
- 17 Cold Springs Creek (Fall Branch to Pigeon River)
- 18 Jonathan Creek (upstream S.R. 1302 bridge to Pigeon River, except where posted against
- 19 trespassing)
- 20 Pigeon River (Stamey Cove Branch to upstream U.S. 19-23 bridge)
- 21 Richland Creek (Russ Avenue [U.S. 276] bridge to U.S. 19 bridge)
- 22 West Fork Pigeon River (Tom Creek to Queen Creek, including portions on game lands,
- 23 except Middle Prong)
- 24 (C) Wild Trout Waters/Natural Bait are as follows:
- 25 Hemphill Creek
- 26 Hurricane Creek
- 27 (11) Henderson County
- 28 (A) Delayed Harvest Trout Waters are as follows:
- 29 North Fork Mills River (game land portion below the Hendersonville watershed dam)
- 30 (B) Hatchery Supported Trout Waters are as follows:
- 31 (Rocky) Broad River (end of S.R. 1611 to Rutherford County line)
- 32 Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)
- 33 Clear Creek (Laurel Fork to S.R. 1582)
- 34 Green River (Lake Summit powerhouse to game land boundary)
- 35 (Big) Hungry River (S.R. 1885 to Green River)
- 36 (12) Jackson County
- 37 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 38 Flat Creek



- 1 Tuckasegee River (upstream from the Clark property)
- 2 (B) Delayed Harvest Trout Waters are as follows:
- 3 Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream
- 4 of the U.S. 23-441 bridge [marked by a sign on each bank])
- 5 (C) Hatchery Supported Trout Waters are as follows:
- 6 Balsam Lake
- 7 Bear Creek Lake
- 8 Cedar Cliff Lake
- 9 Cullowhee Creek (Tilley Creek to Tuckasegee River)
- 10 Dark Ridge Creek (Jones Creek to Scott Creek)
- 11 Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)
- 12 Savannah Creek (Shell Branch to Cagle Branch)
- 13 Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against
- 14 trespassing)
- 15 Tanasee Creek Lake
- 16 Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)
- 17 Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge
- 18 [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)
- 19 Wolf Creek Lake
- 20 (D) Wild Trout Waters are as follows:
- 21 Gage Creek
- 22 North Fork Scott Creek
- 23 Tanasee Creek
- 24 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
- 25 Wolf Creek (except Balsam Lake and Wolf Creek Lake)
- 26 (E) Wild Trout Waters/Natural Bait are as follows:
- 27 Buff Creek
- 28 Chattooga River (S.R. 1100 bridge to the South Carolina state line)
- 29 Lower Fowler Creek (game land portion)
- 30 Scotsman Creek (game land portion)
- 31 (13) Macon County
- 32 (A) Delayed Harvest Trout Waters are as follows:
- 33 Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- 34 (B) Hatchery Supported Trout Waters are as follows:
- 35 Burningtown Creek (Left Prong to Little Tennessee River)
- 36 Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
- 37 Cliffside Lake
- 38 Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)

- 1 Nantahala River — upper (Dicks Creek to Whiteoak Creek)
- 2 Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
- 3 Queens Creek Lake
- 4 (C) Wild Trout Waters/Natural Bait are as follows:
- 5 Chattooga River (S.R. 1100 bridge to South Carolina state line)
- 6 Jarrett Creek (game land portion)
- 7 Kimsey Creek
- 8 Overflow Creek (game land portion)
- 9 Park Creek
- 10 Tellico Creek (game land portion)
- 11 Turtle Pond Creek (game land portion)
- 12 (14) Madison County
- 13 (A) Delayed Harvest Trout Waters are as follows:
- 14 Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)
- 15 Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)
- 16 Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews
- 17 Ave.)
- 18 (B) Hatchery Supported Trout Waters are as follows:
- 19 Big Laurel Creek (~~Mars Hill watershed boundary~~ Puncheon Fork to the S.R. 1318 [Big
- 20 Laurel Rd.] bridge downstream of Bearpen Branch)
- 21 Big Pine Creek (S.R. 1151 bridge to French Broad River)
- 22 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence
- 23 with Ivy Creek at Forks of Ivy)
- 24 Max Patch Pond
- 25 Meadow Fork Creek (~~S.R. 1165~~ Meadow Fork Campground to Spring Creek)
- 26 Puncheon Fork (Hampton Creek to Big Laurel Creek)
- 27 Roaring Fork (Fall Branch to Meadow Fork)
- 28 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at
- 29 Belva)
- 30 Shut-in Creek
- 31 Spillcorn Creek
- 32 Spring Creek (junction of N.C. 209 and N.C. 63 to USFS Rd. 223)
- 33 West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-
- 34 in Creek)
- 35 (C) Wild Trout Waters/Natural Bait are as follows:
- 36 Big Creek (headwaters to the lower game land boundary)
- 37 (15) McDowell County
- 38 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:

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

- (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted against trespassing)
- (19) Stokes County
- (A) Hatchery Supported Trout Waters are as follows:
- Dan River (Virginia state line downstream to a point 200 yards below the end of S.R. 1421)
- (20) Surry County
- (A) Delayed Harvest Trout Waters are as follows:
- Ararat River (portion adjacent to the Ararat River Greenway)
- Mitchell River (.6 mile upstream of the end of S.R. 1333 to the S.R. 1330 bridge below Kapps Mill Dam)
- (B) Hatchery Supported Trout Waters are as follows:
- Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)
- Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards downstream of N.C. 268 [marked by a sign on each bank])
- Fisher River (Cooper Creek) (Virginia state line to I-77 bridge)
- Little Fisher River (Virginia state line to N.C. 89 bridge)
- Lovills Creek (U.S. 52 Business bridge to Ararat River)
- Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- (21) Swain County
- (A) Delayed Harvest Waters Trout Waters are as follows:
- Tuckasegee River (U.S. 19 bridge to Slope Street bridge)
- (B) Hatchery Supported Trout Waters are as follows:
- Alarka Creek (game land boundary to Fontana Reservoir)
- Calderwood Reservoir (Cheoah Dam to Tennessee state line)
- Cheoah Reservoir
- Connelly Creek (Camp Branch to Tuckasegee River)
- Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)
- Nantahala River (Macon Co. line to existing Fontana Lake water level)
- (22) Transylvania County
- (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
- Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek and Grogan Creek)
- (B) Delayed Harvest ~~Waters~~ Trout Waters are as follows:
- East Fork French Broad River (East Fork Baptist Church to ~~French Broad River~~ the downstream S.R. 1107 bridge)
- Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)
- (C) Hatchery Supported Trout Waters are as follows:

- Davidson River (Avery Creek to lower USFS boundary)
- French Broad River (confluence of North Fork French Broad River and West Fork) French Broad River to the Island Ford Rd. [S.R. 1110] Access Area
- Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)
- West Fork French Broad River (Camp Cove Branch to confluence with North Fork French Broad River)
- (D) Wild Trout Waters are as follows:
  - All waters located on Gorges State Park
  - Whitewater River (downstream from Silver Run Creek to South Carolina state line)
- (E) Wild Trout Waters/Natural Bait are as follows:
  - North Fork French Broad River (game land portion downstream of S.R. 1326)
  - Thompson River (S.R. 1152 to South Carolina state line, except where posted against trespassing)
- (23) Watauga County
  - (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
    - Laurel Creek (confluence of North and South Fork Laurel creeks to Elk Creek, excluding tributaries)
    - Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to Coffee Lake)
  - (B) Delayed Harvest Trout Waters are as follows:
    - Lake Coffey
    - Watauga River (adjacent to intersection of S.R. 1557 and S.R. 1558 to N.C. 105 bridge and S.R. 1114 bridge to ~~N.C. 194 bridge at the Valle Crucis~~ Crucis Community Park lower boundary)
  - (C) Hatchery Supported Trout Waters are as follows:
    - Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)
    - Beech Creek
    - Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
    - Buckeye Creek Reservoir
    - Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1214 bridge at Sherwood)
    - Dutch Creek (second bridge on S.R. 1134 to mouth)
    - Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against trespassing)
    - Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)
    - Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)
    - Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 to South Fork New River)

1 Norris Fork Creek

2 South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower

3 boundary of Brookshire Park)

4 Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co.line)

5 (D) Wild Trout Waters are as follows:

6 Dutch Creek (headwaters to second bridge on S.R. 1134)

7 Howard Creek

8 Maine Branch (headwaters to North Fork New River)

9 North Fork New River (from confluence with Maine and Mine branches to Ashe Co.

10 line)

11 Watauga River (Avery Co. line to S.R. 1580 bridge)

12 Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)

13 (24) Wilkes County

14 (A) Delayed Harvest Trout Waters are as follows:

15 East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park

16 lower boundary)

17 Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain

18 Club)

19 Elk Creek — lower (portion on Leatherwood Mountains development)

20 Reddies River (Town of North Wilkesboro water intake dam to confluence with the

21 Yadkin River)

22 Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong

23 Roaring River and Bullhead Creek)

24 (B) Hatchery Supported Trout Waters are as follows:

25 Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)

26 Bell Branch Pond

27 Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)

28 Darnell Creek (North Prong Reddies River) (downstream ford on S.R. 1569 to confluence

29 with North Fork Reddies River)

30 East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)

31 Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where

32 posted against trespassing)

33 Middle Fork Reddies River (Clear Prong) (headwaters to bridge on S.R. 1580)

34 Middle Prong Roaring River (headwaters to bridge on S.R. 1736)

35 North Fork Reddies River (Vannoy Creek) (headwaters to Union School bridge on S.R.

36 1559)

37 Pike Creek

38 Pike Creek Pond

South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies River)

South Prong Lewis Fork (Fall Creek to S.R. 1155 bridge)

(C) Wild Trout Waters are as follows:

All waters located on Stone Mountain State Park, except East Prong Roaring River from Bullhead Creek downstream to the Stone Mountain State Park lower boundary where Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply

(25) Yancey County

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

South Toe River (headwaters to Upper Creek)

Upper Creek

(B) Delayed Harvest Trout Waters are as follows:

Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)

(C) Hatchery Supported Trout Waters are as follows:

Bald Mountain Creek (except where posted against trespassing)

Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)

Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)

South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park, except where posted against trespassing)

(D) Wild Trout Waters are as follows:

Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)

Lickskillet Creek

Middle Creek (game land boundary to mouth)

*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);*

1                    *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*  
2                    *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*  
3                    *1, 2007; May 1, 2006; June 1, 2005.*



1 **15A NCAC 10C .0211 POSSESSION OF CERTAIN FISHES**

2 (a) It ~~is~~ shall be unlawful to transport, purchase, possess, sell or stock in the public or private waters of North Carolina  
3 any live individuals of:

- 4 (1) ~~piranha, piranha;~~  
5 (2) "walking catfish" (Clarias ~~batrachus~~), batrachus);  
6 (3) snakehead fish (from the Family Channidae, formerly ~~Ophiocephalidae~~), Ophiocephalidae);  
7 (4) black carp (Mylopharyngodon ~~piceus~~), piceus);  
8 (5) bighead carp (Hypophthalmichthys ~~nobilis~~), nobilis);  
9 (6) silver carp (Hypophthalmichthys ~~molitrix~~), molitrix);  
10 (7) rudd (Scardinius ~~erythrothalamus~~), erythrothalamus);  
11 (8) round goby (Neogobius ~~melanostomus~~), melanostomus);  
12 (9) tubenose goby (Proterorhinus ~~marmoratus~~), marmoratus);  
13 (10) ruffe (Gymnocephalus ~~cernuus~~), cernuus);  
14 (11) Japanese mysterysnail (Cipangopaludina ~~japonica~~), japonica);  
15 (12) Chinese mysterysnail (Cipangopaludina chinensis ~~malleata~~), malleata);  
16 (13) red-rim melania (Melanoides ~~tuberculatus~~), tuberculatus);  
17 (14) virile crayfish (Orconectes (Gremicambarus) ~~virilis~~), virilis);  
18 (15) rusty crayfish (Orconectes (Procericambarus) ~~rusticus~~), rusticus);  
19 (16) Australian red claw crayfish or "red claw" (Cherax quadricarinatus, or other species of "giant"  
20 crayfish species in the genus ~~Cherax~~), Cherax);  
21 (17) white amur or "grass carp" (Ctenopharyngodon ~~idella~~), idella);  
22 (18) swamp or "rice" eel (Monopterus ~~albus~~), albus);  
23 (19) red shiner (Cyprinella ~~lutrensis~~), lutrensis);  
24 (20) zebra mussel (Dreissena ~~polymorpha~~) polymorpha); or  
25 (21) quagga mussel (Dreissena rostriformis bugensis) or any mussel in the family Dreissenidae.

26 (b) A person may buy, ~~possess~~ possess, or stock ~~triploid grass carp~~ triploid grass carp, which have been certified to be triploid or  
27 sterile, only for the purpose of controlling aquatic vegetation under a permit issued by the Executive Director or his  
28 or her designee ~~when the director determines that conditions of such possession or stocking provide minimal~~  
29 probability of escape based on an evaluation of the potential for escapement and threat to sensitive aquatic ~~habitat and~~  
30 that the carp is certified to be sterile by genetic testing at a federal, state, or university laboratory ~~habitats~~.

31 (c) It shall be unlawful to transport, possess, or release live river herring, also known as alewife or blueback herring,  
32 in the waters of the Little Tennessee River in and upstream of Lake Santeetlah and Cedar Cliff Lake, including all the  
33 tributaries and impoundments thereof, and on adjacent shorelines, docks, access ramps, and bridge crossings.

34  
35 *History Note:* Authority G.S. 113-134; 113-274(c)(1c); 113-292;  
36 Eff. February 1, 1976;  
37 Amended Eff. September 1, 1984;  
38 Temporary Amendment Eff. July 1, 2001;

- 1                    *Amended Eff. July 18, 2002;*
- 2                    *Temporary Amendment Eff. September 1, 2002;*
- 3                    *Amended Eff. August 1, 2013; August 1, 2011; June 1, 2009, June 1, 2005; August 1, 2004.*

**15A NCAC 10C .0305 BLACK BASS**

(a) The daily creel limit for Largemouth, Smallmouth, and Spotted Bass — collectively known as Black Bass - is five fish, except in waters identified in Paragraphs (b), (c), (d), and ~~(n)(m)~~ of this Rule. There is no minimum size limit for these fish, but only two of them may be less than 14 inches except in waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), ~~(m)~~, and ~~(n)~~ and (m) of this Rule. There is no closed season, except for waters identified in ~~Paragraphs~~ Paragraph (4) and (n)(m) of this Rule.

(b) 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.

(c) In Lake Santeetlah in Graham County, there is no daily creel limit for Black Bass less than 14 inches. The daily creel limit for Black Bass greater than 14 inches is five fish.

(d) In Lake Chatuge in Clay County, the daily creel limit for Black Bass is 10 fish, the minimum size limit for Largemouth Bass is 12 inches, and there is no minimum size limit for Smallmouth Bass and Spotted Bass.

(e) The minimum size limit for Black Bass is 14 inches in the following:

(1) Lake Raleigh in Wake County;

(2) Lake Sutton in New Hanover County;

~~(2)(3)~~ Pungo Lake in Washington and Hyde counties;

~~(3)(4)~~ New Lake in Hyde County; and

~~(4)(5)~~ Currituck, Roanoke, Croatan, Albemarle sounds, and all their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Chowan River, Meherrin River, Yeopim River, Pasquotank River, Perquimans River, Little River, Big Flatty Creek, North River, Northwest River, Scuppernong River, ~~and~~ Alligator River (including the Alligator/Pungo Canal east of the NC Hwy 264/45 ~~bridge~~ bridge), and all other associated tributaries and canals in these river systems.

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

(g) In Lake Phelps in Tyrrell and Washington counties, the minimum size limit is 14 inches, and no fish between 16 and 20 inches may be possessed.

(h) In Shearon Harris Reservoir and Lake Hampton in Yadkin County, there is no minimum size limit for Black Bass, but only two Black Bass less than 14 inches and no Black Bass between 16 and 20 inches may be possessed.

(i) In Randleman Reservoir, there is no minimum size limit for Largemouth Bass, but only two Largemouth Bass less than 14 inches and only one Largemouth Bass greater than 20 inches may be possessed.

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

(k) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is no minimum size limit for Black Bass, but no fish between 14 and 22 inches in length may be possessed and only one Black Bass greater than 22 inches may be possessed.

~~(l) In Sutton Lake, the minimum size limit for Black Bass is 14 inches and no Black Bass may be possessed from December 1 through March 31.~~

~~(m)(1)~~ In Lake Mattamuskeet and associated canals in Hyde County, the minimum size limit for Largemouth Bass is 16 inches and only one Largemouth Bass greater than 20 inches may be possessed.

1 ~~(n)(m)~~ In Jean Guite Creek and associated canals within the Town of Southern Shores, Dare County, no Black Bass  
2 may be possessed.

3 ~~(n)~~ For purposes of this Rule, creel limits apply to Largemouth, Smallmouth, and Spotted Bass in aggregate unless  
4 otherwise specified.

5  
6 *History Note: Authority G.S. 113-134; 113-292; ~~113-304; 113-305;~~*  
7 *Eff. February 1, 1976;*  
8 *Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;*  
9 *Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;*  
10 *Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;*  
11 *Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;*  
12 *Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule*  
13 *becomes effective, whichever is sooner;*  
14 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;*  
15 *Temporary Amendment Eff. November 1, 1998;*  
16 *Amended Eff. April 1, 1999;*  
17 *Temporary Amendment Eff. July 1, 1999;*  
18 *Amended Eff. July 1, 2000;*  
19 *Temporary Amendment Eff. July 1, 2001;*  
20 *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*  
21 *amendment effective July 1, 2002 and approved by RRC in May 2001];*  
22 *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*  
23 *Temporary Amendment Eff. June 1, 2003;*  
24 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*  
25 *2003);*  
26 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012;*  
27 *March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,*  
28 *2007; May 1, 2006; June 1, 2005.*

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

(a) There is no daily creel limit for Crappie, except for waters identified in Paragraphs (b), (c), (d), ~~and (e)~~, and (f) of this Rule. There is no minimum size limit for these fish, except for waters identified in Paragraphs ~~(d) and (e)~~, (d), (e), and (f). There is no closed season.

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

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

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

~~(1) B. Everett Jordan Reservoir;~~

~~(2)~~(1) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

~~(3)~~(2) Cashie River and its tributaries;

~~(4)~~(3) Middle River and its tributaries;

~~(5)~~(4) Eastmost River and its tributaries; and

~~(6)~~(5) Lake Mattamuskeet and associated canals in Hyde County.

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

(1) Pee Dee River from Blewett Falls Dam to the South Carolina state line;

(2) Badin Lake;

(3) Falls Lake (Stanly and Montgomery counties);

(4) Lake Tillery;

(5) Blewett Falls Lake;

(6) Lake Norman;

(7) Lake Hyco;

(8) Lake Ramseur;

(9) Cane Creek Lake;

(10) Lake Hampton (Yadkin County);

(11) B. Everett Jordan Reservoir;

~~(12)~~(12) Tar River downstream of Tar River Reservoir ~~Dam;~~ Dam and all tributaries;

~~(13)~~(13) Neuse River downstream of Falls Lake ~~Dam;~~ Dam and all tributaries;

~~(14)~~(14) Haw River downstream of Jordan Lake ~~Dam;~~ Dam and all tributaries;

~~(15)~~(15) Deep River downstream of Lockville ~~Dam;~~ Dam and all tributaries;

~~(16)~~(16) Cape Fear ~~River;~~ River and all tributaries;

~~(17)~~(17) Waccamaw River downstream of Lake Waccamaw ~~Dam;~~ Dam and all tributaries;

~~(18)~~(18) Lumber River including Drowning ~~Creek;~~ Creek and all tributaries;

~~(19)~~(19) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and waters listed in Paragraph (d) of this Rule; and

~~(20)~~(20) all public waters west of Interstate 77, except Lake Chatuge.

~~For waters in Subparagraphs (11) through (19), the restrictions apply to all tributaries.~~

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

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

- 1                   *Eff. November 1, 2013;*
- 2                   *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015.*

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

(a) The daily creel limit for American and Hickory Shad in the aggregate is 10 fish, only one of which may be an American Shad, except for waters identified in Paragraphs (b), (c) and (d) of this Rule. There is no minimum size limit for these fish. There is no closed season, except for waters identified in Paragraph (e) of this Rule.

(b) In the inland waters of ~~Roanoke River, Neuse River,~~ the Tar-Pamlico River, Pungo River, Pee Dee River, and their tributaries, the daily creel limit for American and Hickory Shad is 10 in the ~~aggregate, only one of which may be an American Shad.~~ aggregate.

(c) In the inland waters of the Cape Fear River and its tributaries, the daily creel limit for American and Hickory Shad is 10 in the aggregate, only five of which may be American Shad.

(d) In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American Shad may be possessed.

(e) The season for taking American and Hickory Shad with bow nets is March 1 through April 30.

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

*Eff. November 1, 2013.*

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

(a) The daily creel limit for Striped Bass and its hybrids is four fish in the aggregate, except in waters identified in Paragraphs (b), (e), (f), (g), (h), (i), and (j) of this Rule. The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule. There is no closed season, except for waters identified in Paragraphs (g), (h), (i), (j), and (k) of this Rule.

(b) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the daily creel limit on Striped Bass and its hybrids is two in the aggregate and the minimum size limit is ~~24~~ 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on Striped Bass and its hybrids is four in the aggregate with no minimum size limit.

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

(d) In Lake Norman, Arrowhead Lake (Anson Co.), High Rock Pond (Caswell Co.), Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for Striped Bass and its hybrids is 16 inches.

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

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

(g) 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 not specified in Paragraphs (f), (h), (i), and (j) of this Rule, the daily creel limit for Striped Bass and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through September 30.

(h) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam, the season for taking and possessing Striped Bass is closed year-round.

(i) In the inland and joint fishing waters ~~as identified in 15A NCAC 10C .0107(1)(e)~~ of the Roanoke River Striped Bass Management Area, as established in 15A NCAC 10C .0110 and identified in 15A NCAC 10C .0110, which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing Striped Bass and its 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 its hybrids is two fish in the aggregate, and the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be possessed in the daily creel limit. Only one fish larger than 27 inches may be possessed in the daily creel limit.

(j) 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), the Striped Bass fishing season, size limits, and creel limits are the same as those established



1 by rules or proclamations of the Marine Fisheries Commission in adjacent joint or coastal fishing waters.

2 (k) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend, or extend the hook-and-  
3 line season for Striped Bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate  
4 the provisions of any proclamation issued under this authority.

5  
6 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

7 *Eff. November 1, 2013;*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Eff. November 1, 2013;*

*Amended Eff. August 1, 2018; August 1, 2017; August 1, 2015.*

**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 grabblingline, grabbling, or special device~~ with a special device fishing license.

(b) Nongame fishes may be taken by hook and ~~line or grabblingline, grabbling, or special device~~ with a special device fishing license at any time without restriction as to size limits or creel limits, ~~with the following exceptions: limits,~~ except as designated in this Rule.

(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) ~~While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and blueback) that are greater than six inches in length, or possess such herring regardless of origin in:~~

(A) ~~Roanoke River downstream of Roanoke Rapids Dam;~~

(B) ~~Tar River downstream of Rocky Mount Mill Dam;~~

(C) ~~Neuse River downstream of Milburnie Dam;~~

(D) ~~Cape Fear River downstream of Buckhorn Dam;~~

(E) ~~Pee Dee River downstream of Blewett Falls Dam;~~

(F) ~~Lumber River including Drowning Creek;~~

(G) ~~all the tributaries to the rivers listed above; and~~

(H) ~~all other inland fishing waters east of I 95.~~

(3) ~~Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman, Mountain Island Reservoir, Lake Wylie, and John H. Kerr Reservoir, except that one fish per day may be taken with archery equipment.~~

(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) ~~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.~~

(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. Trout seasons are designated in 15A NCAC 10C .0316.~~

(c) ~~Nongame fishes taken by hook and line, grabbling, or by licensed special devices may be sold, with the following exceptions:~~

(1) ~~alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties);~~

(2) ~~blue crab; and~~

(3) ~~bowfin.~~

(c) Special devices may only be used to take nongame fishes with a special device fishing license in those counties

1 and waters with open season designated in 15A NCAC 10C .0407.

2 (d) Archery equipment may only be used for the take of catfish on Pee Dee River downstream of Blewett Falls Dam  
3 to the South Carolina state line and all tributaries.

4 (e) Set hooks, jug hooks, and trotlines may be used to take nongame fishes as designated in 15A NCAC 10C .0206.

5 (f) The season for taking nongame fishes by hook and line in designated public mountain trout waters is the same as  
6 the trout fishing season. Trout seasons are designated in 15A NCAC 10C .0316.

7 ~~(d)~~(g) Freshwater mussels, including the Asiatic clam (*Corbicula fluminea*), may be taken only from impounded  
8 waters, except mussels shall not be taken ~~in~~ in:

9 (1) Lake Waccamaw in Columbus ~~County~~, County; and ~~in~~

10 (2) University Lake in Orange County.

11 The daily possession limit for freshwater mussels is 200 in the aggregate, except there is no daily possession limit for  
12 the Asiatic clam (*Corbicula fluminea*).

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

15 (i) While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and  
16 blueback herring) that are greater than six inches in length, or possess such herring regardless of origin in:

17 (1) Roanoke River downstream of Roanoke Rapids Dam;

18 (2) Tar River downstream of Rocky Mount Mill Dam;

19 (3) Neuse River downstream of Falls Lake Dam;

20 (4) Cape Fear River downstream of Buckhorn Dam;

21 (5) Pee Dee River downstream of Blewett Falls Dam;

22 (6) Lumber River, including Drowning Creek;

23 (7) all the tributaries to the rivers listed above; and

24 (8) all other inland fishing waters east of I-95.

25 ~~(e)~~(j) In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property,  
26 or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take  
27 channel, white, or blue catfish by means other than hook and line; the daily creel limit is six catfish in aggregate.  
28 Waters where this creel limit applies shall be posted on-site with signs indicating the creel limit.

29 ~~(f)~~(k) The daily creel limit for blue catfish greater than 32 inches is one fish in the following reservoirs:

30 (1) Lake Norman;

31 (2) Mountain Island Lake;

32 (3) Lake Wylie;

33 (4) Badin Lake;

34 (5) Lake Tillery;

35 (6) John H. Kerr Reservoir (North Carolina portion);

36 (7) Lake Gaston (North Carolina portion); and

37 (8) Roanoke Rapids Reservoir.

38 (l) The daily creel limit is five catfish in aggregate on the Pee Dee River downstream of Blewett Falls Dam to the

South Carolina state line and all tributaries.

~~(g)(m)~~ The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing in inland fishing waters is 25, and the minimum size limit is 9 inches.

(n) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Mountain Island Reservoir, and Lake Wylie, except that one fish per day may be taken with archery equipment.

(o) Grass carp shall not be taken or possessed on Lake Norman and the North Carolina portion of John H. Kerr Reservoir, except for scientific study by permit issued by the Wildlife Resources Commission.

(p) 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.

~~(h)(q)~~ No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish specified in Paragraphs (h), (i), (k), (m), and (p) of this Rule having a size limit so as to render it ~~impracticable~~ impractical to measure its total original length. No person while fishing shall change the appearance of any nongame fish specified in Paragraphs (g), (h), (j), (k), (l), (m), (n), (o), and (p) of this Rule having a daily creel limit so as to obscure its identification or render it ~~impracticable~~ impractical to count the number of fish in possession.

(r) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license may be sold, with the following exceptions:

- (1) alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties);
- (2) blue crab; and
- (3) bowfin.

*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, 2018; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013;*

*August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1,*

*2006; June 1, 2005*

1 **15A NCAC 10C .0402 TAKING NONGAME FISHES FOR BAIT OR PERSONAL CONSUMPTION**

2  
3 (a) It is unlawful to take nongame fish for bait or personal consumption in the inland waters of North Carolina using  
4 equipment other than:

- 5 (1) a net of dip net design not greater than six feet across;
- 6 (2) a seine of not greater than 12 feet in length (except in Lake Waccamaw in Columbus County where  
7 there is no length limitation) and with a bar mesh measure of not more than one-fourth inch;
- 8 (3) a cast net;
- 9 (4) a bow net for the seasons and waters in which the use of bow nets is authorized in 15A NCAC 10C  
10 .0407;
- 11 (5) a dip net when used in conjunction with a licensed hand-crank electrofisher;
- 12 (6) a gig (except in Public Mountain Trout Waters);
- 13 (7) up to three traps for the seasons and waters in which the use of traps is authorized in 15A NCAC  
14 10C .0407;
- 15 (8) up to two eel pots;
- 16 (9) a spear gun for the seasons and waters in which the use of a spear gun is authorized in 15A NCAC  
17 10C .0407;
- 18 (10) minnow traps not exceeding 12 inches in diameter and 24 inches in length, with funnel openings not  
19 exceeding one inch in diameter, from which all fish and animals are removed daily, and that are  
20 labeled with the user's Wildlife Resources Commission customer number or name and address;
- 21 (11) a hand-held line with a single bait attached;
- 22 (12) a single, multiple-bait line for taking crabs not to exceed 100 feet in length, marked on each end  
23 with a solid float no less than five inches in diameter, bearing legible and indelible identification of  
24 the user's name and address, and under the immediate control and attendance of the person using  
25 the device, with a limit of one line per person and no more than one line per vessel; or
- 26 (13) a collapsible crab trap with the largest open dimension not greater than 18 inches and that by design  
27 is collapsed at all times when in the water, except when it is being retrieved or lowered to the bottom,  
28 with a limit of one trap per person.

29 (b) The use of equipment under this Rule requires a valid license that provides basic inland fishing privileges.

30 (c) It is unlawful to sell nongame fishes or aquatic animals taken under this Rule.

31 (d) Game fishes taken ~~while netting for bait~~ shall be returned unharmed to the water, except white perch may be taken  
32 when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all impounded  
33 waters west of I-95 and in the Tar River Reservoir (Nash County).

34 (e) No person shall take or possess during one day more than 200 nongame fish in aggregate for bait or personal  
35 consumption subject to the ~~following restrictions:~~ size and creel limits identified in 15A NCAC 10C .0401.

- 36 ~~(1) No more than 25 eels, none of which may be less than 9 inches in length, shall be taken from or~~  
37 ~~possessed, regardless of origin, while boating on or fishing in inland fishing waters;~~
- 38 ~~(2) While boating on or fishing in the following inland fishing waters, no river herring (alewife and~~

- blueback) that are ~~greater than six inches in total length shall be taken, and no such river herring shall be possessed regardless of origin:~~
- (A) ~~Roanoke River downstream of Roanoke Rapids Dam;~~  
(B) ~~Tar River downstream of Rocky Mount Mill Dam;~~  
(C) ~~Neuse River downstream of Milburnie Dam;~~  
(D) ~~Cape Fear River downstream of Buckhorn Dam;~~  
(E) ~~Pee Dee River downstream of Blewett Falls Dam;~~  
(F) ~~Lumber River including Drowning Creek;~~  
(G) ~~the tributaries to the rivers listed above; and~~  
(H) ~~all other inland fishing waters east of Interstate 95.~~
- (3) ~~No more than 50 crabs per person per day or 100 per vessel per day with a minimum carapace width of five inches (point to point) shall be taken.~~
- (f) Any fishes taken for bait purposes are included within the daily possession limit for that species.
- (g) It is unlawful to take nongame fish for bait ~~or any other fish bait~~ from the following waters:
- (1) Public Mountain Trout Waters (except in impounded waters of power reservoirs and municipally-owned water supply reservoirs);
  - (2) Bear Creek in Chatham County;
  - (3) Deep River in Chatham, Lee, and Moore counties and downstream of Coleridge Dam in Randolph County;
  - (4) Fork Creek in Randolph County; and
  - (5) Rocky River in Chatham County.
- ~~(h) In the waters of the Little Tennessee River, including all the tributaries and impoundments thereof, and on adjacent shorelines, docks, access ramps, and bridge crossings, it is unlawful to transport, possess, or release live river herring (alewife and blueback).~~
- (i) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish having a size limit identified in 15A NCAC 10C .0401 so as to render it ~~impracticable~~ impractical to measure its total original length. No person while fishing shall change the appearance of any nongame fish having a daily creel limit identified in 15A NCAC 10C .0401 so as to obscure its identification or render it ~~impracticable~~ impractical to count the number of fish in possession.

*History Note:* Authority G.S. 113-134; ~~113-135; 113-135.1~~; 113-272; 113-272.3; 113-292;  
Eff. February 1, 1976;  
Amended Eff. July 1, 2000; July 1, 1998; July 1, 1993; July 1, 1992; May 1, 1992; July 1, 1989;  
Temporary Amendment Eff. July 1, 2001;  
Amended Eff. July 18, 2002;  
Temporary Amendment Eff. June 1, 2003;  
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);

1                    *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*  
2                    *August 1, 2013; August 1, 2010; May 1, 2008; May 1, 2007; May 1, 2006.*



**15A NCAC 10C .0407 PERMITTED SPECIAL DEVICES AND OPEN SEASONS**

Except in designated public mountain trout waters, and in impounded waters located on the Sandhills Game Land, there is a year-round open season for the licensed taking of nongame fishes by bow and arrow. The use of special fishing devices, including crab pots in impoundments located entirely on game ~~lands~~ lands, ~~is~~ shall be prohibited.

Seasons and waters in which the use of other special devices is authorized are indicated by counties below:

(1) Alamance:

(a) July 1 to August 31 with seines in Alamance Creek below NC 49 bridge and Haw River;

(b) July 1 to June 30 with gigs in all public waters;

(2) Alexander: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lake Hickory and Lookout Shoals Reservoir;

(3) Alleghany: July 1 to June 30 with gigs in New River, except designated public mountain trout waters;

(4) Anson:

(a) July 1 to June 30 with traps and gigs in all public waters;

(b) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;

(c) July 1 to August 31 with seines in all running public waters, except Pee Dee River from Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;

(5) Ashe: July 1 to June 30 with gigs in New River (both forks), except designated public mountain trout waters;

(6) Beaufort:

(a) July 1 to June 30 with traps in the Pungo River, and in the Tar and Pamlico Rivers above Norfolk and Southern Railroad bridge; and with gigs in all inland public waters;

(b) March 1 to April 30 with bow nets in all inland public waters;

(7) Bertie:

(a) July 1 to June 30 with traps in the Broad Creek (tributary of Roanoke);

(b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;

(8) Bladen:

(a) March 1 to April 30 with bow nets in Black River;

(b) July 1 to March 1 with hand-crank electrofishers (local law) in Cape Fear River between Lock and Dam 1 and 3 and in Black River, except that hand-crank electrofishing is prohibited within 400 yards of Lock and Dam 1, 2, and 3 on Cape Fear River;

(9) Brunswick: March 1 to April 30 with bow nets in Alligator Creek, Hoods Creek, Indian Creek, Orton Creek below Orton Pond, Rices Creek, Sturgeon Creek and Town Creek;

(10) Buncombe: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;

(11) Burke:

(a) July 1 to August 31 with seines in all running public waters, except Johns River and

- designated public mountain trout waters;
- (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters and Lake James;
- (12) Cabarrus:
- (a) July 1 to August 31 with seines in all running public waters,
- (b) July 1 to June 30 with traps and gigs in all public waters;
- (13) Caldwell: July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters;
- (14) Camden:
- (a) July 1 to June 30 with traps in all inland public waters;
- (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (15) Carteret: March 1 to April 30 with bow nets in all inland public waters except South River and the tributaries of the White Oak River;
- (16) Caswell:
- (a) July 1 to June 30 with gigs in all public waters;
- (b) July 1 to August 31 with seines in all running public waters, except Moons Creek;
- (c) July 1 to June 30 with traps in Hyco Reservoir;
- (17) Catawba:
- (a) July 1 to August 31 with seines in all running public waters, except Catawba River below Lookout Dam;
- (b) July 1 to June 30 with traps, spear guns, and gigs in all public waters;
- (18) Chatham:
- (a) December 1 to April 15 with dip and gill nets in the Cape Fear River, Deep River, Haw River and Rocky River (local law);
- (b) July 1 to August 31 with seines in the Cape Fear River, and Haw River;
- (c) July 1 to June 30 with traps in Deep River; and with gigs in all public waters;
- (19) Cherokee: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (20) Chowan:
- (a) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (b) July 1 to June 30 with traps in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (21) Clay: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (22) Cleveland:
- (a) July 1 to August 31 with seines in all running public waters;

- (b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- (23) Columbus:
- (a) December 1 to March 1 with gigs in all inland public waters, except Lake Waccamaw and its tributaries;
- (b) March 1 to April 30 with bow nets in Livingston Creek;
- (c) July 1 to March 1 with hand-crank electrofishers (local law) in Waccamaw and Lumber rivers;
- (24) Craven:
- (a) July 1 to June 30 with traps in the main run of the Trent and Neuse Rivers;
- (b) March 1 to April 30 with bow nets in all inland public waters, except Pitch Kettle, Grindle, Slocum (downstream of the US 70 bridge), ~~Spring Spring~~, and Hancock Creeks and their tributaries; and with seines in the Neuse River;
- (25) Currituck:
- (a) July 1 to June 30 with traps in Tulls Creek and Northwest River;
- (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding except~~ public lakes, ponds, and other impounded waters;
- (26) Dare:
- (a) July 1 to June 30 with traps in Mashoes Creek, Milltail Creek, East ~~Lake Lake~~, and South Lake;
- (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding except~~ public lakes, ponds, and other impounded waters;
- (27) Davidson:
- (a) July 1 to August 31 with seines in all running public waters;
- (b) July 1 to June 30 with gigs in all public waters, and with traps in all public waters except Leonard's Creek, Abbott's Creek below Lake Thom-A-Lex dam, and the Abbott's Creek arm of High Rock Lake upstream from the NC 8 bridge;
- (28) Davie:
- (a) July 1 to June 30 with traps and gigs in all public waters;
- (b) July 1 to August 31 for taking only carp and suckers with seines in Dutchmans Creek from US 601 to Yadkin River and in Hunting Creek from SR 1338 to South Yadkin River;
- (29) Duplin:
- (a) December 1 to June 5 with seines in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;
- (b) March 1 to April 30 with bow nets in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;
- (30) Durham:
- (a) July 1 to August 31 with seines in Neuse River;
- (b) July 1 to June 30 with gigs in all public waters;

- (31) Edgecombe: March 1 to April 30 with bow nets in all public waters;
- (32) Forsyth: July 1 to June 30 with traps and gigs in all public waters, except traps may not be used in Belews Creek Reservoir;
- (33) Franklin:
- (a) July 1 to August 31 with seines in Tar River;
- (b) July 1 to June 30 with gigs in all public waters, except Parrish, Laurel Mill, Jackson, Clifton, ~~Moore's~~ Moore's and Perry's Ponds, and in the Franklinton City ponds;
- (34) Gaston:
- (a) July 1 to August 31 with seines in all running public waters;
- (b) July 1 to June 30 with gigs, ~~traps~~ traps and spear guns in all public waters;
- (35) Gates: March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (36) Graham: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (37) Granville:
- (a) July 1 to June 30 with gigs in all public waters, except Kerr Reservoir;
- (b) July 1 to August 31 with seines in the Tar River below US 158 bridge;
- (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- (38) Greene: March 1 to April 30 with bow nets and reels in Contentnea Creek;
- (39) Guilford:
- (a) July 1 to August 31 with seines in Haw River, Deep River below Jamestown Dam, and Reedy Fork Creek below US 29 bridge;
- (b) July 1 to June 30 with gigs in all public waters;
- (40) Halifax: March 1 to April 30 with bow nets in Beech Swamp, Clarks Canal, Conoconnara Swamp, Fishing Creek below the Fishing Creek Mill Dam, Kehukee Swamp, Looking Glass Gut, Quankey Creek, and White's Mill Pond Run;
- (41) Harnett:
- (a) January 1 to May 31 with gigs in Cape Fear River and tributaries;
- (b) March 1 to April 30 with bow nets in Cape Fear River;
- (42) Haywood: July 1 to June 30 with gigs in all public waters, except Lake Junaluska and designated public mountain trout waters;
- (43) Henderson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (44) Hertford:
- (a) July 1 to June 30 with traps in Wiccacon Creek;
- (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (45) Hyde:

- (a) July 1 to June 30 with traps in all inland waters;
- (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (46) Iredell: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lookout Shoals Reservoir and Lake Norman;
- (47) Jackson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (48) Johnston: March 1 to April 30 with bow nets in Black Creek, Little River, Middle Creek, Mill Creek, Neuse River and Swift Creek;
- (49) Jones:
- (a) July 1 to June 30 with traps in the Trent River below US 17 bridge and White Oak River below US 17 bridge;
- (b) March 1 to April 30 with bow nets in all inland public waters, except the tributaries to the White Oak River;
- (50) Lee:
- (a) December 1 to April 15 with dip and gill nets (local law) in Cape Fear River and Deep River;
- (b) July 1 to August 31 with seines in Cape Fear River;
- (c) July 1 to June 30 with traps in Deep River, and with gigs in all public waters;
- (51) Lenoir:
- (a) July 1 to June 30 with traps in Neuse River below US 70 bridge at Kinston;
- (b) March 1 to April 30 with ~~30 with~~ 30 with bow nets in Neuse River and Contentnea Creek upstream from NC 118 bridge at Grifton; and with seines in Neuse River;
- (52) Lincoln:
- (a) July 1 to August 31 with seines in all running public waters;
- (b) July 1 to June 30 with traps, ~~gigs~~ gigs, and spear guns in all public waters;
- (53) McDowell:
- (a) July 1 to August 31 with seines in all running public waters, except designated public mountain trout waters;
- (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters and Lake James;
- (54) Macon: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (55) Madison: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (56) Martin: March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (57) Mecklenburg:

- (a) July 1 to August 31 with seines in all running public waters;
  - (b) July 1 to June 30 with traps, ~~gigs~~ gigs, and spear guns in all public waters except Freedom Park Pond and Hornet's Nest Ponds;
- (58) Montgomery:
- (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
  - (b) July 1 to June 30 with traps and gigs in all public waters;
- (59) Moore:
- (a) July 1 to August 31 with seines in all running public waters except in Deep River;
  - (b) July 1 to June 30 with gigs in all public waters, except lakes located on the Sandhills Game Land; and with traps in Deep River and its tributaries;
- (60) Nash:
- (a) July 1 to June 30 with gigs in all public waters, except Tar River;
  - (b) March 1 to April 30 with bow nets in the Tar River below Harris' Landing and Fishing Creek below the Fishing Creek Mill Dam;
- (61) New Hanover: March 1 to April 30 ~~with~~ 30 with bow nets in all inland public waters, except Sutton (Catfish) Lake;
- (62) Northampton:
- (a) July 1 to June 30 with gigs in all public waters, except Gaston and Roanoke Rapids Reservoirs and the Roanoke River above the US 301 bridge;
  - (b) March 1 to April 30 ~~with~~ 30 with bow nets in Occoneechee Creek, Old River Landing ~~Gut~~ Gut, and Vaughans Creek below Watsons Mill;
- (63) Onslow:
- (a) July 1 to June 30 with traps in White Oak River below US 17 bridge;
  - (b) August 1 to March 31 with eel pots in the main run of New River between US 17 bridge and the mouth of Hawkins Creek;
  - (c) March 1 to April 30 with bow nets in the main run of New River and in the main run of the White Oak River;
  - (d) March 1 to April 30 with bow nets in Grant's Creek;
- (64) Orange:
- (a) July 1 to August 31 with seines in Haw River,
  - (b) July 1 to June 30 with gigs in all public waters;
- (65) Pamlico: March 1 to April 30 with bow nets in all inland public waters, except Dawson Creek;
- (66) Pasquotank:
- (a) July 1 to June 30 with traps in all inland waters;
  - (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (67) Pender:

- (a) December 1 to June 5 with seines in the main run of Northeast Cape Fear River;
- (b) March 1 to April 30 with bow nets in the Northeast Cape Fear River, Long Creek, Moore's Creek approximately one mile upstream to New Moon Fishing Camp, and Black River;
- (c) July 1 to March 1 with hand-crank electrofishers (local law) in Black River;
- (68) Perquimans:
- (a) July 1 to June 30 with traps in all inland waters;
- (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes, ponds, and other impounded waters;
- (69) Person:
- (a) July 1 to August 31 with seines in Hyco Creek and Mayo Creek;
- (b) July 1 to June 30 with gigs in all public waters.
- (70) Pitt:
- (a) July 1 to June 30 with traps in Neuse River and in Tar River below the mouth of Hardee Creek east of Greenville;
- (b) March 1 to April 30 with bow nets in all inland public waters, except Grindle Creek, and Contentnea Creek between NC 118 bridge at Grifton and the Neuse River;
- (c) December 1 to June 5 with seines in Tar River;
- (71) Polk: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (72) Randolph:
- (a) July 1 to August 31 with seines in Deep River above the Coleridge Dam and Uwharrie River;
- (b) July 1 to June 30 with gigs in all public waters;
- (73) Richmond:
- (a) July 1 to August 31 with seines in all running public waters, except Pee Dee River from Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
- (b) July 1 to June 30 with traps and gigs in all public waters, except lakes located on the Sandhills Game Land;
- (c) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
- (74) Robeson: December 1 to March 1 with gigs in all inland public waters.
- (75) Rockingham:
- (a) July 1 to August 31 with seines in Dan River and Haw River;
- (b) July 1 to June 30 with traps in Dan River; and with gigs in all public waters;
- (76) Rowan:
- (a) July 1 to August 31 with seines in all running public waters,
- (b) July 1 to June 30 with traps and gigs in all public waters;
- (77) Rutherford:
- (a) July 1 to August 31 with seines in all running public waters, except designated public

- 1 mountain trout waters;
- 2 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
- 3 public mountain trout waters;
- 4 (78) Sampson:
- 5 (a) March 1 to April 30 with bow nets in Big Coharie Creek, Black River and Six Runs Creek;
- 6 (b) July 1 to March 1 with hand-crank electrofishers (local law) in Black River downstream of
- 7 NC 1105 bridge;
- 8 (79) Stanly:
- 9 (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee
- 10 River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
- 11 (b) July 1 to June 30 with traps and gigs in all public waters;
- 12 (80) Stokes: July 1 to June 30 with traps and gigs in all public waters, except designated public mountain
- 13 trout waters, and traps may not be used in Belews Creek Reservoir;
- 14 (81) Surry: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
- 15 waters; and with traps in the main stem of Yadkin River;
- 16 (82) Swain: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
- 17 waters;
- 18 (83) Transylvania: July 1 to June 30 with gigs in all public waters, except designated public mountain
- 19 trout waters;
- 20 (84) Tyrrell:
- 21 (a) July 1 to June 30 with traps in Scuppernong River and Alligator Creek;
- 22 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except Lake
- 23 Phelps, the drainage canals that connect Lake Phelps and Scuppernong River, public lakes,
- 24 ponds and other impounded waters;
- 25 (85) Union:
- 26 (a) July 1 to August 31 with seines in all running public waters,
- 27 (b) July 1 to June 30 with traps and gigs in all public waters;
- 28 (86) Vance:
- 29 (a) July 1 to August 31 with seines in the Tar River;
- 30 (b) July 1 to June 30 with gigs in all public waters, except Rolands, Faulkners, Southerlands,
- 31 and Weldon Ponds, City Lake, and Kerr Reservoir;
- 32 (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- 33 (87) Wake:
- 34 (a) July 1 to June 30 with gigs in all public waters, except Sunset, Benson, Wheeler, Raleigh,
- 35 and Johnson Lakes;
- 36 (b) March 1 to April 30 with bow nets in the Neuse River below ~~Milburnie Falls Lake~~ Milburnie Falls Lake Dam,
- 37 and Swift Creek below Lake Benson Dam;
- 38 (88) Warren:



- (a) July 1 to August 31 with seines in Fishing Creek, Shocco Creek, and Walker Creek;  
~~excluding except~~ Duck and Hammes Mill Ponds;
- (b) July 1 to June 30 with gigs in all public waters, except Duck and Hammes Mill Ponds, Kerr Reservoir, and Gaston Reservoir;
- (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- (89) Washington: March 1 to April 30 with bow nets in all inland public waters, ~~excluding except~~ Lake Phelps, the drainage canals that connect Lake Phelps and Scuppernong River, public lakes, ~~ponds~~ ponds, and other impoundments.
- (90) Wayne: March 1 to April 30 with bow nets in Little River, Mill Creek and Neuse River.
- (91) Wilkes: July 1 to June 30 with traps in Yadkin River below W. Kerr Scott Reservoir; and with gigs and spear guns in all public waters, except designated public mountain trout waters;
- (92) Wilson:
- (a) July 1 to June 30 with gigs in Contentnea Creek (except Buckhorn Reservoir), including unnamed tributaries between Flowers Mill and SR 1163 (Deans) bridge;
- (b) March 1 to April 30 with bow nets in Contentnea Creek below US 301 bridge and in Toisnot Swamp downstream from the Lake Toisnot Dam; and
- (93) Yadkin: July 1 to June 30 with gigs in all public waters, and with traps in the main stem of Yadkin River.

*History Note: Authority G.S. 113-134; 113-276; 113-292;*  
*Eff. February 1, 1976;*  
*Temporary Amendment Eff. December 29, 1988;*  
*Temporary Amendment Eff. December 1, 1993;*  
*Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; December 1, 1995; July 1, 1995; July 1,*  
*1994; June 1, 1994;*  
*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. August 1, 2015; May 1, 2007; June 1, 2005; August 1, 2004.*



**Fiscal Note for Proposed Inland Fisheries Division Rule Amendments for the Wildlife Resources Commission**

**Rule Amendments:** 15A NCAC 10C.0205 Public Mountain Trout Waters  
15A NCAC 10C.0211 Possession of Certain Fishes  
15A NCAC 10C.0305 Black Bass  
15A NCAC 10C.0306 Crappie  
15A NCAC 10C.0313 Shad (American and Hickory)  
15A NCAC 10C.0314 Striped Bass  
15A NCAC 10C.0316 Trout  
15A NCAC 10C.0401 Manner of Taking Nongame Fishes: Purchase and Sale  
15A NCAC 10C.0402 Taking Nongame Fishes for Bait or Personal Consumption  
15A NCAC 10C.0407 Permitted Special Devices and Open Seasons

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

**Authority:** G.S. 113 - 134

For reasons outlined below, the North Carolina Wildlife Resources Commission (WRC) believes that these rule changes have a minimal fiscal impact pursuant to G.S. 150B-21.4. An analysis of the proposed changes for the rules follows.

**BACKGROUND**

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

As part of its mission, WRC conducts an annual review of its fish, wildlife, boating safety, and other regulations to determine whether such rules need to be adjusted in order to accomplish the objectives of: managing wildlife resources through a biologically sustainable harvest of such resources by hunters, trappers and anglers consistent with sound conservation objectives; ensuring the safety of the boating public; managing WRC-owned land for the conservation of wildlife resources and the enjoyment of the public; and implementing legislative directives.

A summary of the proposed rule amendments is shown below, with the full text included in Appendix A.

Many of the proposed amendments change what anglers may harvest in specific waters, where anglers may harvest certain species, and how they may harvest. Several of the proposed amendments seek to increase angling opportunity while others may prove to be more restrictive. All the proposed changes are intended to expand future angling opportunity. In the end, despite the changes, no impact to overall angling participation is expected.

Although the WRC does not have a mechanism to determine the fiscal impact of the specific rule changes proposed below, economic research on anglers' value of recreational fishing can provide general context for the impact of rules that affect opportunities for fishing or the quality of those opportunities. Taking the median of the findings across multiple studies, the estimated value of freshwater fishing per person per day is approximately \$53.<sup>1</sup> This figure represents the angler's total willingness to pay to engage in the activity, less the cost to do so. It does not represent any economic activity generated by fishing, such as retail sales, and is not species or location-specific. However, to the extent that the proposed rules induce anglers to increase or decrease fishing trips, this estimate provides a rough approximation of the costs or benefits to the angler.

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

The WRC manages approximately 5,300 miles and 2,100 acres of the State's coldwater resources within its Public Mountain Trout Waters program (PMTW), and in 2014, an estimated 148,991 anglers fished for trout in PMTW and contributed approximately \$383 million to the State's economy.<sup>2</sup> As noted within the WRC's Trout Management Plan, the purpose of PMTW is to use science-based decision making and biologically sound management principles to enhance the quality and quantity of trout populations for continued and varied angling opportunities. By designating waters as PMTW, the WRC is able to enact biologically sound management that ensure the conservation and wise use of trout resources (including efforts focused on the State's only native salmonid: Brook Trout), increase awareness of angling opportunities, invest in infrastructure that provides angling access to all anglers regardless of physical ability, produce and stock approximately 1 million trout annually to provide fisheries, and partner with local (municipalities and counties), state (North Carolina State Parks and North Carolina Forest Service), and federal entities (United States Forest Service) to manage important

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<sup>1</sup> Rosenberger, Randall S.; White, Eric M.; Kline, Jeffrey D.; Cvitanovich, Claire. 2017. Recreation economic values for estimating outdoor recreation economic benefits from the National Forest System. Gen. Tech. Rep. PNWGTR-957. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 33 p.

<sup>2</sup> Mountain Trout Fishing: Economic Impacts on and Contributions to North Carolina's Economy, 2015.

ecological, cultural, and economic resources.

The proposed amendment to the Rule will modify the list of waters designated as PMTW and further classified as Hatchery Supported, Delayed Harvest, or Special Regulation Trout Waters. Approximately 7.1 miles of Hatchery Supported and Delayed Harvest Trout Waters will be removed from PMTW to reflect changes in landmarks and partnerships with private landowners. With the designation of Lake Apalachia as PMTW, 1,070 acres will be added to Special Regulation Trout Waters.

The proposed changes to this Rule are necessary to clarify designations based upon partnerships with private landowners and overall trout management. The addition of Lake Apalachia will improve trout fishing by reducing harvest and allowing more Brown Trout to survive and grow to larger sizes.

### Fiscal Impact

#### *State Impact*

This rule amendment will not change current on-the-ground management. Conservation technicians will change signage as part of their regularly scheduled duties. The change in signage will not require more than one day, at an estimated cost to the agency of approximately \$248 (\$31 x 8 hrs = \$248). Designating Lake Apalachia as PMTW will require anglers fishing the lake to possess a fishing license that includes a trout fishing privilege. As part of their regular management, commission staff will conduct education/outreach effort to educate anglers about the new requirement. The Commission does not expect to increase enforcement efforts above those that are current practice and therefore does not expect additional staff time or additional fine revenue. The fiscal impact will be minimal given the fishing effort is relatively low at Lake Apalachia due to its remote location.

#### *Local Impact*

This rule has no local government impact.

#### *Private Impact*

Approximately 7.1 miles of PMTW are being removed from public access. This loss of PMTW represents a relative minimal loss of angling opportunity to the public. Requiring anglers fishing Lake Apalachia to possess a fishing license that includes a trout fishing privilege will impact individual anglers. However, the impact is expected to be minimal given the fishing effort is relatively low at Lake Apalachia due to its remote location. In addition, many resident anglers already purchase a Comprehensive Inland Fishing License or a Sportsman License which include the trout fishing privilege. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed changes to private individuals, which may include changes to angler behavior (i.e., fishing less or fishing more).

## **15A NCAC 10C .0211 POSSESSION OF CERTAIN FISHES**

The proposed amendment to the Rule will relocate rule text from 15A NCAC 10C .0402 Taking

Nongame Fishes for Bait or Personal Consumption which prohibits the transport, possession, or release of river herring (Blueback Herring and Alewife) in the Little Tennessee River Basin. The proposed change limits the possession restriction for river herring to the portion of the Little Tennessee River Basin in and upstream of Lake Santeetlah and Cedar Cliff Lake.

To limit their spread, the possession of river herring was initially prohibited in the Little Tennessee River Basin. However, Blueback Herring have been introduced in the basin and were most recently discovered in Lake Nantahala and Lake Fontana. Anglers wish to collect Blueback Herring and use them for bait in the waterbodies where they are established and using them for bait poses no additional ecological risk.

#### Fiscal Impact

##### *State Impact*

This rule amendment will have no impact as the change is part of routine fisheries management.

##### *Local Impact*

This rule has no local government impact.

##### *Private Impact*

No substantial fiscal impacts are anticipated. While the proposed rule change will alter what anglers may harvest and possess, they are not expected to impact overall participation in fishing. There are no significant additional environmental impacts related to the use of the Blueback Herring as bait in the same lake as which they were caught. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change.

### **15A NCAC 10C .0305 BLACK BASS**

The proposed amendment to the Rule will remove the closed season for black bass at Lake Sutton. Removing the closed harvest season will expand angler opportunities for black bass harvest. Negative biological impacts are unlikely since most anglers practice catch-and-release.

An additional proposed change clarifies that the 14-inch minimum size limit with no exception for black bass in the Albemarle Sound and its tributaries applies to all associated tributaries and canals of all tributary river systems.

#### Fiscal Impact

##### *State Impact*

This rule amendment will have no impact as the changes are part of routine fisheries management.

##### *Local Impact*

This rule has no local government impact.

### *Private Impact*

No substantial fiscal impacts are anticipated. While the proposed rule change will alter when and what anglers may harvest, they are not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change.

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

The proposed amendment to the Rule will reduce the minimum size limit for crappie in B. Everett Jordan Reservoir from 10 to 8 inches and establish a 9-inch minimum size limit and 25-fish daily creel limit for crappie in the North Carolina portion of John H. Kerr Reservoir.

The proposed change to this Rule for B. Everett Jordan Reservoir will provide additional angling opportunity. Anglers have expressed interest in aligning the size limit at Jordan Reservoir with other fishing waters around the state. Crappie abundance, size structure, and age structure indicate the population can support the additional harvest. The proposed change to this Rule for John H. Kerr Reservoir was requested by Virginia Department of Game and Inland Fish (VDGIF) to reduce angler harvest and improve the quality of the reservoir's crappie fishery. By agreement, VDGIF is the primary lead for fisheries management activities at John H. Kerr Reservoir. VDGIF staff have observed high harvest rates and reduced density of crappie.

### Fiscal Impact

#### *State Impact*

This rule amendment will have no impact as the change is part of routine fisheries management.

#### *Local Impact*

This rule has no local government impact.

#### *Private Impact*

No substantial fiscal impacts are anticipated. While the proposed rule change will alter what anglers may harvest, they are not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change.

## **15A NCAC 10C .0313 SHAD (AMERICAN AND HICKORY)**

The proposed amendment to the Rule will modify the general statewide regulation for American Shad and Hickory Shad to establish a daily creel limit of 10 fish in combination, including no more than one American Shad. This proposal will not affect river systems where harvest of more than one American Shad is specifically allowed (Tar River, Cape Fear River, Pee Dee River, and their tributaries), or in select Piedmont reservoirs where no American Shad may be possessed.

The new general statewide regulation as proposed is a conservation measure limiting harvest in smaller systems where little American Shad data are available. The proposed change would clarify ambiguity in the current rules for shad harvest in inland fishing waters and afford

consistency with shad regulations as established by the NC Division of Marine Fisheries in joint and coastal fishing waters and established within the framework of the NC American Shad Sustainable Fishery Management Plan.

#### Fiscal Impact

##### *State Impact*

This rule amendment will have no impact as the change is part of routine fisheries management.

##### *Local Impact*

This rule has no local government impact.

##### *Private Impact*

No substantial fiscal impacts are anticipated. While the proposed rule change will alter what anglers may harvest, they are not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change.

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

The proposed amendment to the Rule will reduce the minimum size limit for Striped Bass and their hybrids in the portion of the Dan River downstream of the dam at Union Street in Danville, VA and in the North Carolina portion of John H. Kerr Reservoir from 24 to 20 inches from October 1 to May 31. The daily creel limit would remain two in combination from October 1 to May 31. From June 1 to September 30, there is no minimum size limit and a 4-fish daily creel limit.

By agreement, VDGIF is the primary lead for fisheries management activities at John H. Kerr Reservoir. VDGIF staff report few Striped Bass reach the current 24-inch minimum size limit, and biological data indicate few larger Striped Bass in the reservoir. VDGIF is implementing this rule change for the Virginia portion of the reservoir to increase harvest opportunity and requested the WRC implement the same regulation for the North Carolina portion.

#### Fiscal Impact

##### *State Impact*

This rule amendment will have no impact as the change is part of routine fisheries management.

##### *Local Impact*

This rule has no local government impact.

##### *Private Impact*

No substantial fiscal impacts are anticipated. While the proposed rule change will alter what anglers may harvest, they are not expected to impact overall participation in fishing. Since the Virginia Department of Game and Inland Fisheries is the primary lead by agreement for fisheries

management at John H. Kerr Reservoir, the Commission has limited Striped Bass data for the reservoir. The average size range is 18-22 inches. Anglers often report catching 20-24-inch Striped Bass and express the desire to harvest them. The reservoir's population is currently sustained through a combination of natural reproduction and supplemental stocking. The new size limit is not expected to jeopardize the stock, and additional harvest will likely result in improved growth of the remaining Striped Bass. The current size limit was determined based on population modeling and angler input. No impact on the food chain is anticipated. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change.

## **15A NCAC 10C .0316 TROUT**

The proposed amendment to the Rule will establish a daily creel limit of three trout including only one trout greater than 14 inches at Apalachia Reservoir in Cherokee County. Beginning in 2012, Apalachia Reservoir was the subject of a four-year trout stocking experiment to evaluate its potential for put-grow-and-take trout management. Research has shown that Brown Trout stocked in the reservoir can reach large sizes (> 20 inches), but an angler creel revealed that 72% of the annual Brown Trout harvest occurs in the three months following stocking. The proposed change will improve trout fishing by allowing more stocked Brown Trout to survive and grow to larger sizes.

### Fiscal Impact

#### *State Impact*

This rule amendment will have no impact as the change is part of routine fisheries management.

#### *Local Impact*

This rule has no local government impact.

#### *Private Impact*

No substantial fiscal impacts are anticipated. While the proposed rule change will alter what anglers may harvest, they are not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change.

## **15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE**

A proposed amendment to the Rule will extend the upper boundary for the river herring harvest moratorium on the Neuse River upstream from Milburnie Dam to Falls Lake Dam. A second proposed change will prohibit the possession or take of Grass Carp in the North Carolina portion of John H. Kerr Reservoir and Lake Norman except for scientific study by permit issued by the WRC. A third proposed amendment will limit the use of archery equipment on Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries for the take of catfish only. A fourth proposed amendment will establish a daily creel limit of five catfish in combination on the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state



line and all tributaries. A fifth proposed change clarifies the species for which the restriction on altering the appearance of nongame fishes subject to a size and/or creel limit such that the fish cannot be identified, measured, or counted. Additional proposed changes will modify the title of the rule, reorganize the paragraphs, and clarify that the rule applies to hook-and-line fishing, grabbling, and the use of a special device with a special device fishing license.

The moratorium on migratory river herring applies to coastal rivers where they conduct annual spawning runs in the spring. In most mainstem coastal rivers, the first impoundment was used as the upstream extent of the harvest moratorium. In winter of 2017, Milburnie Dam on the Neuse River was removed, and the moratorium is proposed to be extended upstream to Falls Lake Dam, the next barrier to anadromous fish migration.

Triploid Grass Carp are often stocked as part of efforts to control infestations of hydrilla which is classified as a state and federal noxious weed. Hydrilla eradication efforts including the stocking of triploid Grass Carp have been initiated at John H. Kerr Reservoir and Lake Norman. The U.S. Army Corps of Engineers and the Lake Norman Marine Commission have requested the proposed change. Eliminating harvest will help maintain these Grass Carp populations stocked to consume hydrilla.

The proposed restriction on the use of archery equipment in the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries will help protect Robust Redhorse from being mistakenly taken with archery equipment. Robust Redhorse is a rare, large native fish found in this reach of the Pee Dee River. It is classified as state endangered and has been petitioned for listing under the federal Endangered Species Act. The Pee Dee River population of Robust Redhorse is estimated to have less than 50 adults. Bowfishers have been observed harvesting large numbers of Smallmouth Buffalo, Common Carp, and other large-bodied nongame fishes from this reach of the Pee Dee River.

The proposed five-fish daily creel limit for catfish in the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries would prevent excessive harvest. This reach of the Pee Dee River supports a popular catfish fishery, and anglers have expressed concern about the overharvest of catfish, especially given the amount of habitat available varies substantially with flow from dam releases.

The restriction on altering the appearance of nongame fishes subject to a size and/or creel limit was intended to apply to the species identified in this rule with specific size and creel limits. There was confusion among anglers as to when the restriction applied and if it impacted the use of cut bait. The proposed change clarifies the species to which the restriction applies.

The additional proposed changes clarify that this Rule addresses the manner of take for nongame fishes when taken by hook-in-line, grabbling, or special device used under a special device fishing license. The reorganization of the Rule also clarifies the seasons for taking nongame fish and species-specific size and creel limits.

### Fiscal Impact

#### *State Impact*

Most of these rule amendments will have no impact as the changes are part of routine fisheries

management. In the case of restricting harvest of triploid Grass Carp at John H. Kerr Reservoir and Lake Norman, the proposed change will protect the investment of the NC Aquatic Weed Control Program in hydrilla control. The cost of triploid Grass Carp can range from \$10 to \$15 per fish. While the exact cost savings per year is unknown, we expect the rule to decrease the need for additional stocking beyond annual mortality impacts.

At John H. Kerr Reservoir, the NC Aquatic Weed Control Program has collaborated with the U.S. Army Corps of Engineers on the stocking of triploid Grass Carp at a 50/50 cost share. A total of 13,320 triploid Grass Carp were initially stocked in 2013. Additional triploid Grass Carp were stocked in 2014 (4,200), 2015 (4,000), 2016 (3,400), and 2017 (3,200) to account for total annual mortality. Over the 5-year period, 28,120 triploid Grass Carp have been stocked at an estimated cost of \$281,200 based on \$10 per fish.

At Lake Norman, the NC Aquatic Weed Control Program has collaborated with the Lake Norman Marine Commission on stocking triploid Grass Carp at a 50/50 cost share. A total of 10,200 triploid Grass Carp were stocked in 2018 at an estimated cost of \$120,000 based on \$10 per fish. Additional stockings are expected annually for next 10-15 years to address losses due to total annual mortality.

#### *Local Impact*

Most of these rule amendments have no local government impact. In the case of restricting harvest of triploid Grass Carp at John H. Kerr Reservoir and Lake Norman, the proposed change will protect the local cost-share in hydrilla control efforts.

#### *Private Impact*

No substantial fiscal impacts are anticipated. While the proposed rule changes will alter when and what anglers may harvest and how anglers handle nongame fishes in the field, they are not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change.

### **15A NCAC 10C .0402 TAKING NONGAME FISHES FOR BAIT OR PERSONAL CONSUMPTION**

A proposed amendment to this Rule will reference the species-specific size and creel limits identified in 15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale and clarify that these species-specific limits also apply when taking nongame fishes for bait or personal consumption. A second proposed change removes rule text which prohibits the transport, possession, or release of river herring (Blueback Herring and Alewife) in the Little Tennessee River Basin and relocates it to 15A NCAC 10C .0211 Possession of Certain Fishes. A third proposed change clarifies the species for which the restriction on altering the appearance of nongame fishes subject to a size and/or creel limit such that the fish cannot be identified, measured, or counted.

The proposed changes clarify the species-specific size and creel limits which apply to nongame fishes to ensure restrictions are applied consistently to facilitate enforcement efforts for conservation of nongame species.

### Fiscal Impact

#### *State Impact*

This rule amendment will have no impact as the changes clarify existing rules and are part of routine fisheries management.

#### *Local Impact*

This rule has no local government impact.

#### *Private Impact*

No substantial fiscal impacts are anticipated. The proposed changes clarify existing rules on what anglers may harvest and how anglers handle nongame fishes in the field, and they are not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed changes.

## **15A NCAC 10C .0407 PERMITTED SPECIAL DEVICES AND OPEN SEASONS**

The proposed amendment to the Rule will extend the upper boundary for the use of bow nets as a permitted special device on the Neuse River upstream from Milburnie Dam to Falls Lake Dam. Bow nets have been traditionally used to take shad, and by current rule, the open season for bow nets in Wake County on the Neuse River downstream of Milburnie Dam is March 1 to April 30. In winter of 2017, Milburnie Dam was removed, and the use of bow nets is proposed to be extended upstream to Falls Lake Dam, the next barrier to anadromous fish migration.

### Fiscal Impact

#### *State Impact*

This rule amendment will have no impact as the change is part of routine fisheries management.

#### *Local Impact*

This rule has no local government impact.

#### *Private Impact*

The proposed amendments will add approximately 6 miles of the Neuse on which the use of bow nets will be allowed. This change is anticipated to increase angling opportunities. However, while the proposed rule will alter where anglers may use bow nets, they are not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed changes.

## APPENDIX A: PROPOSED RULES

### 15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (EFFECTIVE AUGUST 1, 2018)

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

- (1) "Natural bait" means 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.
- (2) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell.
- (3) "Youth anglers" are individuals under 18 years of age.

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

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

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

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

(1) Alleghany

(A) Delayed Harvest Trout Waters are as follows:

Little River (S.R. 1133 bridge to 275 yards downstream of the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank])

(B) Hatchery Supported Trout Waters are as follows:

Big Pine Creek

Bledsoe Creek

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

Cranberry Creek

(Big) Glade Creek

- 1 Little River (275 yards downstream from the intersection of S.R. 1128 and S.R. 1129
- 2 [marked by a sign on each bank] to McCann Dam)
- 3 Meadow Fork
- 4 Pine Swamp Creek
- 5 Piney Fork
- 6 Prathers Creek
- 7 (C) Wild Trout Waters are as follows:
- 8 All waters located on Stone Mountain State Park
- 9 (2) Ashe County
- 10 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 11 Big Horse Creek (Virginia state line to Mud Creek at S.R. 1363, excluding tributaries)
- 12 (B) Delayed Harvest Trout Waters are as follows:
- 13 Big Horse Creek (S.R. 1324 bridge to North Fork New River)
- 14 Helton Creek (~~Virginia state line~~ SR 1372 bridge to North Fork New River)
- 15 South Fork New River (upstream end of Todd Island to the SR 1351 bridge)
- 16 Trout Lake
- 17 (C) Hatchery Supported Trout Waters are as follows:
- 18 Beaver Creek (N.C. 221 to confluence of Beaver Creek and South Beaver Creek)
- 19 Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)
- 20 Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)
- 21 Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)
- 22 Cranberry Creek (Alleghany Co. line to South Fork New River)
- 23 Nathans Creek
- 24 North Fork New River (Watauga Co. line to Sharp Dam)
- 25 Old Fields Creek (N.C. 221 to South Fork New River)
- 26 Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)
- 27 Roan Creek
- 28 Three Top Creek
- 29 (3) Avery County
- 30 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
- 31 Elk River (portion on Lees-McRae College property, excluding the millpond)
- 32 Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)
- 33 (B) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 34 Wilson Creek (game land portion)
- 35 (C) Hatchery Supported Trout Waters are as follows:
- 36 Boyde Coffey Lake
- 37 Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state
- 38 line)
- 39 Linville River (Land Harbor line [below dam] to the Blue Ridge Parkway boundary line,
- 40 except where posted against trespassing)
- 41 Milltimber Creek
- 42 North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family
- 43 Recreational Park, except where posted against trespassing)
- 44 North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against
- 45 trespassing)
- 46 Squirrel Creek
- 47 Wildcat Lake
- 48 (D) Wild Trout Waters are as follows:
- 49 Birchfield Creek
- 50 Cow Camp Creek
- 51 Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)
- 52 Gragg Prong
- 53 Horse Creek
- 54 Kentucky Creek
- 55 North Harper Creek
- 56 Plumtree Creek

- 1 Roaring Creek
- 2 Rockhouse Creek
- 3 Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
- 4 South Harper Creek
- 5 Webb Prong
- 6 (4) Buncombe County
- 7 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 8 Carter Creek (game land portion)
- 9 (B) Hatchery Supported Trout Waters are as follows:
- 10 Bent Creek (headwaters to N.C. Arboretum boundary line)
- 11 Cane Creek (headwaters to S.R. 3138 bridge)
- 12 Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)
- 13 Dillingham Creek (Corner Rock Creek to Ivy Creek)
- 14 Ivy Creek (Ivy River) (Dillingham Creek to U.S. 19-23 bridge)
- 15 Lake Powhatan
- 16 Reems Creek (Sugar Camp Fork to U.S. 19-23 bridge, except where posted against
- 17 trespassing)
- 18 Rich Branch (downstream from the confluence with Rocky Branch)
- 19 Stony Creek
- 20 Swannanoa (S.R. 2702 bridge near Ridgecrest to Wood Avenue bridge [intersection of
- 21 N.C. 81 and U.S. 74A in Asheville], except where posted against trespassing)
- 22 (5) Burke County
- 23 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 24 Henry Fork (portion on South Mountains State Park)
- 25 (B) Delayed Harvest Trout Waters are as follows:
- 26 Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)
- 27 (C) Hatchery Supported Trout Waters are as follows:
- 28 Carroll Creek (game land portion above S.R. 1405)
- 29 Henry Fork (lower South Mountain State Park line downstream to S.R. 1919 at Ivy Creek)
- 30 Linville River portion within Linville Gorge Wilderness area and portion below Lake
- 31 James powerhouse from upstream bridge on S.R. 1223 to Muddy Creek)
- 32 (D) Special Regulation Trout Waters are as follows:
- 33 Catawba River (Muddy Creek to City of Morganton water intake dam)
- 34 (E) Wild Trout Waters are as follows:
- 35 All waters located on South Mountains State Park, except those waters identified in parts
- 36 A and B of this Subparagraph
- 37 (6) Caldwell County
- 38 (A) Delayed Harvest Trout Waters are as follows:
- 39 Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
- 40 (B) Hatchery Supported Trout Waters are as follows:
- 41 Boone Fork Pond
- 42 Buffalo Creek (mouth of Joes Creek to McCloud Branch)
- 43 Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)
- 44 Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted
- 45 against trespassing)
- 46 Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
- 47 (C) Wild Trout Waters are as follows:
- 48 Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)
- 49 Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)
- 50 Rockhouse Creek
- 51 (7) Cherokee County
- 52 (A) Hatchery Supported Trout Waters are as follows:
- 53 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
- 54 Hyatt Creek (Big Dam Branch to Valley River)
- 55 Junaluska Creek (Ashturn Creek to Valley River)
- 56 Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)

- 1 Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- 2 (B) Special Regulation Trout Waters are as follows:
- 3 Apalachia Reservoir
- 4 (B)(C) Wild Trout Waters/Natural Bait are as follows:
- 5 Bald Creek (game land portion)
- 6 Dockery Creek (game land portion)
- 7 North Shoal Creek (game land portion)
- 8 (8) Clay County
- 9 (A) Delayed Harvest Trout Waters are as follows:
- 10 Fires Creek (USFS Rd. 340A to the foot bridge in the USFS Fires Creek Picnic Area)
- 11 (B) Hatchery Supported Trout Waters are as follows:
- 12 Buck Creek (game land portion downstream of U.S. 64 bridge)
- 13 Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)
- 14 Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- 15 (9) Graham County
- 16 (A) Delayed Harvest Trout Waters are as follows:
- 17 (Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)
- 18 (B) Hatchery Supported Trout Waters are as follows:
- 19 Calderwood Reservoir (Cheoah Dam to Tennessee state line)
- 20 Cheoah Reservoir
- 21 Panther Creek (confluence of Stand Creek and Rock Creek to Lake Fontana)
- 22 Santeetlah Creek (Johns Branch to Lake Santeetlah)
- 23 (Big) Snowbird Creek (USFS Road 2579 to S.R. 1127 bridge)
- 24 Stecoah Creek (upper game land boundary to Lake Fontana)
- 25 Tulula Creek (S.R. 1201 to lower bridge on S.R. 1275)
- 26 West Buffalo Creek
- 27 Yellow Creek (Lake Santeetlah hydropower pipeline to Cheoah River)
- 28 (C) Wild Trout Waters are as follows:
- 29 Little Buffalo Creek
- 30 South Fork Squally Creek
- 31 Squally Creek
- 32 (D) Wild Trout Waters/Natural Bait are as follows:
- 33 Deep Creek
- 34 Franks Creek
- 35 Long Creek (game land portion)
- 36 (10) Haywood County
- 37 (A) Delayed Harvest Trout Waters are as follows:
- 38 West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake
- 39 Logan)
- 40 (B) Hatchery Supported Trout Waters are as follows:
- 41 Cold Springs Creek (Fall Branch to Pigeon River)
- 42 Jonathan Creek (upstream S.R. 1302 bridge to Pigeon River, except where posted against
- 43 trespassing)
- 44 Pigeon River (Stamey Cove Branch to upstream U.S. 19-23 bridge)
- 45 Richland Creek (Russ Avenue [U.S. 276] bridge to U.S. 19 bridge)
- 46 West Fork Pigeon River (Tom Creek to Queen Creek, including portions on game lands,
- 47 except Middle Prong)
- 48 (C) Wild Trout Waters/Natural Bait are as follows:
- 49 Hemphill Creek
- 50 Hurricane Creek
- 51 (11) Henderson County
- 52 (A) Delayed Harvest Trout Waters are as follows:
- 53 North Fork Mills River (game land portion below the Hendersonville watershed dam)
- 54 (B) Hatchery Supported Trout Waters are as follows:
- 55 (Rocky) Broad River (end of S.R. 1611 to Rutherford County line)
- 56 Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)

- 1 Clear Creek (Laurel Fork to S.R. 1582)  
2 Green River (Lake Summit powerhouse to game land boundary)  
3 (Big) Hungry River (S.R. 1885 to Green River)
- 4 (12) Jackson County
- 5 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:  
6 Flat Creek  
7 Tuckasegee River (upstream from the Clark property)
- 8 (B) Delayed Harvest Trout Waters are as follows:  
9 Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream  
10 of the U.S. 23-441 bridge [marked by a sign on each bank])
- 11 (C) Hatchery Supported Trout Waters are as follows:  
12 Balsam Lake  
13 Bear Creek Lake  
14 Cedar Cliff Lake  
15 Cullowhee Creek (Tilley Creek to Tuckasegee River)  
16 Dark Ridge Creek (Jones Creek to Scott Creek)  
17 Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)  
18 Savannah Creek (Shell Branch to Cagle Branch)  
19 Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against  
20 trespassing)  
21 Tanasee Creek Lake  
22 Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)  
23 Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge  
24 [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)  
25 Wolf Creek Lake
- 26 (D) Wild Trout Waters are as follows:  
27 Gage Creek  
28 North Fork Scott Creek  
29 Tanasee Creek  
30 Whitewater River (downstream from Silver Run Creek to South Carolina state line)  
31 Wolf Creek (except Balsam Lake and Wolf Creek Lake)
- 32 (E) Wild Trout Waters/Natural Bait are as follows:  
33 Buff Creek  
34 Chattooga River (S.R. 1100 bridge to the South Carolina state line)  
35 Lower Fowler Creek (game land portion)  
36 Scotsman Creek (game land portion)
- 37 (13) Macon County
- 38 (A) Delayed Harvest Trout Waters are as follows:  
39 Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- 40 (B) Hatchery Supported Trout Waters are as follows:  
41 Burningtown Creek (Left Prong to Little Tennessee River)  
42 Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)  
43 Cliffside Lake  
44 Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)  
45 Nantahala River — upper (Dicks Creek to Whiteoak Creek)  
46 Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)  
47 Queens Creek Lake
- 48 (C) Wild Trout Waters/Natural Bait are as follows:  
49 Chattooga River (S.R. 1100 bridge to South Carolina state line)  
50 Jarrett Creek (game land portion)  
51 Kimsey Creek  
52 Overflow Creek (game land portion)  
53 Park Creek  
54 Tellico Creek (game land portion)  
55 Turtle Pond Creek (game land portion)
- 56 (14) Madison County



- 1 (A) Delayed Harvest Trout Waters are as follows:  
2 Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)  
3 Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)  
4 Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews  
5 Ave.)
- 6 (B) Hatchery Supported Trout Waters are as follows:  
7 Big Laurel Creek (~~Mars Hill watershed boundary~~ Puncheon Fork to the S.R. 1318 [Big  
8 Laurel Rd.] bridge downstream of Bearpen Branch)  
9 Big Pine Creek (S.R. 1151 bridge to French Broad River)  
10 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence  
11 with Ivy Creek at Forks of Ivy)  
12 Max Patch Pond  
13 Meadow Fork Creek (~~S.R. 1165~~ Meadow Fork Campground to Spring Creek)  
14 Puncheon Fork (Hampton Creek to Big Laurel Creek)  
15 Roaring Fork (Fall Branch to Meadow Fork)  
16 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at  
17 Belva)  
18 Shut-in Creek  
19 Spillcorn Creek  
20 Spring Creek (junction of N.C. 209 and N.C. 63 to USFS Rd. 223)  
21 West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-  
22 in Creek)
- 23 (C) Wild Trout Waters/Natural Bait are as follows:  
24 Big Creek (headwaters to the lower game land boundary)
- 25 (15) McDowell County
- 26 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:  
27 Newberry Creek (game land portion)
- 28 (B) Delayed Harvest Trout Waters are as follows:  
29 Catawba River (portion adjacent to Marion Greenway)  
30 Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)  
31 Mill Creek (U.S. 70 bridge to I-40 bridge)
- 32 (C) Hatchery Supported Trout Waters are as follows:  
33 Armstrong Creek (Cato Holler line downstream to upper Greenlee line)  
34 Catawba River (Catawba Falls Campground to Old Fort Recreation Park)  
35 Little Buck Creek (game land portion)  
36 Mill Creek (upper railroad bridge to U.S. 70 bridge, except where posted against  
37 trespassing)  
38 North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- 39 (16) Mitchell County
- 40 (A) Delayed Harvest Trout Waters are as follows:  
41 Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)  
42 North Toe River (U.S. 19E bridge to N.C. 226 bridge)
- 43 (B) Hatchery Supported Trout Waters are as follows:  
44 Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)  
45 Cane Creek (S.R. 1219 to N.C. 226 bridge)  
46 East Fork Grassy Creek  
47 Grassy Creek (East Fork Grassy Creek to mouth)  
48 Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against  
49 trespassing)  
50 North Toe River (Avery Co. line to S.R. 1121 bridge)
- 51 (C) Wild Trout Waters are as follows:  
52 Green Creek (headwaters to Green Creek bridge, except where posted against  
53 trespassing)  
54 Little Rock Creek (above Green Creek bridge, including all tributaries, except where  
55 posted against trespassing)  
56 Wiles Creek (game land boundary to mouth)

- 1 (17) Polk County
- 2 (A) Delayed Harvest Trout Waters are as follows:
- 3 Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
- 4 (B) Hatchery Supported Trout Waters are as follows:
- 5 Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
- 6 North Pacolet River (Joels Creek to N.C. 108 bridge)
- 7 (18) Rutherford County
- 8 (A) Hatchery Supported Trout Waters are as follows:
- 9 (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted
- 10 against trespassing)
- 11 (19) Stokes County
- 12 (A) Hatchery Supported Trout Waters are as follows:
- 13 Dan River (Virginia state line downstream to a point 200 yards below the end of S.R.
- 14 1421)
- 15 (20) Surry County
- 16 (A) Delayed Harvest Trout Waters are as follows:
- 17 Ararat River (portion adjacent to the Ararat River Greenway)
- 18 Mitchell River (.6 mile upstream of the end of S.R. 1333 to the S.R. 1330 bridge below
- 19 Kapps Mill Dam)
- 20 (B) Hatchery Supported Trout Waters are as follows:
- 21 Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)
- 22 Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards
- 23 downstream of N.C. 268 [marked by a sign on each bank])
- 24 Fisher River (Cooper Creek) (Virginia state line to I-77 bridge)
- 25 Little Fisher River (Virginia state line to N.C. 89 bridge)
- 26 Lovills Creek (U.S. 52 Business bridge to Ararat River)
- 27 Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- 28 (21) Swain County
- 29 (A) Delayed Harvest Waters Trout Waters are as follows:
- 30 Tuckasegee River (U.S. 19 bridge to Slope Street bridge)
- 31 (B) Hatchery Supported Trout Waters are as follows:
- 32 Alarka Creek (game land boundary to Fontana Reservoir)
- 33 Calderwood Reservoir (Cheoah Dam to Tennessee state line)
- 34 Cheoah Reservoir
- 35 Connelly Creek (Camp Branch to Tuckasegee River)
- 36 Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)
- 37 Nantahala River (Macon Co. line to existing Fontana Lake water level)
- 38 (22) Transylvania County
- 39 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
- 40 Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass
- 41 Creek and Grogan Creek)
- 42 (B) Delayed Harvest ~~Waters~~ Trout Waters are as follows:
- 43 East Fork French Broad River (East Fork Baptist Church to ~~French Broad River~~ the
- 44 downstream S.R. 1107 bridge)
- 45 Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)
- 46 (C) Hatchery Supported Trout Waters are as follows:
- 47 Davidson River (Avery Creek to lower USFS boundary)
- 48 French Broad River (confluence of North Fork French Broad River and West Fork) French
- 49 Broad River to the Island Ford Rd. [S.R. 1110] Access Area
- 50 Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)
- 51 West Fork French Broad River (Camp Cove Branch to confluence with North Fork French
- 52 Broad River)
- 53 (D) Wild Trout Waters are as follows:
- 54 All waters located on Gorges State Park
- 55 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
- 56 (E) Wild Trout Waters/Natural Bait are as follows:

- 1 North Fork French Broad River (game land portion downstream of S.R. 1326)  
2 Thompson River (S.R. 1152 to South Carolina state line, except where posted against  
3 trespassing)
- 4 (23) Watauga County
- 5 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:  
6 Laurel Creek (confluence of North and South Fork Laurel creeks to Elk Creek, excluding  
7 tributaries)  
8 Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to  
9 Coffee Lake)
- 10 (B) Delayed Harvest Trout Waters are as follows:  
11 Lake Coffey  
12 Watauga River (adjacent to intersection of S.R. 1557 and S.R. 1558 to N.C. 105 bridge  
13 and S.R. 1114 bridge to ~~N.C. 194 bridge at the~~ Valle Crucis Community Park lower  
14 boundary)
- 15 (C) Hatchery Supported Trout Waters are as follows:  
16 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an  
17 unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)  
18 Beech Creek  
19 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)  
20 Buckeye Creek Reservoir  
21 Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1214 bridge at Sherwood)  
22 Dutch Creek (second bridge on S.R. 1134 to mouth)  
23 Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against  
24 trespassing)  
25 Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)  
26 Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)  
27 Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 to South  
28 Fork New River)  
29 Norris Fork Creek  
30 South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower  
31 boundary of Brookshire Park)  
32 Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)
- 33 (D) Wild Trout Waters are as follows:  
34 Dutch Creek (headwaters to second bridge on S.R. 1134)  
35 Howard Creek  
36 Maine Branch (headwaters to North Fork New River)  
37 North Fork New River (from confluence with Maine and Mine branches to Ashe Co.  
38 line)  
39 Watauga River (Avery Co. line to S.R. 1580 bridge)  
40 Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)
- 41 (24) Wilkes County
- 42 (A) Delayed Harvest Trout Waters are as follows:  
43 East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park  
44 lower boundary)  
45 Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain  
46 Club)  
47 Elk Creek — lower (portion on Leatherwood Mountains development)  
48 Reddies River (Town of North Wilkesboro water intake dam to confluence with the  
49 Yadkin River)  
50 Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong  
51 Roaring River and Bullhead Creek)
- 52 (B) Hatchery Supported Trout Waters are as follows:  
53 Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)  
54 Bell Branch Pond  
55 Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)

1 Darnell Creek (North Prong Reddies River) (downstream ford on S.R. 1569 to confluence  
 2 with North Fork Reddies River)  
 3 East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)  
 4 Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where  
 5 posted against trespassing)  
 6 Middle Fork Reddies River (Clear Prong) (headwaters to bridge on S.R. 1580)  
 7 Middle Prong Roaring River (headwaters to bridge on S.R. 1736)  
 8 North Fork Reddies River (Vannoy Creek) (headwaters to Union School bridge on S.R.  
 9 1559)  
 10 Pike Creek  
 11 Pike Creek Pond  
 12 South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies  
 13 River)  
 14 South Prong Lewis Fork (Fall Creek to S.R. 1155 bridge)  
 15 (C) Wild Trout Waters are as follows:  
 16 All waters located on Stone Mountain State Park, except East Prong Roaring River from  
 17 Bullhead Creek downstream to the Stone Mountain State Park lower boundary where  
 18 Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at  
 19 Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek  
 20 in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply  
 21 (25) Yancey County  
 22 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:  
 23 South Toe River (headwaters to Upper Creek)  
 24 Upper Creek  
 25 (B) Delayed Harvest Trout Waters are as follows:  
 26 Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)  
 27 (C) Hatchery Supported Trout Waters are as follows:  
 28 Bald Mountain Creek (except where posted against trespassing)  
 29 Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)  
 30 Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)  
 31 South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park,  
 32 except where posted against trespassing)  
 33 (D) Wild Trout Waters are as follows:  
 34 Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)  
 35 Lickskillet Creek  
 36 Middle Creek (game land boundary to mouth)  
 37  
 38 *History Note: Authority G.S. 113-272; 113-292;*  
 39 *Eff. February 1, 1976;*  
 40 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*  
 41 *October 1, 1992;*  
 42 *Temporary Amendment Eff. July 1, 1999;*  
 43 *Amended Eff. July 1, 2000;*  
 44 *Temporary Amendment Eff. July 1, 2001;*  
 45 *Temporary Amendment Eff. July 1, 2002;*  
 46 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*  
 47 *Temporary Amendment Eff. June 1, 2003;*  
 48 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*  
 49 *2003);*  
 50 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*  
 51 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*  
 52 *1, 2007; May 1, 2006; June 1, 2005.*  
 53

**15A NCAC 10C .0211 POSSESSION OF CERTAIN FISHES**

(a) It is unlawful to transport, purchase, possess, sell or stock in the public or private waters of North Carolina any live individuals of:

- (1) piranha,
- (2) "walking catfish" (*Clarias batrachus*),
- (3) snakehead fish (from the Family Channidae, formerly Ophiocephalidae),
- (4) black carp (*Mylopharyngodon piceus*),
- (5) bighead carp (*Hypophthalmichthys nobilis*),
- (6) silver carp (*Hypophthalmichthys molitrix*),
- (7) rudd (*Scardinius erythrophthalmus*),
- (8) round goby (*Neogobius melanostomus*),
- (9) tubenose goby (*Proterorhinus marmoratus*),
- (10) ruffe (*Gymnocephalus cernuus*),
- (11) Japanese mysterysnail (*Cipangopaludina japonica*),
- (12) Chinese mysterysnail (*Cipangopaludina chinensis malleata*),
- (13) red-rim melania (*Melanoides tuberculatus*),
- (14) virile crayfish (*Orconectes Gremicambarus virilis*),
- (15) rusty crayfish (*Orconectes Procericambarus rusticus*),
- (16) Australian red claw crayfish or "red claw" (*Cherax quadricarinatus*, or other species of "giant" crayfish species in the genus *Cherax*),
- (17) white amur or "grass carp" (*Ctenopharyngodon idella*),
- (18) swamp or "rice" eel (*Monopterus albus*),
- (19) red shiner (*Cyprinella lutrensis*),
- (20) zebra mussel (*Dreissena polymorpha*) or
- (21) quagga mussel (*Dreissena rostriformis bugensis*) or any mussel in the family Dreissenidae.

(b) A person may buy, possess or stock triploid grass carp only for the purpose of controlling aquatic vegetation under a permit issued by the Executive Director when the director determines that conditions of such possession or stocking provide minimal probability of escape and threat to sensitive aquatic habitat and that the carp is certified to be sterile by genetic testing at a federal, state, or university laboratory.

(c) In the waters of the Little Tennessee River in and upstream of Lake Santeetlah and Cedar Cliff Lake, including all the tributaries and impoundments thereof, and on adjacent shorelines, docks, access ramps, and bridge crossings, it is unlawful to transport, possess, or release live river herring (alewife and blueback herring).

*History Note: Authority G.S. 113-134; 113-274(c)(1c); 113-292;  
Eff. February 1, 1976;  
Amended Eff. September 1, 1984;  
Temporary Amendment Eff. July 1, 2001;  
Amended Eff. July 18, 2002;  
Temporary Amendment Eff. September 1, 2002;  
Amended Eff. August 1, 2013; August 1, 2011; June 1, 2009, June 1, 2005; August 1, 2004.*

**15A NCAC 10C .0305 BLACK BASS (EFFECTIVE AUGUST 1, 2018)**

(a) The daily creel limit for Largemouth, Smallmouth, and Spotted Bass — collectively known as Black Bass - is five fish, except in waters identified in Paragraphs (b), (c), (d), and ~~(n)(m)~~ of this Rule. There is no minimum size limit for these fish, but only two of them may be less than 14 inches except in waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), ~~(m)~~, and ~~(n)~~ and (m) of this Rule. There is no closed season, except for waters identified in Paragraphs ~~(l)~~ and ~~(n)(m)~~ of this Rule.

(b) 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.

(c) In Lake Santeetlah in Graham County, there is no daily creel limit for Black Bass less than 14 inches. The daily creel limit for Black Bass greater than 14 inches is five fish.

(d) In Lake Chatuge in Clay County, the daily creel limit for Black Bass is 10 fish, the minimum size limit for Largemouth Bass is 12 inches, and there is no minimum size limit for Smallmouth Bass and Spotted Bass.

(e) The minimum size limit for Black Bass is 14 inches in the following:

(1) Lake Raleigh in Wake County;

~~(2)~~ (2) Lake Sutton in New Hanover County;

~~(2)(3)~~ (3) Pungo Lake in Washington and Hyde counties;

~~(3)(4)~~ (4) New Lake in Hyde County; and

~~(4)(5)~~ (5) Currituck, Roanoke, Croatan, Albemarle sounds, and all their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Chowan River, Meherrin River, Yeopim River, Pasquotank River, Perquimans River, Little River, Big Flatty Creek, North River, Northwest River, Scuppernong River, ~~and~~ Alligator River (including the Alligator/Pungo Canal east of the NC Hwy 264/45 bridge), and all other associated tributaries and canals in these river systems.

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

(g) In Lake Phelps in Tyrrell and Washington counties, the minimum size limit is 14 inches, and no fish between 16 and 20 inches may be possessed.

(h) In Shearon Harris Reservoir and Lake Hampton in Yadkin County, there is no minimum size limit for Black Bass, but only two Black Bass less than 14 inches and no Black Bass between 16 and 20 inches may be possessed.

(i) In Randleman Reservoir, there is no minimum size limit for Largemouth Bass, but only two Largemouth Bass less than 14 inches and only one Largemouth Bass greater than 20 inches may be possessed.

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

(k) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is no minimum size limit for Black Bass, but no fish between 14 and 22 inches in length may be possessed and only one Black Bass greater than 22 inches may be possessed.

~~(l) In Sutton Lake, the minimum size limit for Black Bass is 14 inches and no Black Bass may be possessed from December 1 through March 31.~~

~~(m)(1)~~ (1) In Lake Mattamuskeet and associated canals in Hyde County, the minimum size limit for Largemouth Bass is 16 inches and only one Largemouth Bass greater than 20 inches may be possessed.

~~(n)(m)~~ (m) In Jean Guite Creek and associated canals within the Town of Southern Shores, Dare County, no Black Bass may be possessed.

~~(n)~~ (n) For purposes of this Rule, creel limits apply to Largemouth, Smallmouth, and Spotted Bass in aggregate unless otherwise specified.

*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;*

1           *Temporary Amendment Eff. July 1, 2001;*  
2           *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*  
3           *amendment effective July 1, 2002 and approved by RRC in May 2001];*  
4           *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*  
5           *Temporary Amendment Eff. June 1, 2003;*  
6           *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*  
7           *2003);*  
8           *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012;*  
9           *March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,*  
10           *2007; May 1, 2006; June 1, 2005.*  
11

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

(a) There is no daily creel limit for Crappie, except for waters identified in Paragraphs (b), (c), (d), ~~and (e)~~, and (f) of this Rule. There is no minimum size limit for these fish, except for waters identified in Paragraphs ~~(d) and (e)~~, (d), (e), and (f). There is no closed season.

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

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

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

~~(1) B. Everett Jordan Reservoir;~~

~~(2)~~(1) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

~~(3)~~(2) Cashie River and its tributaries;

~~(4)~~(3) Middle River and its tributaries;

~~(5)~~(4) Eastmost River and its tributaries; and

~~(6)~~(5) Lake Mattamuskeet and associated canals in Hyde County.

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

(1) Pee Dee River from Blewett Falls Dam to the South Carolina state line;

(2) Badin Lake;

(3) Falls Lake (Stanly and Montgomery counties);

(4) Lake Tillery;

(5) Blewett Falls Lake;

(6) Lake Norman;

(7) Lake Hyco;

(8) Lake Ramseur;

(9) Cane Creek Lake;

(10) Lake Hampton (Yadkin County);

(11) B. Everett Jordan Reservoir;

~~(11)~~(12) Tar River downstream of Tar River Reservoir Dam and all tributaries;

~~(12)~~(13) Neuse River downstream of Falls Lake Dam and all tributaries;

~~(13)~~(14) Haw River downstream of Jordan Lake Dam and all tributaries;

~~(14)~~(15) Deep River downstream of Lockville Dam and all tributaries;

~~(15)~~(16) Cape Fear River and all tributaries;

~~(16)~~(17) Waccamaw River downstream of Lake Waccamaw Dam and all tributaries;

~~(17)~~(18) Lumber River including Drowning Creek and all tributaries;

~~(18)~~(19) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and waters listed in Paragraph (d) of this Rule; and

~~(19)~~(20) all public waters west of Interstate 77, except Lake Chatuge.

~~For waters in Subparagraphs (11) through (19), the restrictions apply to all tributaries.~~

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

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

*Eff. November 1, 2013;*

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



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

2 (a) The daily creel limit for American and Hickory Shad in the aggregate is 10 fish, only one of which may be an  
3 American Shad, except for waters identified in Paragraphs (b), (c) and (d) of this Rule. There is no minimum size  
4 limit for these fish. There is no closed season, except for waters identified in Paragraph (e) of this Rule.

5 (b) In the inland waters of ~~Roanoke River, Neuse River, the Tar-Pamlico River, Pungo River, Pee Dee River,~~ and their  
6 tributaries, the daily creel limit for American and Hickory Shad is 10 in the aggregate, ~~only one of which may be an~~  
7 ~~American Shad~~.

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

10 (d) In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American Shad may be possessed.

11 (e) The season for taking American and Hickory Shad with bow nets is March 1 through April 30.  
12

13 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*  
14 *Eff. November 1, 2013.*  
15

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

(a) The daily creel limit for Striped Bass and its hybrids is four fish in the aggregate, except in waters identified in Paragraphs (b), (e), (f), (g), (h), (i), and (j) of this Rule. The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule. There is no closed season, except for waters identified in Paragraphs (g), (h), (i), (j), and (k) of this Rule.

(b) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the daily creel limit on Striped Bass and its hybrids is two in the aggregate and the minimum size limit is ~~24~~20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on Striped Bass and its hybrids is four in the aggregate with no minimum size limit.

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

(d) In Lake Norman, Arrowhead Lake (Anson Co.), High Rock Pond (Caswell Co.), Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for Striped Bass and its hybrids is 16 inches.

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

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

(g) 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 not specified in Paragraphs (f), (h), (i), and (j) of this Rule, the daily creel limit for Striped Bass and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through September 30.

(h) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam, the season for taking and possessing Striped Bass is closed year-round.

(i) 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 its 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 its hybrids is two fish in the aggregate, and the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be possessed in the daily creel limit. Only one fish larger than 27 inches may be possessed in the daily creel limit.

(j) 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.

(k) In accordance with G.S. 113-292, 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.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;  
Eff. November 1, 2013;  
Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014.*

**15A NCAC 10C .0316 TROUT (EFFECTIVE AUGUST 1, 2018)**

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

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

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

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

(e) The daily creel limits, size limits, and seasons for trout in Special Regulation Trout Waters are as follows: ~~in the~~  
(1) Apalachia Reservoir (Cherokee County) the daily creel limit is three trout. There is no minimum size limit, but only one may be greater than 14 inches. There is no closed season.

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

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

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

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

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

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

**15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: ~~PURCHASE AND SALE~~**  
**(EFFECTIVE AUGUST 1, 2018)**

(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 grabblingline, grabbling, or special device with a special device fishing license.~~

(b) Nongame fishes may be taken by hook and line or grabblingline, grabbling, or special device with a special device fishing license at any time without restriction as to size limits or creel limits, with the following exceptions:limits except as designated in this Rule.

(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) While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and blueback) that are greater than six inches in length, or possess such herring regardless of origin in:

(A) Roanoke River downstream of Roanoke Rapids Dam;

(B) Tar River downstream of Rocky Mount Mill Dam;

(C) Neuse River downstream of Milburnie Dam;

(D) Cape Fear River downstream of Buckhorn Dam;

(E) Pee Dee River downstream of Blewett Falls Dam;

(F) Lumber River including Drowning Creek;

(G) all the tributaries to the rivers listed above; and

(H) all other inland fishing waters east of I 95.

(3) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman, Mountain Island Reservoir, Lake Wylie, and John H. Kerr Reservoir, except that one fish per day may be taken with archery equipment.

(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) 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.

(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. Trout seasons are designated in 15A NCAC 10C .0316.

(c) Nongame fishes taken by hook and line, grabbling, or by licensed special devices may be sold, with the following exceptions:

(1) alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties);

(2) blue crab; and

(3) bowfin.

(c) Special devices may only be used to take nongame fishes with a special device fishing license in those counties and waters with open season designated in 15A NCAC 10C .0407.

(d) Archery equipment may only be used for the take of catfish on Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries.

(e) Set hooks, jug hooks, and trotlines may be used to take nongame fishes as designated in 15A NCAC 10C .0206.

(f) The season for taking nongame fishes by hook and line in designated public mountain trout waters is the same as the trout fishing season. Trout seasons are designated in 15A NCAC 10C .0316.

(g) Freshwater mussels, including the Asiatic clam (Corbicula fluminea), may be taken only from impounded waters, except mussels shall not be taken in Lake Waccamaw in Columbus County, and in University Lake in Orange County. The daily possession limit for freshwater mussels is 200 in the aggregate, except there is no daily possession limit for the Asiatic clam (Corbicula fluminea).

(h) 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.

(i) While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and blueback herring) that are greater than six inches in length, or possess such herring regardless of origin in:

(1) Roanoke River downstream of Roanoke Rapids Dam;

(2) Tar River downstream of Rocky Mount Mill Dam;

(3) Neuse River downstream of Falls Lake Dam;

(4) Cape Fear River downstream of Buckhorn Dam;

(5) Pee Dee River downstream of Blewett Falls Dam;  
 (6) Lumber River including Drowning Creek;  
 (7) all the tributaries to the rivers listed above; and  
 (8) all other inland fishing waters east of I-95.

~~(e)~~(j) 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 by means other than hook and line; the daily creel limit is six catfish in aggregate. Waters where this creel limit applies shall be posted on-site with signs indicating the creel limit.

~~(f)~~(k) The daily creel limit for blue catfish greater than 32 inches is one fish in the following reservoirs:

- (1) Lake Norman;
- (2) Mountain Island Lake;
- (3) Lake Wylie;
- (4) Badin Lake;
- (5) Lake Tillery;
- (6) John H. Kerr Reservoir (North Carolina portion);
- (7) Lake Gaston (North Carolina portion); and
- (8) Roanoke Rapids Reservoir.

(l) The daily creel limit is five catfish in aggregate on the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries.

~~(g)~~(m) The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing in inland fishing waters is 25, and the minimum size limit is 9 inches.

(n) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Mountain Island Reservoir, and Lake Wylie, except that one fish per day may be taken with archery equipment.

(o) Grass carp shall not be taken or possessed on Lake Norman and the North Carolina portion of John H. Kerr Reservoir, except for scientific study by permit issued by the Wildlife Resources Commission.

(p) 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.

~~(h)~~(q) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish specified in Paragraphs (h), (i), (k), (m), and (p) of this Rule having a size limit so as to render it impracticable to measure its total original length. No person while fishing shall change the appearance of any nongame fish specified in Paragraphs (g), (h), (j), (k), (l), (m), (n), (o), and (p) of this Rule having a daily creel limit so as to obscure its identification or render it impracticable to count the number of fish in possession.

(r) Nongame fishes taken by hook and line, grabbling, or by licensed special devices device with a special device fishing license may be sold, with the following exceptions:

- (1) alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties);
- (2) blue crab; and
- (3) bowfin.

*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, 2018; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013;  
 August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005*

**15A NCAC 10C .0402 TAKING NONGAME FISHES FOR BAIT OR PERSONAL CONSUMPTION (EFFECTIVE AUGUST 1, 2018)**

(a) It is unlawful to take nongame fish for bait or personal consumption in the inland waters of North Carolina using equipment other than:

- (1) a net of dip net design not greater than six feet across;
- (2) a seine of not greater than 12 feet in length (except in Lake Waccamaw in Columbus County where there is no length limitation) and with a bar mesh measure of not more than one-fourth inch;
- (3) a cast net;
- (4) a bow net for the seasons and waters in which the use of bow nets is authorized in 15A NCAC 10C .0407;
- (5) a dip net when used in conjunction with a licensed hand-crank electrofisher;
- (6) a gig (except in Public Mountain Trout Waters);
- (7) up to three traps for the seasons and waters in which the use of traps is authorized in 15A NCAC 10C .0407;
- (8) up to two eel pots;
- (9) a spear gun for the seasons and waters in which the use of a spear gun is authorized in 15A NCAC 10C .0407;
- (10) minnow traps not exceeding 12 inches in diameter and 24 inches in length, with funnel openings not exceeding one inch in diameter, from which all fish and animals are removed daily, and that are labeled with the user's Wildlife Resources Commission customer number or name and address;
- (11) a hand-held line with a single bait attached;
- (12) a single, multiple-bait line for taking crabs not to exceed 100 feet in length, marked on each end with a solid float no less than five inches in diameter, bearing legible and indelible identification of the user's name and address, and under the immediate control and attendance of the person using the device, with a limit of one line per person and no more than one line per vessel; or
- (13) a collapsible crab trap with the largest open dimension not greater than 18 inches and that by design is collapsed at all times when in the water, except when it is being retrieved or lowered to the bottom, with a limit of one trap per person.

(b) The use of equipment under this Rule requires a valid license that provides basic inland fishing privileges.

(c) It is unlawful to sell nongame fishes or aquatic animals taken under this Rule.

(d) Game fishes taken ~~while netting for bait~~ shall be returned unharmed to the water, except white perch may be taken when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all impounded waters west of I-95 and in the Tar River Reservoir (Nash County).

(e) No person shall take or possess during one day more than 200 nongame fish in aggregate for bait or personal consumption subject to the ~~following restrictions:~~ size and creel limits identified in 15A NCAC 10C .0401.

~~(1) No more than 25 eels, none of which may be less than 9 inches in length, shall be taken from or possessed, regardless of origin, while boating on or fishing in inland fishing waters;~~

~~(2) While boating on or fishing in the following inland fishing waters, no river herring (alewife and blueback) that are greater than six inches in total length shall be taken, and no such river herring shall be possessed regardless of origin:~~

~~(A) Roanoke River downstream of Roanoke Rapids Dam;~~

~~(B) Tar River downstream of Rocky Mount Mill Dam;~~

~~(C) Neuse River downstream of Milburnie Dam;~~

~~(D) Cape Fear River downstream of Buckhorn Dam;~~

~~(E) Pee Dee River downstream of Blewett Falls Dam;~~

~~(F) Lumber River including Drowning Creek;~~

~~(G) the tributaries to the rivers listed above; and~~

~~(H) all other inland fishing waters east of Interstate 95.~~

~~(3) No more than 50 crabs per person per day or 100 per vessel per day with a minimum carapace width of five inches (point to point) shall be taken.~~

(f) Any fishes taken for bait purposes are included within the daily possession limit for that species.

(g) It is unlawful to take nongame fish for bait ~~or any other fish bait~~ from the following waters:

- (1) Public Mountain Trout Waters (except in impounded waters of power reservoirs and municipally-owned water supply reservoirs);
- (2) Bear Creek in Chatham County;

- 1 (3) Deep River in Chatham, Lee, and Moore counties and downstream of Coleridge Dam in Randolph  
2 County;  
3 (4) Fork Creek in Randolph County; and  
4 (5) Rocky River in Chatham County.
- 5 ~~(h) In the waters of the Little Tennessee River, including all the tributaries and impoundments thereof, and on adjacent~~  
6 ~~shorelines, docks, access ramps, and bridge crossings, it is unlawful to transport, possess, or release live river herring~~  
7 ~~(alewife and blueblack).~~
- 8 (i) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish  
9 having a size limit identified in 15A NCAC 10C .0401 so as to render it impracticable to measure its total original  
10 length. No person while fishing shall change the appearance of any nongame fish having a daily creel limit identified  
11 in 15A NCAC 10C .0401 so as to obscure its identification or render it impracticable to count the number of fish in  
12 possession.
- 13
- 14 *History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-272; 113-272.3; 113-292;*  
15 *Eff. February 1, 1976;*  
16 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1993; July 1, 1992; May 1, 1992; July 1, 1989;*  
17 *Temporary Amendment Eff. July 1, 2001;*  
18 *Amended Eff. July 18, 2002;*  
19 *Temporary Amendment Eff. June 1, 2003;*  
20 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*  
21 *2003);*  
22 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*  
23 *August 1, 2013; August 1, 2010; May 1, 2008; May 1, 2007; May 1, 2006.*  
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**15A NCAC 10C .0407 PERMITTED SPECIAL DEVICES AND OPEN SEASONS**

Except in designated public mountain trout waters, and in impounded waters located on the Sandhills Game Land, there is a year-round open season for the licensed taking of nongame fishes by bow and arrow. The use of special fishing devices, including crab pots in impoundments located entirely on game lands is prohibited. Seasons and waters in which the use of other special devices is authorized are indicated by counties below:

- (1) Alamance:
  - (a) July 1 to August 31 with seines in Alamance Creek below NC 49 bridge and Haw River;
  - (b) July 1 to June 30 with gigs in all public waters;
- (2) Alexander: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lake Hickory and Lookout Shoals Reservoir;
- (3) Alleghany: July 1 to June 30 with gigs in New River, except designated public mountain trout waters;
- (4) Anson:
  - (a) July 1 to June 30 with traps and gigs in all public waters;
  - (b) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
  - (c) July 1 to August 31 with seines in all running public waters, except Pee Dee River from Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
- (5) Ashe: July 1 to June 30 with gigs in New River (both forks), except designated public mountain trout waters;
- (6) Beaufort:
  - (a) July 1 to June 30 with traps in the Pungo River, and in the Tar and Pamlico Rivers above Norfolk and Southern Railroad bridge; and with gigs in all inland public waters;
  - (b) March 1 to April 30 with bow nets in all inland public waters;
- (7) Bertie:
  - (a) July 1 to June 30 with traps in the Broad Creek (tributary of Roanoke);
  - (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (8) Bladen:
  - (a) March 1 to April 30 with bow nets in Black River;
  - (b) July 1 to March 1 with hand-crank electrofishers (local law) in Cape Fear River between Lock and Dam 1 and 3 and in Black River, except that hand-crank electrofishing is prohibited within 400 yards of Lock and Dam 1, 2, and 3 on Cape Fear River;
- (9) Brunswick: March 1 to April 30 with bow nets in Alligator Creek, Hoods Creek, Indian Creek, Orton Creek below Orton Pond, Rices Creek, Sturgeon Creek and Town Creek;
- (10) Buncombe: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (11) Burke:
  - (a) July 1 to August 31 with seines in all running public waters, except Johns River and designated public mountain trout waters;
  - (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters and Lake James;
- (12) Cabarrus:
  - (a) July 1 to August 31 with seines in all running public waters,
  - (b) July 1 to June 30 with traps and gigs in all public waters;
- (13) Caldwell: July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters;
- (14) Camden:
  - (a) July 1 to June 30 with traps in all inland public waters;
  - (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (15) Carteret: March 1 to April 30 with bow nets in all inland public waters except South River and the tributaries of the White Oak River;
- (16) Caswell:
  - (a) July 1 to June 30 with gigs in all public waters;
  - (b) July 1 to August 31 with seines in all running public waters, except Moons Creek;
  - (c) July 1 to June 30 with traps in Hyco Reservoir;



- (17) Catawba:  
(a) July 1 to August 31 with seines in all running public waters, except Catawba River below Lookout Dam;  
(b) July 1 to June 30 with traps, spear guns, and gigs in all public waters;
- (18) Chatham:  
(a) December 1 to April 15 with dip and gill nets in the Cape Fear River, Deep River, Haw River and Rocky River (local law);  
(b) July 1 to August 31 with seines in the Cape Fear River, and Haw River;  
(c) July 1 to June 30 with traps in Deep River; and with gigs in all public waters;
- (19) Cherokee: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (20) Chowan:  
(a) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;  
(b) July 1 to June 30 with traps in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (21) Clay: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (22) Cleveland:  
(a) July 1 to August 31 with seines in all running public waters;  
(b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- (23) Columbus:  
(a) December 1 to March 1 with gigs in all inland public waters, except Lake Waccamaw and its tributaries;  
(b) March 1 to April 30 with bow nets in Livingston Creek;  
(c) July 1 to March 1 with hand-crank electrofishers (local law) in Waccamaw and Lumber rivers;
- (24) Craven:  
(a) July 1 to June 30 with traps in the main run of the Trent and Neuse Rivers;  
(b) March 1 to April 30 with bow nets in all inland public waters, except Pitch Kettle, Grindle, Slocum (downstream of the US 70 bridge), Spring and Hancock Creeks and their tributaries; and with seines in the Neuse River;
- (25) Currituck:  
(a) July 1 to June 30 with traps in Tulls Creek and Northwest River;  
(b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (26) Dare:  
(a) July 1 to June 30 with traps in Mashoes Creek, Milltail Creek, East Lake and South Lake;  
(b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (27) Davidson:  
(a) July 1 to August 31 with seines in all running public waters;  
(b) July 1 to June 30 with gigs in all public waters, and with traps in all public waters except Leonard's Creek, Abbott's Creek below Lake Thom-A-Lex dam, and the Abbott's Creek arm of High Rock Lake upstream from the NC 8 bridge;
- (28) Davie:  
(a) July 1 to June 30 with traps and gigs in all public waters;  
(b) July 1 to August 31 for taking only carp and suckers with seines in Dutchmans Creek from US 601 to Yadkin River and in Hunting Creek from SR 1338 to South Yadkin River;
- (29) Duplin:  
(a) December 1 to June 5 with seines in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;  
(b) March 1 to April 30 with bow nets in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;
- (30) Durham:  
(a) July 1 to August 31 with seines in Neuse River;

- (b) July 1 to June 30 with gigs in all public waters;
- (31) Edgecombe: March 1 to April 30 with bow nets in all public waters;
- (32) Forsyth: July 1 to June 30 with traps and gigs in all public waters, except traps may not be used in Belews Creek Reservoir;
- (33) Franklin:
- (a) July 1 to August 31 with seines in Tar River;
- (b) July 1 to June 30 with gigs in all public waters, except Parrish, Laurel Mill, Jackson, Clifton, Moore's and Perry's Ponds, and in the Franklinton City ponds;
- (34) Gaston:
- (a) July 1 to August 31 with seines in all running public waters;
- (b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- (35) Gates: March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (36) Graham: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (37) Granville:
- (a) July 1 to June 30 with gigs in all public waters, except Kerr Reservoir;
- (b) July 1 to August 31 with seines in the Tar River below US 158 bridge;
- (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- (38) Greene: March 1 to April 30 with bow nets and reels in Contentnea Creek;
- (39) Guilford:
- (a) July 1 to August 31 with seines in Haw River, Deep River below Jamestown Dam, and Reedy Fork Creek below US 29 bridge;
- (b) July 1 to June 30 with gigs in all public waters;
- (40) Halifax: March 1 to April 30 with bow nets in Beech Swamp, Clarks Canal, Conoconnara Swamp, Fishing Creek below the Fishing Creek Mill Dam, Kehukee Swamp, Looking Glass Gut, Quankey Creek, and White's Mill Pond Run;
- (41) Harnett:
- (a) January 1 to May 31 with gigs in Cape Fear River and tributaries;
- (b) March 1 to April 30 with bow nets in Cape Fear River;
- (42) Haywood: July 1 to June 30 with gigs in all public waters, except Lake Junaluska and designated public mountain trout waters;
- (43) Henderson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (44) Hertford:
- (a) July 1 to June 30 with traps in Wiccacon Creek;
- (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (45) Hyde:
- (a) July 1 to June 30 with traps in all inland waters;
- (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (46) Iredell: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lookout Shoals Reservoir and Lake Norman;
- (47) Jackson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (48) Johnston: March 1 to April 30 with bow nets in Black Creek, Little River, Middle Creek, Mill Creek, Neuse River and Swift Creek;
- (49) Jones:
- (a) July 1 to June 30 with traps in the Trent River below US 17 bridge and White Oak River below US 17 bridge;
- (b) March 1 to April 30 with bow nets in all inland public waters, except the tributaries to the White Oak River;
- (50) Lee:
- (a) December 1 to April 15 with dip and gill nets (local law) in Cape Fear River and Deep River;

- (b) July 1 to August 31 with seines in Cape Fear River;
- (c) July 1 to June 30 with traps in Deep River, and with gigs in all public waters;
- (51) Lenoir:
  - (a) July 1 to June 30 with traps in Neuse River below US 70 bridge at Kinston;
  - (b) March 1 to April 30 with bow nets in Neuse River and Contentnea Creek upstream from NC 118 bridge at Grifton; and with seines in Neuse River;
- (52) Lincoln:
  - (a) July 1 to August 31 with seines in all running public waters;
  - (b) July 1 to June 30 with traps, gigs and spear guns in all public waters;
- (53) McDowell:
  - (a) July 1 to August 31 with seines in all running public waters, except designated public mountain trout waters;
  - (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters and Lake James;
- (54) Macon: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (55) Madison: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (56) Martin: March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (57) Mecklenburg:
  - (a) July 1 to August 31 with seines in all running public waters;
  - (b) July 1 to June 30 with traps, gigs and spear guns in all public waters except Freedom Park Pond and Hornet's Nest Ponds;
- (58) Montgomery:
  - (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
  - (b) July 1 to June 30 with traps and gigs in all public waters;
- (59) Moore:
  - (a) July 1 to August 31 with seines in all running public waters except in Deep River;
  - (b) July 1 to June 30 with gigs in all public waters, except lakes located on the Sandhills Game Land; and with traps in Deep River and its tributaries;
- (60) Nash:
  - (a) July 1 to June 30 with gigs in all public waters, except Tar River;
  - (b) March 1 to April 30 with bow nets in the Tar River below Harris' Landing and Fishing Creek below the Fishing Creek Mill Dam;
- (61) New Hanover: March 1 to April 30 with bow nets in all inland public waters, except Sutton (Catfish) Lake;
- (62) Northampton:
  - (a) July 1 to June 30 with gigs in all public waters, except Gaston and Roanoke Rapids Reservoirs and the Roanoke River above the US 301 bridge;
  - (b) March 1 to April 30 with bow nets in Occoneechee Creek, Old River Landing Gut and Vaughans Creek below Watsons Mill;
- (63) Onslow:
  - (a) July 1 to June 30 with traps in White Oak River below US 17 bridge;
  - (b) August 1 to March 31 with eel pots in the main run of New River between US 17 bridge and the mouth of Hawkins Creek;
  - (c) March 1 to April 30 with bow nets in the main run of New River and in the main run of the White Oak River;
  - (d) March 1 to April 30 with bow nets in Grant's Creek;
- (64) Orange:
  - (a) July 1 to August 31 with seines in Haw River,
  - (b) July 1 to June 30 with gigs in all public waters;
- (65) Pamlico: March 1 to April 30 with bow nets in all inland public waters, except Dawson Creek;
- (66) Pasquotank:
  - (a) July 1 to June 30 with traps in all inland waters;

- (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
  - (67) Pender:
    - (a) December 1 to June 5 with seines in the main run of Northeast Cape Fear River;
    - (b) March 1 to April 30 with bow nets in the Northeast Cape Fear River, Long Creek, Moore's Creek approximately one mile upstream to New Moon Fishing Camp, and Black River;
    - (c) July 1 to March 1 with hand-crank electrofishers (local law) in Black River;
  - (68) Perquimans:
    - (a) July 1 to June 30 with traps in all inland waters;
    - (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
  - (69) Person:
    - (a) July 1 to August 31 with seines in Hyco Creek and Mayo Creek;
    - (b) July 1 to June 30 with gigs in all public waters.
  - (70) Pitt:
    - (a) July 1 to June 30 with traps in Neuse River and in Tar River below the mouth of Hardee Creek east of Greenville;
    - (b) March 1 to April 30 with bow nets in all inland public waters, except Grindle Creek, and Contentnea Creek between NC 118 bridge at Grifton and the Neuse River;
    - (c) December 1 to June 5 with seines in Tar River;
  - (71) Polk: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
  - (72) Randolph:
    - (a) July 1 to August 31 with seines in Deep River above the Coleridge Dam and Uwharrie River;
    - (b) July 1 to June 30 with gigs in all public waters;
  - (73) Richmond:
    - (a) July 1 to August 31 with seines in all running public waters, except Pee Dee River from Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
    - (b) July 1 to June 30 with traps and gigs in all public waters, except lakes located on the Sandhills Game Land;
    - (c) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
  - (74) Robeson: December 1 to March 1 with gigs in all inland public waters.
  - (75) Rockingham:
    - (a) July 1 to August 31 with seines in Dan River and Haw River;
    - (b) July 1 to June 30 with traps in Dan River; and with gigs in all public waters;
  - (76) Rowan:
    - (a) July 1 to August 31 with seines in all running public waters,
    - (b) July 1 to June 30 with traps and gigs in all public waters;
  - (77) Rutherford:
    - (a) July 1 to August 31 with seines in all running public waters, except designated public mountain trout waters;
    - (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters;
  - (78) Sampson:
    - (a) March 1 to April 30 with bow nets in Big Coharie Creek, Black River and Six Runs Creek;
    - (b) July 1 to March 1 with hand-crank electrofishers (local law) in Black River downstream of NC 1105 bridge;
  - (79) Stanly:
    - (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
    - (b) July 1 to June 30 with traps and gigs in all public waters;
  - (80) Stokes: July 1 to June 30 with traps and gigs in all public waters, except designated public mountain trout waters, and traps may not be used in Belews Creek Reservoir;
  - (81) Surry: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters; and with traps in the main stem of Yadkin River;

- 1 (82) Swain: July 1 to June 30 with gigs in all public waters, except designated public mountain trout  
2 waters;
- 3 (83) Transylvania: July 1 to June 30 with gigs in all public waters, except designated public mountain  
4 trout waters;
- 5 (84) Tyrrell:  
6 (a) July 1 to June 30 with traps in Scuppernong River and Alligator Creek;  
7 (b) March 1 to April 30 with bow nets in all inland public waters, excluding Lake Phelps, the  
8 drainage canals that connect Lake Phelps and Scuppernong River, public lakes, ponds and  
9 other impounded waters;
- 10 (85) Union:  
11 (a) July 1 to August 31 with seines in all running public waters,  
12 (b) July 1 to June 30 with traps and gigs in all public waters;
- 13 (86) Vance:  
14 (a) July 1 to August 31 with seines in the Tar River;  
15 (b) July 1 to June 30 with gigs in all public waters, except Rolands, Faulkners, Southerlands,  
16 and Weldon Ponds, City Lake, and Kerr Reservoir;  
17 (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- 18 (87) Wake:  
19 (a) July 1 to June 30 with gigs in all public waters, except Sunset, Benson, Wheeler, Raleigh,  
20 and Johnson Lakes;  
21 (b) March 1 to April 30 with bow nets in the Neuse River below ~~Milburnie~~ Falls Lake Dam,  
22 and Swift Creek below Lake Benson Dam;
- 23 (88) Warren:  
24 (a) July 1 to August 31 with seines in Fishing Creek, Shocco Creek, and Walker Creek;  
25 excluding Duck and Hammes Mill Ponds;  
26 (b) July 1 to June 30 with gigs in all public waters, except Duck and Hammes Mill Ponds, Kerr  
27 Reservoir, and Gaston Reservoir;  
28 (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- 29 (89) Washington: March 1 to April 30 with bow nets in all inland public waters, excluding Lake Phelps,  
30 the drainage canals that connect Lake Phelps and Scuppernong River, public lakes, ponds and other  
31 impoundments.
- 32 (90) Wayne: March 1 to April 30 with bow nets in Little River, Mill Creek and Neuse River.
- 33 (91) Wilkes: July 1 to June 30 with traps in Yadkin River below W. Kerr Scott Reservoir; and with gigs  
34 and spear guns in all public waters, except designated public mountain trout waters;
- 35 (92) Wilson:  
36 (a) July 1 to June 30 with gigs in Contentnea Creek (except Buckhorn Reservoir), including  
37 unnamed tributaries between Flowers Mill and SR 1163 (Deans) bridge;  
38 (b) March 1 to April 30 with bow nets in Contentnea Creek below US 301 bridge and in  
39 Toisnot Swamp downstream from the Lake Toisnot Dam;
- 40 (93) Yadkin: July 1 to June 30 with gigs in all public waters, and with traps in the main stem of Yadkin  
41 River.  
42

43 *History Note: Authority G.S. 113-134; 113-276; 113-292;*  
 44 *Eff. February 1, 1976;*  
 45 *Temporary Amendment Eff. December 29, 1988;*  
 46 *Temporary Amendment Eff. December 1, 1993;*  
 47 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; December 1, 1995; July 1, 1995; July 1,*  
 48 *1994; June 1, 1994;*  
 49 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*  
 50 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*  
 51 *Temporary Amendment Eff. June 1, 2003;*  
 52 *Amended Eff. August 1, 2015; May 1, 2007; June 1, 2005; August 1, 2004.*  
 53  
 54

# EXHIBIT H-1

October 3, 2018



## **Proposed Changes to Wildlife Management Regulations for 2019-2020 Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings**

### **Trapping**

1. Extend the regulated trapping season in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender, and New Hanover counties to begin on November 1, instead of December 1. Under this proposal the statewide trapping season would be November 1 through the last day in February.

**Justification:** Furbearer populations are abundant throughout North Carolina. Opening the trapping season in this area of the state on November 1 would extend the season by one month; reduce regulatory complexity by creating one uniform, statewide trapping season; allow trappers that are beaver trapping in November to keep incidentally caught otters and muskrats; and expand opportunities and increase trapping success for trappers targeting coyotes. All trappers would still be required to have written permission before trapping on the land of another person.

*15A NCAC 10B.0303 (page 4)*

### **Rabbits**

1. Extend rabbit hunting season by opening it on the Monday on or nearest October 15, instead of the Saturday before Thanksgiving, and running through the last day in February.

**Justification:** Statewide rabbit populations are not significantly influenced by hunting. Population sizes vary annually and are primarily a function of available food resources, protective cover, predators, and disease. Requests to extend the rabbit hunting season were made by hunters attending the 2018-19 public regulation hearings and by other small game hunters in survey responses. Aligning this rabbit season with other small game seasons would provide more hunting opportunities and reduced regulatory complexity for all small game hunters. Moreover, these additional hunting days would give rabbit hunters in the Piedmont, where most rabbit hunting occurs, supplemental small game hunting opportunities outside the regular gun deer season.

*15A NCAC 10B.0207 (page 5)*

## **Fox Squirrels**

1. Open fox squirrel hunting in all 100 counties (versus 27 counties currently open) and extend the season to close on January 31, instead of December 31.

**Justification:** Fox squirrel populations have expanded considerably in recent years into areas with no historical records of occurrence. Fox squirrel hunting regulations and seasons have been very conservative for several decades. But based on current trends in squirrel hunting and harvest, existing rules are more restrictive than necessary as current harvest levels have little impact on fox squirrel populations. Maintaining the current daily and season bag limits would ensure that populations are not overharvested. Closing the season at the end of January will minimize concerns of harvesting pregnant females. These additional hunting opportunities would allow hunters to pursue fox squirrels outside of deer hunting seasons. Commission goals call for expanding opportunities for all wildlife associated recreation. This proposal offers expands opportunities for hunter recruitment, retention, and reactivation initiatives and mentored or youth hunts.

*15A NCAC 10B.0206 (page 6)*

## Cervid Carcass Importation

1. Implement as permanent rule, changes in the rule regulating importation of cervid carcass and carcass parts to prohibit such importation from any location outside of North Carolina, except as specified.

**Justification:** Chronic Wasting Disease (CWD) is a highly infectious, fatal, neurological disease affecting the Cervidae family, which includes all North American species of deer. The source of the disease is an abnormal type of that collects in the animal's brain. CWD spreads through animal-to-animal contact as well as contact with infected carcasses and contaminated soils and plants. In May 2006, the Commission limited the importation of hunter-killed cervids from CWD-positive states. Based on this rule, no cervid carcass or carcass part from a CWD-positive state could be imported, transported, or possessed in North Carolina except for deboned or quartered meat, caped hides, cleaned skull plates, antlers, and finished taxidermy products. Since 2006, 12 additional states have become CWD positive. Currently, 13 states prohibit the transportation of all cervid carcass and carcass parts originating outside their state borders with exceptions such as deboned meat, clean skull plates, and caped hides. The proposal would implement as permanent rule the provisions adopted in July 2018 to regulate the importation, transportation, or possession of any cervid carcass or carcass parts originating from outside North Carolina, with similar exceptions as listed above. This proposal is necessary to continue efforts to prevent the movement of CWD into North Carolina and thereby protect North Carolina's deer herd from CWD.

*15A NCAC 10B.0214 (page 7)*

## Archery Equipment

1. Modify the rule specifying allowed archery equipment to: a) define archery equipment, b) specify allowed uses for archery equipment utilizing an elastic string, c) add elk, alligators, and feral swine to broadhead and minimum pull requirements, and d) eliminate the prohibition of barbed arrowheads.

**Justification:** Based upon a collaboration between the Commission and the North Carolina Bowhunters Association, this proposal would update the rule under which archery equipment is regulated by adding definitions, and clarifying equipment that can be used during archery seasons and minimum draw weight requirements.

*15A NCAC 10B.0116 (page 8)*



1   **15A NCAC 10B .0303    OPEN SEASONS**

2   (a) General. ~~Following are the seasons for~~ The open season for the taking by trapping of fur-bearing animals as those  
3   ~~animals are~~ defined in G.S. 113-129(7a), including coyotes, armadillos, and groundhogs, all dates being inclusive:  
4   ~~shall be November 1 through the last day of February, subject to the following restrictions:~~

5       ~~(1) — November 1 through the last day of February except for that part of the state described in~~  
6       ~~Subparagraph (2) of this Paragraph.~~

7       ~~(2)   December 1 through the last day of February in and east of Hertford, Bertie, Martin, Pitt, Greene,~~  
8       ~~Lenoir, Duplin, Pender and New Hanover counties.~~

9       ~~(3)(1) Trapping~~ trapping coyotes is allowed during times and with methods described by local laws in  
10       counties where local laws have established fox trapping seasons even when those seasons fall  
11       outside the regular trapping seasons described ~~above~~ in Paragraph (a); and

12       ~~(4)(2) Nutria~~ nutria may be trapped east of I-77 at any time.

13   (b) Feral Swine. There is no closed season for trapping feral ~~swine~~ swine, subject to the following restrictions:

14       (1)   ~~In~~ in addition to a hunting or trapping license, a permit issued by the Wildlife Resources  
15       Commission is required to trap feral swine. Individuals exempted from license requirements under  
16       the provisions specified in G.S. 113-276 may trap feral swine without a hunting or trapping license,  
17       but must acquire the ~~permit~~ permit.

18       (2)   ~~Feral~~ feral swine may be live-trapped using only corral or box traps. Corral and box traps must be  
19       constructed in a manner such that a non-target animal can be easily released or can escape without  
20       harm. The permit number must be displayed on all ~~traps~~ traps; and

21       (3)   ~~Feral~~ feral swine must be euthanized while in the trap and may not be removed alive from any trap.

23   Note: See 15A NCAC 10D .0102(f) for other trapping restrictions on game lands.

25   *History Note:    Authority G.S. 113-134; 113-291.1; 113-291.2;*

26       *Eff. February 1, 1976;*

27       *Amended Eff. July 1, 1996; July 1, 1984; July 1, 1983; August 1, 1982; August 1, 1981;*

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

29       *Amended Eff. July 1, 2000;*

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

31       *Amended Eff. August 1, 2010; May 1, 2009; November 1, 2008; May 1, 2008; May 1, 2007; May 1,*  
32       *2006; June 1, 2005; August 1, 2004;*

33       *Recodified from Rule 10B .0302 Eff. January 1, 2011;*

34       *Temporary Amendment Eff. December 29, 2011;*

35       *Amended Eff. November 1, 2012.*

1   **15A NCAC 10B .0207   RABBITS**

2   (a) Rabbit Open Season: The open season for taking rabbits shall be from the ~~Saturday before Thanksgiving Day~~  
3   Monday on or nearest October 15 through the last day of February.

4   (b) Rabbit Bag Limits: The daily bag limit for rabbits is five and there are no season and no possession limits.

5   (c) Rabbit Box-traps: During the hunting season specified in Paragraph (a) of this Rule and subject to the bag limits  
6   set forth in Paragraph (b) of this Rule, rabbits may be taken with box-traps. A valid hunting license shall serve as a  
7   transportation permit for live rabbits taken pursuant to this Rule.

8  
9   *History Note:     Authority G.S. 113-134; 113-274; 113-291.1; 113-291.2;*

10                   *Eff. February 1, 1976;*

11                   *Amended Eff. July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984;*

12                   *Temporary Amendment Eff. August 1, 1998;*

13                   *Amended Eff. August 1, 2018; May 1, 2008; April 1, 1999.*

1 **15A NCAC 10B .0206 SQUIRRELS**

2 (a) Squirrel Open Seasons:

- 3 (1) Gray and red squirrels may be taken by hunting on the Monday on or closest to October 15 to the  
4 last day of February.
- 5 (2) Fox squirrels may be taken by hunting on the Monday on or nearest October 15 to ~~December 31 in~~  
6 ~~the counties of Alleghany, Anson, Ashe, Bladen, Brunswick, Cumberland, Duplin, Edgecombe,~~  
7 ~~Greene, Harnett, Hoke, Johnston, Jones, Lenoir, Moore, New Hanover, Onslow, Pender, Pitt,~~  
8 ~~Richmond, Sampson, Scotland, Stokes, Surry, Watauga, Wayne and Wilkes. January 31.~~

9 (b) Squirrel Bag Limits:

- 10 (1) The daily bag limit for gray and red squirrels is eight and there are no season and no possession  
11 limits.
- 12 (2) ~~In those counties listed in Subparagraph (a)(2) of this Rule, the~~ The daily bag limit for fox squirrels  
13 is one; the possession limit is ~~two, two;~~ and the season limit is 10.

14

15 *History Note Authority G.S. 113-134; 113-291.2;*  
16 *Eff. February 1, 1976;*  
17 *Amended Eff. August 1, 2013; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2006; July 1,*  
18 *1995; July 1, 1987; July 1, 1986; July 1, 1985.*

1 **15A NCAC 10B .0124 IMPORTATION OF ANIMAL PARTS**

2 (a) Unless otherwise provided in this Rule, it shall be unlawful to import, transport, or possess a cervid carcass or  
3 carcass part(s) originating from outside of North Carolina except:

- 4 (1) meat that has been boned out such that no pieces or fragments of bone remain;  
5 (2) caped hides with no part of the skull or spinal column attached;  
6 (3) antlers, antlers attached to cleaned skull plates, or skulls with no meat or brain tissue;  
7 (4) cleaned lower jawbone(s) with teeth or cleaned teeth; or  
8 (5) finished taxidermy products and tanned hides.

9 (b) Any cervid carcass, carcass part(s), or container of cervid meat or carcass parts listed in Subparagraph (a)(1)  
10 through (4) of this Rule shall be labeled or identified with the following information:

- 11 (1) the individual's name and address;  
12 (2) the state, Canadian province, or foreign country of origin; and  
13 (3) the date the cervid was killed and the individual's hunting license number, permit number, or  
14 equivalent identification from the state, Canadian province, or foreign country of origin.

15 (c) It shall be lawful to import, transport, or possess a hide with head attached from a white-tailed deer lawfully taken  
16 in South Carolina, if delivered to a licensed North Carolina taxidermist within 24 hours of entering the State. The hide  
17 and head shall be double plastic bagged and labeled or identified with the information required in Paragraph (b) of  
18 this Rule and the name of the county where the white-tailed deer was killed. This Paragraph shall expire on August 1,  
19 2020 or upon confirmation of Chronic Wasting Disease in a cervid from South Carolina, whichever occurs first. Upon  
20 expiration, all restrictions and requirements of Paragraph (a) shall apply.

21  
22 *History Note: Authority G.S. 113-291.2;*

23 *Eff. May 1, 2006;*

24 *Temporary Amendment Eff. August 1, ~~2018~~ 2018;*

25 *Effective August 1, 2019.*  
26

1 **15A NCAC 10B .0116 PERMITTED ARCHERY EQUIPMENT**

2 (a) “Archery equipment” means any device that has a solid, stationary handle, two limbs, and a string, that uses non-  
3 pneumatic means to propel a single arrow or bolt and may be used to take game and nongame species.

4 (b) ~~Only longbows~~ Longbows and recurved bows having a minimum pull of 40 pounds, compound bows having a  
5 minimum pull of 35 pounds, and crossbows having a minimum pull of 100 pounds shall be used for taking ~~game.~~  
6 bear, deer, elk, wild turkey, alligator, and feral swine.

7 (c) Archery equipment utilizing an elastic string and having a minimum pull of 40 pounds may be used to take wild  
8 turkey, small game animals, nongame animals, and nongame fish.

9 (d) Only arrows and bolts with a fixed minimum broadhead width of seven-eighths of an inch or a mechanically  
10 opening broadhead with a width of at least seven-eighths of an inch in the open position shall be used for taking bear,  
11 deer, ~~elk, or wild turkey.~~ turkey, alligator, and feral swine.

12 (e) Blunt-type arrow heads may be used in taking small animals and birds including rabbits, squirrels, quail, grouse,  
13 and pheasants.

14 (f) Poisonous, drugged, ~~barbed~~, or explosive arrowheads shall not be used for taking any ~~game.~~ wildlife.

15 (e) ~~Crossbows shall have a minimum pull rated at least 100 pounds. Heads on bolts used with crossbows shall conform~~  
16 ~~to those described for arrows in Paragraph (b) of this Rule.~~

17  
18 *History Note: Authority G.S. 113-134; 113-291.1(a);*

19 *Eff. September 1, 1980;*

20 *Amended Eff. August 1, 2014; August 1, 2012; July 10, 2010; May 1, 2007; August 1, 2002; July 1,*  
21 *2000; July 1, 1998; July 1, 1996; August 1, 1990.*

22 *Effective August 1, 2019.*

# Exhibit H-2

October 3, 2018



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

**Rule Amendments:** 15A NCAC 10B.0303

**Agency Contact:** Michael Smallwood  
Policy Analyst  
NC Wildlife Resources Commission  
1751 Varsity Drive, Raleigh, NC  
919-707-0014  
michael.smallwood@ncwildlife.org

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

**Authority:** G.S. § 113 – 134; G.S. § 113-291.1; G.S. § 113-291.2

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

### **BACKGROUND**

The wildlife resources of the State belong to the people of the State as a whole, including the enjoyment of these resources (G.S. § 113-131(a)). WRC is tasked with the conservation of wildlife resources of the State (G.S. § 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. § 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. § 113-134). In accordance with the supply of wildlife and other factors it determines to be of public importance, the WRC may fix seasons and bag limits upon the wild animals and wild birds authorized to be taken that it deems necessary or desirable in the interests of the conservation of wildlife resources (G.S. 113.291.2(a)).

As part of its mission, WRC conducts an annual review of its fish, wildlife, boating safety, and other regulations to determine whether such rules need to be adjusted in order to accomplish the objectives of: managing wildlife resources through a biologically sustainable harvest of such resources by hunters, trappers and anglers consistent with sound conservation objectives; ensuring the safety of the boating public; managing Commission-owned land for the

conservation of wildlife resources and the enjoyment of the public; and implementing legislative directives.

In January 2008, the WRC considered a rule proposal that would have consolidated the four regional trapping seasons into one statewide trapping season (November 1 through end of February). The North Carolina Trappers Association supported this rule proposal. Due to concerns from hound hunters, the rule proposal was modified so that counties in WRC Districts 1 and 2 would have a start date of December 1. Counties in WRC Districts 3 and 4, where active dog hunting also occurs for deer and bear, did have the additional month added to their trapping season when the final rule was approved (i.e., November 1 start date). The WRC is not aware of any increase in conflicts between dog hunters and trappers resulting from the addition of one month of trapping in those counties.

## **I. Introduction and Purpose of Rule Change**

The rule amendment would lengthen the regulated trapping season in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties (i.e., 24 counties) by starting on November 1 instead of December 1. This would consolidate the two regional trapping seasons into one statewide trapping season. The statewide trapping season would start on November 1 and close at the end of February.

The proposed change to this Rule would provide the following benefits: 1) Reduce regulatory complexity by creating one uniform trapping season statewide and making the trapping season consistent with the start date of the beaver trapping season, 2) Would allow trappers that are beaver trapping in November to keep incidentally caught otters and muskrats, and 3) Expand opportunities to trap certain wildlife species, including coyotes, by one month in a region of the state in which there have been requests to expand the trapping season to increase coyote trapping opportunities.

Trappers need written permission to trap on another person's property, which should reduce or prevent conflicts between hunters and trappers. Furbearer populations are abundant throughout North Carolina; therefore, there are no biological concerns that the new season would negatively impact furbearer populations. Fur dealers report that canids can be prime by late October, so some furbearers trapped in November could be utilized for their fur. In addition, coyotes are actively dispersing in fall, resulting in increased success for those trappers targeting coyotes.

Colleen Olfenbuttel, the Commission's Black Bear and Furbearer Biologist, discussed this proposal with the North Carolina Trappers Association (NCTA) at their board meeting on July 1, 2018. The NCTA board expressed support for this rule amendment. Kevin Myers is also a fur dealer and stated that fox and coyote fur can be prime by late October, so fur from wildlife trapped in November could be utilized. Lastly, he agreed that the extended season would allow trappers to legally keep and sell incidentally captured otters and muskrats, which may increase beaver trapping efforts in these counties.

## **II. Other considerations (non-fiscal)**

Hound hunters may have concerns that the trapping season starts 1 month earlier than what is currently allowed, creating a longer overlap between trapping and hunting seasons. However, trappers must have annual written landowner permission and their traps must be tagged with

their name and address. Trapping may only occur with the landowner's consent and support. Therefore, the landowner controls who has legal access to his/her property by trapping and hunting, which should address concerns about perceived conflicts between these two user groups. Assuming the trapper follows all legal requirements, if a dog is incidentally captured by a trap, it is because 1) the hunter chose to hunt on property where trapping was permitted by the landowner, or 2) the dog is on property without permission from the landowner.

### **III. Fiscal Impact**

#### *State impact*

There could be positive fiscal effects resulting from trappers increasing their beaver trapping activities now that they can also keep otters and muskrats. Currently, trappers may delay water trapping until December 1, even though the beaver trapping season starts November 1, as they cannot keep any otters or muskrats they incidentally capture. The increased take of beavers may assist in reducing or preventing damage caused by beavers, such as flooding. Unfortunately, due to lack of data, the Commission is unable to estimate the potential fiscal impacts at this time.

#### *Local impact*

This rule amendment has the potential to benefit local government in 24 counties as they could have the services of a licensed trapper to proactively manage furbearer populations for 30 additional days. Several coastal communities hire licensed trappers to trap and remove coyotes during the current regulated trapping season (December 1 through end of February). This rule amendment would allow these communities to employ the services of a trapper for 30 additional days. The costs of hiring a licensed trapper are lower during the regulated trapping season as the trapper can offset their fees through the sale of prime fur that occurs in November. Outside the regulated trapping season dates, it costs more to hire a licensed trapper or Wildlife Damage Control Agent, as their fees cannot be offset by selling the fur (the fur is not prime) and additional steps must be taken to address animal welfare concerns that occur outside the regulated trapping season (e.g., heat stress, selectivity of trap, incidental captures of non-targets). However, this benefit is unquantifiable due to lack of data.

#### *Private impact*

There are potential benefits to individual licensed trappers in the 24 counties impacted by this rule amendment. The additional 30 days will likely result in an increase in harvest of furbearer species (e.g., coyote, beaver, muskrat, raccoon), thereby increasing the sale of furs and their parts. A licensed trapper may also save money in travel costs (e.g., gas, lodging) as s/he can now trap in their resident or adjacent county during November, rather than driving to counties west of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties that have a trapping season that opens on November 1. Conversely, the additional 30 days may allow some trappers to trap on more properties, not only increasing their harvest, but resulting in the sale of more trapping-related equipment and gas. Lastly, state law sets the beaver trapping season to start November 1 in all 100 counties. Under this rule amendment, licensed trappers that are beaver trapping in November would now be able to keep and sell the fur of incidentally caught otters and muskrats. However, these benefits are unquantifiable due to lack of data.



There will be positive fiscal impacts to landowners by expanding the regulated trapping season by 30 days in the area in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties (i.e., 24 counties). Unlike the other 76 counties in North Carolina, landowners in these 24 counties must wait until December 1 before enlisting the services of a licensed trapper to proactively manage certain wildlife species on their property. The increased take of certain wildlife species (e.g., beavers, raccoons, coyotes) may assist in reducing or preventing damage, disease outbreaks and other human-wildlife interactions. However, these benefits are unquantifiable due to lack of data.

## APPENDIX A – Proposed Rule Text

### 15A NCAC 10B .0303 OPEN SEASONS

(a) General. ~~Following are the seasons for~~ The open season for the taking by trapping of fur-bearing animals as those animals are defined in G.S. 113-129(7a), including coyotes, armadillos, and groundhogs, all dates being inclusive: shall be November 1 through the last day of February, subject to the following:

~~(1) November 1 through the last day of February except for that part of the state described in Subparagraph (2) of this Paragraph.~~

~~(2) December 1 through the last day of February in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties.~~

~~(3)~~(1) Trapping trapping coyotes is allowed during times and with methods described by local laws in counties where local laws have established fox trapping seasons even when those seasons fall outside the regular trapping seasons described ~~above~~ in Paragraph (a); and

~~(4)~~(2) Nutria nutria may be trapped east of I-77 at any time.

(b) Feral Swine. There is no closed season for trapping feral ~~swine~~ swine, subject to the following restrictions:

(1) ~~In~~ in addition to a hunting or trapping license, a permit issued by the Wildlife Resources Commission is required to trap feral swine. Individuals exempted from license requirements under the provisions specified in G.S. 113-276 may trap feral swine without a hunting or trapping license, but must acquire the ~~permit~~ permit;

(2) ~~Feral~~ feral swine may be live-trapped using only corral or box traps. Corral and box traps must be constructed in a manner such that a non-target animal can be easily released or can escape without harm. The permit number must be displayed on all ~~traps~~ traps; and

(3) ~~Feral~~ feral swine must be euthanized while in the trap and may not be removed alive from any trap.



## **Fiscal Note for Proposed Rabbit Season Extension Rule Amendment for the Wildlife Resources Commission**

**Rule Amendments:** 15A NCAC 10B .0207 RABBITS

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

**Authority:** G.S. 113-134; 113-291.2

### **BACKGROUND**

The wildlife resources of the State belong to the people of the State, including the enjoyment of these resources (G.S. 113-131(a)). The Wildlife Resources Commission (hereinafter WRC or Commission) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134). In accordance with the supply of wildlife and other factors it determines to be of public importance, the WRC may fix seasons and bag limits upon the wild animals and wild birds authorized to be taken that it deems necessary or desirable in the interests of the conservation of wildlife resources (G.S. 113.291.2(a)).

A summary of the proposed rule amendment is shown below, with the full text included in Appendix A.

### **15A NCAC 10B .0207 RABBITS**

The proposed amendment to this Rule will advance the start day of rabbit hunting season to the Monday on or nearest October 15, instead of the Saturday before Thanksgiving.

The proposed change contains the following features:

- Aligns the start of rabbit hunting season with the start of squirrel, grouse, bobcat, raccoon, opossum, and the extended rabbit season for falconry promoting rule simplification.
- Provides 33 additional hunting days on the front-end of the existing hunting season when rabbit populations are at their annual peak, and the effects of hunting mortality are lowest.
- Addresses rabbit hunters' requests for more hunting opportunity outside the regular deer gun season.
- Provides more rabbit hunting opportunity and harvest that will not impair long-term sustainability of the population.

### Fiscal Impact

#### *State Impact*

This rule amendment has the potential to benefit the state by increasing hunting license sales, as it is possible that the additional hunting opportunity could provide additional hunter recruitment. However, this benefit is unquantifiable due to lack of data.

#### *Local Impact*

This rule has no local government impact.

#### *Private Impact*

Fiscal impacts are expected to be limited to those local rabbit hunters who take advantage of the additional hunting days. Although the Commission does not have a mechanism to determine the fiscal impact of this opportunity, economic research on the value individuals place on hunting can provide useful context for rules that affect opportunities for this activity. Taking the median of the findings across multiple studies, researchers have estimated that the value of hunting per person per day is approximately \$63.<sup>1</sup>

This figure represents individuals' total willingness to pay to engage in the activity, less the cost to do so. It does not represent any economic activity generated by the activity, such as retail sales. Additionally, this estimate is not species or location-specific. However, to the extent that the proposed rule induces hunters to increase or decrease their trips in particular areas of the state, these findings provide a rough approximation of the costs or benefits to the individual. Unfortunately, due to lack of data, the Commission is unable to estimate the potential fiscal impacts at this time.

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<sup>1</sup> Rosenberger, Randall S.; White, Eric M.; Kline, Jeffrey D.; Cvitanovich, Claire. 2017. Recreation economic values for estimating outdoor recreation economic benefits from the National Forest System. Gen. Tech. Rep. PNWGTR-957. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 33 p.

## APPENDIX A

### 15A NCAC 10B .0207      RABBITS

- (a) Rabbit Open Season: The open season for taking rabbits shall be from the Saturday before Thanksgiving Day Monday on or nearest October 15 through the last day of February.
- (b) Rabbit Bag Limits: The daily bag limit for rabbits is five and there are no season and no possession limits.
- (c) Rabbit Box-traps: During the hunting season specified in Paragraph (a) of this Rule and subject to the bag limits set forth in Paragraph (b) of this Rule, rabbits may be taken with box-traps. A valid hunting license shall serve as a transportation permit for live rabbits taken pursuant to this Rule.

*History Note: Authority G.S. 113-134; 113-274; 113-291.1; 113-291.2;*

*Eff. February 1, 1976;*

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

*Temporary Amendment Eff. August 1, 1998;*

*Amended Eff. August 1, 2018; May 1, 2008; April 1, 1999.*



## **Fiscal Note for Proposed Fox Squirrel Hunting Rule Amendment for the Wildlife Resources Commission**

**Rule Amendments:** 15A NCAC 10B .0206 SQUIRRELS

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

**Authority:** G.S. 113-134; 113-291.2

### **BACKGROUND**

The wildlife resources of the State belong to the people of the State, including the enjoyment of these resources (G.S. 113-131(a)). The Wildlife Resources Commission (hereinafter WRC or Commission) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134). In accordance with the supply of wildlife and other factors it determines to be of public importance, the WRC may fix seasons and bag limits upon the wild animals and wild birds authorized to be taken that it deems necessary or desirable in the interests of the conservation of wildlife resources (G.S. 113.291.2(a)).

A summary of the proposed rule amendment is shown below, with the full text included in Appendix A.

### **15A NCAC 10B .0206 SQUIRRELS**

This change would serve to offer additional fox squirrel hunting opportunity by opening the fox squirrel season statewide (i.e. all 100 counties) and extending the season to close on January

31st each year (currently closes on December 31st).

Squirrel hunting effort and harvest have decreased substantially over recent decades. The decrease in long-term squirrel harvest and hunting presumably stems from changing hunter interests due to increases in big game populations and big game hunting opportunity as well as overall decreases in the number of hunters in North Carolina. It is very unlikely that these decreases in hunting and harvest are indicative of declining squirrel populations or habitat conditions.

Fox squirrel populations have expanded considerably in recent years to areas where suitable habitat exists. Continued increases in fox squirrel abundance and range are expected, regardless of whether or not additional hunting opportunities are offered. This current proposal would essentially revert to fox squirrel hunting regulations that were in place in previous decades, now that squirrel hunting effort and overall harvest vulnerability have decreased considerably to the point that no population impacts are expected. Maintaining the very conservative daily and season limits will also ensure that populations are not overharvested.

Offering additional hunting opportunities for fox squirrels will have several benefits. Principally, it will allow hunters to pursue fox squirrels outside of deer hunting seasons. Accessing land during deer seasons and avoiding conflicts with deer hunters is a major concern for many small game hunters, particularly those that hunt with dogs. Additionally, allowing fox squirrel hunting statewide can serve to spread hunting pressure and harvest out across the state, rather than concentrating it only in the relatively few counties and Game Lands with open seasons. This change would also serve to simplify regulations.

NCWRC's Vision calls for programs that conserve the diversity and abundance of the State's wildlife resources and that are based on sound science. Specific agency goals and objectives focus on expanding opportunities for all wildlife associated recreation. These proposed changes are in keeping with this vision and will help achieve agency goals and objectives. Fox squirrel hunting offers excellent opportunities for R3 initiatives (Retention, Recruitment, Reactivation) and mentored or youth hunts.

### Fiscal Impact

#### *State Impact*

This rule amendment has the potential to benefit the state by increasing hunting license sales, as it is possible that the additional hunting opportunity could provide additional hunter recruitment. However, this benefit is unquantifiable due to lack of data.

#### *Local Impact*

This rule has no local government impact.

#### *Private Impact*

Fiscal impacts are expected to be limited to those squirrel hunters who take advantage of the

additional hunting opportunity. There may be some increase in taxidermy as hunters in newly opened areas may wish to have fox squirrels mounted. Although the Commission does not have a mechanism to determine the fiscal impact of these opportunities, economic research on the value individuals place on hunting can provide useful context for rules that affect opportunities for this activity. Taking the median of the findings across multiple studies, researchers have estimated that the value of hunting per person per day is approximately \$63.<sup>1</sup>

This figure represents individuals' total willingness to pay to engage in the activity, less the cost to do so. It does not represent any economic activity generated by the activity, such as retail sales. Additionally, this estimate is not species or location-specific. However, to the extent that the proposed rule induces hunters to increase or decrease their trips in particular areas of the state, these findings provide a rough approximation of the costs or benefits to the individual. Unfortunately, due to lack of data, the Commission is unable to estimate the potential fiscal impacts at this time.

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<sup>1</sup> Rosenberger, Randall S.; White, Eric M.; Kline, Jeffrey D.; Cvitanovich, Claire. 2017. Recreation economic values for estimating outdoor recreation economic benefits from the National Forest System. Gen. Tech. Rep. PNWGTR-957. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 33 p.



## APPENDIX A

### 15A NCAC 10B .0206 SQUIRRELS

(a) Squirrel Open Seasons:

- (1) Gray and red squirrels may be taken by hunting on the Monday on or closest to October 15 to the last day of February.
- (2) Fox squirrels may be taken by hunting on the Monday on or nearest October 15 to ~~December in the counties of Alleghany, Anson, Ashe, Bladen, Brunswick, Cumberland, Duplin, Edgecombe, Greene, Harnett, Hoke, Johnston, Jones, Lenoir, Moore, New Hanover, Onslow, Pender, Pitt, Richmond, Sampson, Scotland, Stokes, Surry, Watauga, Wayne and Wilkes.~~ January 31.

(b) Squirrel Bag Limits:

- (1) The daily bag limit for gray and red squirrels is eight and there are no season and no possession limits.
- (2) ~~In those counties listed in Subparagraph (a)(2) of this Rule, the~~ The daily bag limit for fox squirrels is one; the possession limit is ~~two~~, two; and the season limit is 10.



## **REGULATORY IMPACT ANALYSIS FOR PROPOSED AMENDMENTS TO IMPORTATION OF ANIMAL PARTS RULE**

**Rule Amendments:** 15A NCAC 10B .0124 Importation of Animal Parts

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**Impact Summary:** State Government: Yes  
Local Government: Yes  
Private Impact: Yes  
Substantial Impact: Potentially substantial benefit, but uncertain.

**Authority:** G.S. 113-291.2

**Necessity:** The proposed permanent amendments to 15A NCAC 10B .0124, Importation of Animal Parts, replace the temporary amendments to prohibit the importation, transportation, and possession of all cervid carcasses and certain carcass parts originating outside of North Carolina. Currently there are 25 states considered to be positive for Chronic Wasting Disease (CWD), four of those states are in the southeast. This proposed amendment seeks to reduce the human-related pathways for introduction of CWD into North Carolina's wild and captive deer and elk herds by establishing more restrictive cervid carcass and carcass parts transportation, importation, and possession regulations.

### **I. Summary**

The Wildlife Resources Commission (WRC) is tasked with the conservation of the wildlife resources of the State (G.S. 143-239). This includes rulemaking authority to implement the provisions of the statutes found in G.S. 113, Subchapter IV – Conservation of Marine and Estuarine and Wildlife Resources (G.S. 113-134). Included under this rulemaking authority is the mandate that the WRC adopt rules to regulate the importation, transportation, or possession of game carcasses or parts of game carcasses when they are known or suspected to carry an infectious or contagious disease that represents a threat to the health of wildlife species (G.S. 113-291.2(c1)).

Chronic Wasting Disease (CWD), a fatal neurological disease affecting the deer family (Cervidae), is an imminent threat to the State's wild and captive white-tailed deer and elk populations. The disease is believed to spread through animal-to-animal contact as well as contact with infected carcasses and contaminated soils and plants. There are currently 25 CWD-positive states in the country; four of these states are in the southeast.<sup>1</sup> The current rule prohibits the importation, transportation, and possession of cervid carcasses and certain carcass parts from any CWD-positive state except for: meat that is cut and wrapped, quartered, or boned-out, caped hides, cleaned skull plates, antlers, cleaned teeth and taxidermy products. The primary changes in the proposed rule include restricting importation from any jurisdiction outside of North Carolina, allowing cleaned skulls and lower jawbones, and requiring meat imported for consumption be fully de-boned. Additionally, deer killed in South Carolina before August 1, 2020 can be imported and taken to a NC licensed taxidermist within 24 hours of entering North Carolina. These limitations seek to reduce the risk of human-related pathways for introduction and substantial costs associated with North Carolina becoming CWD-positive.

## **II. Introduction and Purpose of Rule Change**

CWD is a highly infectious, contagious, fatal neurological disease that affects the Cervidae family, which includes deer, elk, moose, and reindeer/caribou. The source of the disease is an abnormal prion (a form of protein) that collects in the animal's brain cells and produces small lesions. CWD is classified as a transmissible spongiform encephalopathy and is similar to mad cow disease. It is characterized by loss of body condition, behavioral abnormalities, and death. It is believed to spread through animal-to-animal contact, contact with infected carcasses, and contact with contaminated soils and plants. CWD has long incubation periods, which can result in an infected cervid appearing healthy while spreading the disease to other cervids. Additionally, CWD is persistent in the environment, which is the most significant obstacle to eradication once the disease is present in an area. When a state's cervid herd is CWD-positive, on-going monitoring and management efforts require the expenditure of millions of dollars in public resources.

In 2006, the WRC adopted the Importation of Animal Parts Rule (15A NCAC 10B .0124) which banned the importation of whole cervid carcasses from states known to be CWD positive and limited importation of cervid parts from these states to specifically identified and treated meat and body parts. There were 11 CWD-positive states when the Importation of Animal Parts rule was adopted. Since 2007, there has been an increase in reported cases of CWD across the United States and internationally. There are currently 25 CWD-positive states (see map in Appendix A). Four southeast states are among these, two of which (Arkansas and Mississippi) confirmed

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<sup>1</sup> [ncwildlife.org/cwdstates](http://ncwildlife.org/cwdstates).

their first case of CWD within the past three years. During this same time, CWD has appeared in free-ranging reindeer and moose in Norway and Finland. Three Canadian provinces are also CWD-positive. Due to the accelerated rate and great distances by which CWD has been transferred across the continent (14 additional CWD-positive states since 2006), 14 states (not including North Carolina) have prohibited the importation of cervid carcasses and carcass parts that originate from outside their borders (see map in Appendix B).

The importation of cervid carcasses and carcass parts poses a serious threat to the health and continued existence of North Carolina's white-tailed deer and elk populations. To provide immediate protection to North Carolina's wildlife resources from human-related introduction of this disease, the amendments to this rule were adopted as a temporary rule in July 2018 (effective August 1, 2018), to have the new restrictions in place before other states initiate their 2018-2019 deer hunting seasons. This regulatory impact analysis is a requirement of the permanent rulemaking process to replace the temporary rule.

### **III. Costs**

#### **State**

State-level costs are anticipated to be minimal due to proposed changes in the Importation of Animal Parts Rule.

The agency uses several methods to inform the public and its constituency about changes to regulations. To inform hunters of the proposed rule changes, the agency plans to employ an aggressive and targeted educational campaign. In addition to current outreach, which includes press releases, email blasts, and posts on social media, this may include YouTube videos and targeted social media marketing. The estimated cost for in-house video production is approximately \$5,132 per video, with a total estimated cost of \$20,528 (\$5,139 per video x 4 videos = \$20,528) for specific content related to CWD. A targeted marketing campaign on Facebook including an ad campaign over a five-month period with 5 distinct ads in areas bordering South Carolina and Tennessee reaching a potential audience of 320,000 people ages 18 – 65+ who have shown an interest in deer hunting, is estimated to cost approximately \$5,937 (\$5,000 Facebook advertising + \$937 staff time = \$5,937). A breakdown of costs for education and outreach efforts can be found in Appendix C.<sup>2</sup>

In the past, when violations of this rule have been identified, agency staff have seized the cervid being imported/transported from the CWD-positive state for testing and disposal. During the 2016-2017 season, 24 cervids from CWD-positive states were seized. The preferred method of disposal of potentially infected carcasses is incineration. The total cost per cervid for CWD testing and incineration is approximately \$60. While the WRC does anticipate the increased need for these services, the magnitude of the increase is unknown and thus, the additional anticipated cost is unquantifiable.

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<sup>2</sup> Education efforts for proposed rule changes are based on potential methods of outreach.

## **Local**

No specific local costs are anticipated due to proposed changes in the Importation of Animal Parts Rule.

## **Private**

The proposed amendments to this Rule are expected to have the following private impacts.

### Taxidermists

Taxidermy products are created with carcass parts. Therefore, the restrictions on importation are likely to affect the taxidermy industry in North Carolina. Hunters will be required to do one of the following: prepare their carcass parts for importation themselves; pay to have them prepared by an out-of-state taxidermist; or have the taxidermy work completed (mounted) by an out-of-state taxidermist.

CWD-positive states have been impacted by a form of these limitations since 2006 when the original rule was adopted. The proposed rule will enact new limitations for these states and states that are not known to have CWD. Because of this, hunters may be unaware of how to comply with the proposed restrictions or unaware of the restrictions altogether and may attempt to deliver non-compliant parts to taxidermists. This may put taxidermists in jeopardy of violating the rule or result in infected carcass parts being discarded on the landscape.

The proposed rule does not prevent importation or transportation of carcass parts altogether, it simply requires that hunters do a certain amount of preparation of the carcass before bringing the parts back to North Carolina. While this preparation is feasible, it will likely require extra knowledge and effort to ensure compliance. Instead of expending this extra effort, the agency anticipates that some hunters may choose to either 1) not have their out-of-state cervid taxidermied (mounted); or 2) use the services of an out-of-state taxidermist for preparation prior to transportation into North Carolina. Unfortunately, the agency cannot predict changes to hunter behavior due to the proposed amendments.

During the 2015-2016 hunting season, 565 North Carolina licensed taxidermists received approximately 1,546 cervid carcass or carcass parts from out-of-state, accounting for 18% ( $1,546 \text{ out-of-state carcasses} / 8,588 \text{ total carcasses} \times 100 = 18\%$ ) of the total cervids they processed that year<sup>3</sup>. While the proposed changes will not restrict the types of mounts that taxidermists can produce, they could impact the number and the type of mounts requested and amount of overall work, as bringing compliant carcass parts into the State may be more difficult for some hunters. Because no data exist on hunters' willingness to prepare their own deer and the agency has no data on the types of mounts produced from parts of the 1,546 out-of-state cervids, the potential decrease in the business that taxidermists may experience from out-of-state cervids cannot be quantified.

Additionally, there is variability in the cost of different mounts and the agency is unaware of any regulations or standards for fees that taxidermists can charge their clients. Based on readily

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<sup>3</sup> Data from 2016 WRC taxidermists survey of 2015-2016 hunting season; 565 respondents.

available information, the agency estimates that the cost of a European mount is approximately \$150, a shoulder mount is approximately \$460, and a full body mount is approximately \$2,260<sup>4</sup>. While the agency can assume that more European and shoulder mounts are produced than full body mounts each year, because no data are available on the number of each type of mount produced on out-of-state deer, the agency is unable to accurately estimate the potential lost revenue due to the proposed rule change.

To address the concerns of NC licensed taxidermists, the agency is planning an aggressive educational campaign to inform hunters about the proposed rule changes and instruct them on compliance with the new requirements. Additionally, the agency is planning a phased implementation approach beginning in the 2018-2019 season with the temporary rule, such that the first two years will be educational years (verbal warning in year one, a single written warning per individual in year two), and citations will not be issued/ cervids will not be seized until the third year after the temporary rule change unless otherwise necessary for repeat offenders or individuals importing, transporting, or in possession of a cervid or non-compliant cervid parts from a CWD-positive state. Also, a head with attached hide from a white-tailed deer killed in South Carolina may be imported if taken to a NC licensed taxidermist within 24 hours prior to August 1, 2020 (delays the rule for 1-year on deer parts from South Carolina).

#### Deer Processors

The proposed additional restrictions on importation and transportation of out-of-state cervid carcasses is also likely to affect the deer processing industry. While hunters will still be able to bring their out-of-state deer to an in-state processor, additional effort may be required from some hunters to import compliant parts.

Deer processors in North Carolina are not regulated by the State. Based on available data, the agency conservatively estimates that there are currently 68 meat processors in North Carolina that process deer.<sup>5</sup> Of these, five are in counties that border Tennessee and 11 are in counties bordering South Carolina. Because many North Carolina hunters are believed to deer hunt in bordering states, WRC anticipates the largest impact to processors to occur in bordering counties. While the WRC has no mechanism to predict if hunters will expend the effort to bone-out their meat so that they can have it processed in-state, nor do data exist to help the agency determine how many deer are imported for processing each year, the agency does anticipate a loss of revenue for deer processors. Based on available online information collected from 4 processors, the average cost to process a full deer is \$93.77<sup>6</sup>. Processing de-boned meat may cost less. Unfortunately, due to lack of data, the total anticipated impact is unquantifiable.

#### Hunters

Although boned-out cervid meat can still be imported from other states, some hunters will inevitably be impacted by this change. This is likely to be an especially noticeable change for hunters in the bordering states of Tennessee, Georgia, and South Carolina (Virginia is already CWD-positive and was included in the previous rule, thus no changes anticipated). Individuals that process their own deer meat will be required to de-bone it before bringing it back into North

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<sup>4</sup> Advertised costs (online) averaged from ~20 North Carolina taxidermists. Note: not all taxidermists provide all services.

<sup>5</sup> List of deer processing plants from NC Department of Agriculture website: <http://www.ncagr.gov/meatpoultry/directory.htm> and WRC website: <http://ncwildlife.org/Hunting/After-the-Hunt/Processing>.

<sup>6</sup> Estimated range from online price lists. Cost per deer of \$88.97 to \$98.58, depending on if the deer was pre-skinned and gutted.

Carolina. Those who currently bring whole cervid carcasses back to North Carolina for professional processing will be need to field dress and de-bone their deer themselves to bring only compliant carcass parts back to North Carolina or take their deer to an out-of-state processor. While the proposed changes are not expected to add monetary costs for hunters, if they chose to take their cervid to an out-of-state processor, this would be an added cost of approximately \$93.77.<sup>6</sup> Either way, it could be an inconvenience for these hunters to prepare the cervid parts before transporting.

Additionally, hunters that want to have their cervid taxidermied may also be impacted by the proposed changes. While the proposed changes do not prevent importation or transportation of carcass parts altogether, it does require hunters to do a certain amount of preparatory work before bringing them into the State. While this is feasible, extra knowledge and effort would be required to prepare the carcass into parts that comply with North Carolina regulations. This may be a factor when a hunter is deciding whether to use an in-state or out-of-state taxidermist.

Individuals importing or traveling through North Carolina with whole cervid carcasses, prohibited carcass parts, or improperly labeled cervid meat/parts will be in violation of the proposed Rule. If these individuals are identified, they could receive a citation and their cervid may be seized. The fine for a WRC rule violation is \$205 (\$25 fine + \$180 court costs = \$205). During the 2016-2017 deer season, 18 citations were issued for violations of the current rule.<sup>7</sup> The agency anticipates that the amendments to further restrict importation and transportation from anywhere out-of-state could lead, at least initially, to an increase in the number of citations issued, especially for people returning from neighboring CWD negative states. Unfortunately, there is no mechanism to estimate this anticipated increase. However, the Commission plans to ease the regulatory burden on the public by initiating a phased implementation of these regulations beginning in the 2018-2019 season with the temporary rule and lasting for two years. Unless otherwise necessary (repeat offenses or individuals importing, transporting, or possessing cervids or non-compliant cervid parts from a CWD-positive state), citations will not be issued and cervids will not be seized until the third year after the temporary rule change. Additionally, as proposed, individuals importing trophy parts from South Carolina will have an extra year for required compliance.

During the 2016-2017 deer season, 24 cervids from CWD-positive states were seized by WRC law enforcement<sup>7</sup>. While there is no specific “value” for a cervid, as it cannot lawfully be sold on the open market in North Carolina, the calculated “replacement cost” of a wild cervid can be found in WRC rules (15A NCAC 10B .0117). In North Carolina, white-tailed deer are valued at \$602/animal and elk are valued at \$2,500/animal.<sup>8</sup> However, there are additional costs for hunting out-of-state, including license fees, travel expenses, hunt/guide fees, etc. If the cervid is seized, the loss associated with that animal could be significant. The agency anticipates that the amendments to further restrict importation and transportation from anywhere out-of-state could lead, at least initially, to an increase in the number of cervids seized.

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<sup>7</sup> Data from District LE Records for 2016-2017 season.

<sup>8</sup> Replacement cost of animals specified in 15A NCAC 10B .0117(c).

#### **IV. Benefits – Reduced Risk of CWD Introduction**

It is unknown if or when CWD will be detected in North Carolina and there are several scenarios in which CWD could be introduced, including discarding infected carcass material from a hunter-killed cervid, importation of an infected captive cervid, or through natural immigration of an infected free-ranging deer or elk. Based on other states' history with the disease, it is more likely that CWD will be introduced to North Carolina by human transportation than any mode of natural expansion, though the actual probability is unknown. Additionally, it is fairly certain that once CWD is introduced, it is virtually impossible to eradicate after it contaminates the environment and the wild cervid population. The long-term impacts to the state would be significant. Amendments proposed for the Rule seek to reduce the human-related pathways for introduction of CWD.

The probability of CWD being spread to North Carolina through natural movement of infected deer is also uncertain. Due to extensive incubation periods, the lack of a live test for the disease, and the movement behavior (dispersal and shifts of home-range) of wild cervids, there is a fair amount of uncertainty about where the disease is on the landscape. The closest known infected wild deer population is in the northwestern Virginia / northeastern West Virginia area (about 150 miles straight line distance from North Carolina). The disease has not been contained in that area and, despite efforts to slow the spread, it will likely continue to spread outward from the infected zone. The risk of wild deer transmitting the disease to neighboring wild deer is extremely high and continues to occur in most areas where CWD has been detected. Eventually it may occur across the entire continent through natural transmission, but states are doing what is within their means to slow the spread and keep it from “jumping” from herd to herd.

Another threat to North Carolina is from human transport of live cervids and infected cervid parts. The disease has spread vast distances between known points of occurrence. While unproven, speculation exists that movement of live captive deer is the way CWD has appeared so quickly across the US. The WRC worked extensively to minimize this threat (bought out stock from facilities and euthanized animals to decrease the number of facilities, increased/strengthened rules, etc.) before the captive cervid program was transferred to the NC Department of Agriculture and Consumer Services (NCDA) in 2015. Current statutes governing captive cervids make it illegal to import CWD susceptible cervids until a live test is available.

The probability of North Carolina's deer population becoming infected from CWD-positive carcass parts being imported and disposed on the landscape is unknown; it depends on the prevalence of CWD in the area where the out-of-state deer is killed (which nobody knows for certain except in well defined “hot zones”), and the likelihood of a North Carolina deer coming in contact with the prions that remain in the soil and possibly vegetation after decomposition. The proposed rules seek to minimize this risk to the greatest extent possible. By expanding the parts transport limitations to *any* out-of-state cervid, and requiring all meat to be fully de-boned, deer parts brought into the state should be consumed or used as a trophy and not discarded on the landscape.



## State

The proposed amendments to the Importation of Parts Rule are expected to have substantial benefits to the state by way of avoided costs.

### CWD Response

CWD would no doubt have significant biological, economic, and sociological ramifications if detected in North Carolina. As such, the WRC has a Chronic Wasting Disease Response Plan (hereafter CWD Response Plan)<sup>9</sup>. The goal of the CWD Response Plan is to contain the disease, to the extent possible, to protect North Carolina's wild white-tailed deer and elk herds.

If CWD were to be detected in North Carolina, the agency's CWD Response Plan would be immediately enacted. Based on this plan, once a CWD-positive cervid is identified, an extensive series of events would commence, including: confirmation testing, notification of authorities, establishment of WRC response teams, and creation of CWD surveillance areas (Primary Surveillance Area – 5 mile radius around the detection; Secondary Surveillance Area – 30 mile radius around the detection), all in an immediate effort to collect prevalence and distribution information. Additionally, specific regulations would be established for the surveillance areas, including: a prohibition on fawn rehabilitation, additional regulation for supplemental feeding and baiting, mandatory CWD check stations, harvested deer testing, changes to season lengths and bag limits, and an increased wildlife law enforcement presence. However, many variables would impact the level of response to a CWD detection. These include: location of initial detection; disease prevalence at time of detection; size of the CWD management area and containment potential; agency ability to fully implement the Plan; required duration and effort; and hunter response.

Because CWD has not yet been detected in North Carolina, several assumptions must be made when quantifying costs associated with an outbreak. Assuming a single CWD detection with one Primary and one Secondary CWD Surveillance Area, the short-term (year one) costs associated with implementing the CWD Response Plan are estimated at \$110,307 (\$103,085 for staff time + \$7,222 in mileage = \$110,307).<sup>10</sup> Personnel expenses include: staff to work WRC check stations, collect and submit tissue samples for testing, implement deer sampling and population reduction strategies, and conduct law enforcement activities. Additionally, supplies for herd management and surveillance would be needed. The annual cost of supplies is estimated at \$46,605, making the total cost of short-term management \$156,912 (\$110,307 + \$46,605 = \$156,912). If the outbreak remained localized and no additional areas became CWD positive, the estimated personnel cost over the subsequent 5 years would be approximately \$234,598 (\$277,471 for staff + \$21,740 in mileage = \$299,211). Including the cost of supplies, the total estimated cost for the following 5 years would total \$467,623 (\$299,211 + (5 years x \$46,605) = \$532,236).

If the outbreak of CWD is widespread, all costs would increase. However, the agency has no way to accurately quantify this increase without making unreasonable assumptions. A

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<sup>9</sup> North Carolina Wildlife Resources Commission. 2015. Chronic Wasting Disease Response Plan. Division of Wildlife Management, Raleigh, N.C., USA

<sup>10</sup> Division of Wildlife Management (2016). Chronic Wasting Disease Response Plan. Wildlife Resources Commission, Raleigh, NC, USA.

breakdown of the estimated agency costs for implementing the CWD Response Plan can be found in Appendix D.

### Hunting & License Sales

Hunting is a popular activity in North Carolina. In 2006, 277,357 resident hunters spent an estimated \$488 million on retail purchases, generating \$818 million in economic output.<sup>11</sup> These hunting related expenditures supported 8,332 jobs and contributed \$46 million in state tax revenue. Resident deer hunters (197,220 of the 277,357) spent \$187 million on retail purchases, generating \$322 million in economic output. Expenditures by deer hunters supported 3,408 jobs and contributed to \$20 million in state tax revenue. Deer hunters also spent \$50 million on travel-related expenses<sup>12</sup>. More recently, in 2011, approximately 259,000 residents and 23,000 non-residents hunted in North Carolina<sup>13</sup>. An analysis of this data indicated that 83% of the 259,000 were deer hunters, but expenditures of these individuals were not estimated<sup>14</sup>.

Research indicates that hunter behavior toward CWD depends on prevalence of the disease and human health consequences. Surveys have shown that up to 49% of hunters would stop hunting deer and elk if the prevalence of CWD increased. The decline was even greater (65%) if the high prevalence was combined with any threat to human health. Though resident hunters are likely to continue deer hunting in their state despite the presence of CWD, nonresidents are more likely to hunt in another state where CWD is not present. And as prevalence increases, the likelihood of hunters becoming non-hunters increases.<sup>15</sup>

After Wisconsin became CWD-positive in 2001, the state experienced an 11% decline in hunting license sales.<sup>16</sup> Approximately 26% of WRC funding comes from the sale of hunting and fishing licenses annually. Hunting and sportsman licenses specifically make up 15% of that. The WRC averages \$12 million in sportsman and hunting license sales each year.<sup>17</sup> If hunting license sales were to decline 11%, the agency could reasonably expect to lose up to \$1.3 million annually (\$12M annually x 11% = \$1.3 annually). If North Carolina experiences a significant decline in license sales, it may affect the agency's ability to obtain certain federal funding that require matching funds. For example, Pittman-Robertson (P-R) requires 25% match from the agency.

Additionally, approximately 23% of agency funding is provided from P-R funds (\$18.5 million).<sup>18</sup> Because of the way that P-R funds are distributed, if the number of North Carolina license holders decreases substantially compared to license holders in other states, WRC would receive less federal funding. However, due to annual fluctuations in funding, the agency is unable to quantify this potential loss.

### Herd Management

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<sup>11</sup> U.S. Fish and Wildlife Service (2006) National Survey of Fishing, Hunting, and Wildlife-Associated Recreation.

<sup>12</sup> NCWRC Division of Wildlife Management. 2011. Chronic Wasting Disease and the Holding of Deer in Captivity. North Carolina Wildlife Resources Commission, Raleigh, NC, USA.

<sup>13</sup> U.S. Fish and Wildlife Service (2011) National Survey of Fishing, Hunting, and Wildlife-Associated Recreation.

<sup>14</sup> U.S. Fish & Wildlife Service (2011) Deer Hunting in the United States: Demographics and Trends.

<sup>15</sup> Lyon, K.M. and Vaske, J.J. (2010) *Predicting hunting participation in response to chronic wasting disease in four states*, Human Dimensions of Wildlife, 15:3, 208-220

<sup>16</sup> Vaske, J.J. (2010) *Lessons learned from human dimensions of chronic wasting disease research*, Human Dimensions of Wildlife, 15:3, 165-179

<sup>17</sup> Based on two-year license sale average.

<sup>18</sup> Based on three-year average P-R funds awarded to the WRC.

Some CWD-positive states such as Colorado and Wyoming have seen cervid populations decline due to CWD. One study described a 10% annual decrease among deer in an area with a CWD prevalence of 33%. Another study in southeastern Wyoming (where there are significant declines in mule deer herds) hypothesized that the herd they were studying could be extinct within 41 years.<sup>19</sup> Not only would this eliminate hunter opportunities long-term, but the agency would also likely see commensurate declines in hunting license sales over time. If there are no deer, there are no deer hunters. By implementing the proposed changes to the Importation of Animal Part Rule, the WRC anticipates that the North Carolina deer herd will be better protected from declining populations.

Due to the nature of CWD, the potential for long-term effects on resident cervid populations exist. Therefore, WRC management efforts would be ongoing once CWD is detected. Unfortunately, depending on the magnitude of the outbreak, this may negatively impact the agency's ability to maintain or implement other programs over time. Because of the uncertainty associated with a detection and the vast array of possible scenarios, long-term effects to the State cannot be accurately predicted.

Initial discovery of CWD in North Carolina could occur in either the State's wild or farmed cervid herds; with the additional possibility of one infecting the other.<sup>20</sup> Discovery of CWD within a captive facility would result in that facility becoming quarantined and possibly depopulated. Deer from an infected facility could not be moved to other facilities for breeding/stocking or hunting purposes therefore they would have little, if any, value. The value lost depends on the species, genetics, and/or phenotypic characteristics of the animal and number of animals in the facility. Because of the array of potential scenarios surrounding a CWD detection in the State's captive cervid population, the effects of CWD on these deer, their owners, and the agency that regulates them cannot be quantified.

## **Local**

The proposed amendments to the Importation of Parts Rule are expected to have substantial local benefits by way of avoided costs.

Unfortunately, there is no accurate method for estimating the cost that a CWD detection would have on localized areas in North Carolina, and no data exist on hunter/hunting expenditures at that scale. However, as previously noted, approximately \$525 million was spent in-state on trip-related expenses, equipment, and other hunting-related expenditures in North Carolina in 2006.<sup>21</sup> In 2013, Maryland (a CWD-positive state) surveyed three counties with varying proximities to the CWD Management Area of the State (similar to North Carolina's Surveillance areas). The county where Maryland's CWD management area was located reported a 7% reduction in deer harvest.<sup>22</sup> While a change in deer harvest is not a perfect measure of the extent of change in

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<sup>19</sup> Cima, G. (2017) *Chronic wasting disease continues to spread*, American Journal of Veterinary Research, 78:9 1004-1005

<sup>20</sup> Farmed cervid is defined in G.S. 106-549.97 and is regulated by the NC Department of Agriculture and Consumer Services.

<sup>21</sup> U.S. Fish and Wildlife Service (2011) National Survey of Fishing, Hunting, and Wildlife-Associated Recreation.

<sup>22</sup> Haus, J.M., Eyler, T.B., Duda, M.D., and Bowman, Jacob, J.L. (2017) *Hunter perceptions toward chronic wasting disease: Implications for harvest and management*, Wildlife Society Bulletin, 41:2, 294-301

hunting activity in an area, this reduction in harvest could reflect the magnitude of a reduction in hunters in the area and a likely reduction in hunter expenditures in the area.

The agency anticipates that the proposed amendments to further restrict importation and transportation from anywhere out-of-state could lead, at least initially, to an increase in the number of citations issued, especially for residents hunting in neighboring CWD-negative states. The fine for a rule violation includes \$180 local court costs. Unfortunately, there is no mechanism to estimate this anticipated increase.

Elk hunting is not currently permitted in North Carolina, but according to a 2014 RTI study, elk viewing is a popular activity with associated tourism benefits in western counties of the state where the herd currently resides. Economic benefits were estimated for areas where elk currently reside (three counties) and two potential restoration areas, assuming continuous natural expansion of the elk population over 25 years and no major change in elk demographic parameters. Visitation for elk viewing was projected to be 7,220 to 36,100 visitors per year in 2019 in the study areas and was projected to remain relatively steady at that level into the future, so long as the herd remained stable or increased. However, it was also determined that if the elk population declined to low levels (15 animals or less), tourism to view elk would likely stop. RTI projected that the potential net benefit of elk-viewing tourism in future years in the five study areas evaluated could be anywhere from \$0.6 to over \$5 million annually, assuming viewing visits lasted 3 days each.<sup>23</sup> North Carolina residents would lose these expected benefits, should the elk population decline significantly from CWD.

## **Private**

The proposed amendments to the Importation of Parts Rule are expected to have substantial private benefits by way of avoided costs.

If CWD were detected in North Carolina, a large and noticeable impact would occur at the local level. Based on the agency's CWD Response Plan, once detected, the area within a 5-mile radius of the infected deer would become the Primary CWD Surveillance Area, and the area with a 5 to 30-mile radius would become the Secondary CWD Surveillance Area. Specific regulations would be established for these areas that would impact hunters, including: regulating the exportation of cervid carcasses or carcass parts, a prohibition on fawn rehabilitation, additional regulation for supplemental feeding and baiting, mandatory CWD testing, changes to season lengths and bag limits, and an increased wildlife enforcement presence. While some restrictions may actually reduce hunter expenditures (i.e. not purchasing supplemental feed because baiting is no longer permitted), the loss would likely be transferred to local retailers and/or farmers.<sup>25</sup>

In a 2010 fiscal note prepared by the WRC, it was estimated that hunters would incur a collective cost of approximately \$1,008 to transport deer to agency check stations within a 5-mile radius CWD management zone should the CWD Response Plan be enacted. Restrictions on the removal of certain deer carcass parts from the CWD management zone could result in collective costs to hunters of \$6,300 annually in meat processing and carcass disposal. These expenses would

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<sup>23</sup> RTI International. 2014. Evaluation and Feasibility of Establishing a Hunttable Elk Population in North Carolina.

increase proportionally as new CWD-positive cervids were detected, resulting in an increase in the size of the CWD management zone<sup>24</sup>. The 2010 Fiscal Note can be found in Appendix D.

Based on WRC Hunter Harvest Survey data, approximately 253,164 licensed hunters went deer hunting in North Carolina during the 2016-2017 season. With the detection and spread of CWD, fewer hunters may deer hunt and will therefore experience a loss of the recreational benefits associated with hunting. Should CWD be detected in North Carolina, the quality of the deer hunting experience would likely decline and hunters may be advised against eating harvested venison. The lost social and recreational value of deer hunting, beyond what hunters spend to participate, could be in the tens of millions depending upon the extent of the disease.<sup>25</sup> But these potential nonmarket losses are highly uncertain because the potential extent of the disease in North Carolina is unknown, the agency lacks State-specific estimates of how much hunters value the hunting experience today, and the WRC is not aware of any studies that have been conducted to date to estimate how much that value would decline if North Carolina were CWD-positive

Hunter behavioral changes can be reasonably expected because of CWD. However, these cannot be accurately estimated or predicted. As previously mentioned, participation in hunting has been shown to decrease as CWD prevalence increases. In addition to reductions in cervid populations, the perceived human health risks associated with CWD contribute to changes in hunter behavior. Although there are no current reported cases of natural CWD infection in humans, the Centers for Disease Control and Prevention (CDC) advises against eating the meat from CWD-positive animals. If hunters refrain from consuming deer meat because of CWD, they may incur additional costs for the purchase of alternative sources of meat.<sup>26</sup> Based on survey data from the 2017 WRC deer forums, most hunters in attendance indicated that the primary reason they hunt is for the venison. It is possible that some hunters will consume less venison because they are deterred by CWD and therefore will need to spend additional money on commercially available meat.<sup>27</sup>

As shown by the Tennessee Department of Agriculture Economics' economic impact report, the total economic losses associated with CWD detection were estimated at \$98 million and 1,459 jobs. These estimates include private sectors such as service stations, retail, hotels and other lodging places, restaurants, real estate, food stores, and wholesale trade. These effects would stem from less travel (both within and into the State), food expenditures, lodging, equipment and supply purchases, fewer licenses, and other spillover effects. Other losses to note would be cervid farms and deer and elk viewing opportunities. However, due to lack of North Carolina specific data, these costs are unquantifiable.<sup>28</sup>

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<sup>24</sup> NCWRC Division of Wildlife Management. 2011. Chronic Wasting Disease and the Holding of Deer in Captivity. North Carolina Wildlife Resources Commission, Raleigh, NC, USA.

<sup>25</sup> Assumptions and methodology from Bishop, 2002 applied to the current number of licensed hunters in NC. Bishop, R.C. 2002. The Economic Effects in 2002 of Chronic Wasting Disease (CWD) in Wisconsin. University of Wisconsin-Madison, Agricultural and Applied Economics. Staff Paper No. 450. 2002.

<sup>26</sup> NCWRC Division of Wildlife Management. 2011. Chronic Wasting Disease and the Holding of Deer in Captivity. North Carolina Wildlife Resources Commission, Raleigh, NC, USA.

<sup>27</sup> NCWRC Division of Wildlife Management. 2016. Deer Hunting and Management Survey. North Carolina Wildlife Resources Commission, Raleigh, NC, USA.

<sup>28</sup> Menard, J., Jensen, K., and English, B.C. (2003) *Projected economic impacts of a Chronic Wasting Disease (CWD) outbreak in Tennessee*, Agri-Industry Modeling & Analysis Group Industry Brief.

Individuals that partake in wildlife viewing could lose recreational benefits associated with this activity from the presence of CWD in the state. While the economic impacts associated with the loss of white-tailed deer viewing are expected to be relatively insignificant should CWD be detected, the impacts from loss of elk viewing would likely be substantial.<sup>29</sup> As discussed in the previous section, a 2014 study conducted by RTI projected that the potential net benefit of elk-viewing tourism in future years in the five study areas evaluated could be anywhere from \$0.6 to over \$5 million annually, assuming viewing visits lasted 3 days each.<sup>30</sup> North Carolina residents would lose these expected benefits, should the elk population decline significantly from CWD.

Individuals that partake in wildlife viewing could also lose the aesthetic and existence values associated with wild cervids. While both of these are non-economic values and are difficult to assess and measure, the impacts associated with the loss of these benefits would be significant.

## **VI. Alternatives**

To address the increasing risk of CWD being introduced into North Carolina by a hunter or other individual importing a cervid carcass or carcass part(s), the WRC evaluated several options, one being to leave the rule as-is, and the other to close the borders of the State to importation of cervids from any outside jurisdiction with immediate enforcement and no exemptions.

The Commission dismissed the alternative of leaving the rule as-is in favor of a more protective rule that is expected to further reduce the risk of the disease reaching the state through human transportation of infected cervids and cervid parts.

At their July 2018 meeting, the Commission adopted a temporary rule (effective August 1, 2018) prohibiting importation, transportation, and possession of any cervid carcass and certain carcass parts originating outside of North Carolina, as have 14 other states (see Appendix B). This temporary rule was supported by the agency's constituency (214 comments received in support of temporary rule and 3 opposed). However, prior to the 2018-19 deer hunting season, additional suggestions were received on potential hardships of the rule to hunters and taxidermists, especially those residing near and hunting in South Carolina. To address these concerns, minimizing the burden on the regulated community and in-state businesses while still reducing the risk of CWD being introduced into North Carolina, the Commission modified the second alternative in favor of the proposed rule. Instead of closing the borders of the State to importation of cervids from any outside jurisdiction with immediate enforcement and no exemptions, the Commission is suggesting the following:

1. Implement phased enforcement of the proposed rule amendment beginning in the 2018-2019 season and including two educational years where individuals importing or in possession of non-compliant parts from states where CWD has not been detected will be given a verbal warning (year one) and a single written warning (year two) unless they are repeat offenders. Citations will not be issued and cervids will not be seized until the third season after the temporary rule change (unless an individual has received a written

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<sup>29</sup> NCWRC Division of Wildlife Management. 2011. Chronic Wasting Disease and the Holding of Deer in Captivity. North Carolina Wildlife Resources Commission, Raleigh, NC, USA.

<sup>30</sup> RTI International. 2014. Evaluation and Feasibility of Establishing a Hunttable Elk Population in North Carolina.

warning, or they are importing, transporting, or in possession of a cervid or non-compliant cervid parts from a CWD-positive state);

2. Create and execute an aggressive educational campaign and work with NC licensed taxidermists to: 1) increase CWD awareness and knowledge; and 2) train hunters on necessary preparation for regulatory compliance; and
3. Impose an exemption for heads and attached hides of white-tailed deer harvested in South Carolina being brought into the State for delivery to a NC licensed taxidermist accompanied by a delayed effective date for full rule compliance.

## **VII. Economic Impact Summary**

CWD, a fatal neurological disease affecting the deer family (Cervidae), is an imminent threat to the State's wild and captive white-tailed deer and elk populations. It is unknown if or when CWD will be detected in North Carolina. Fortunately, based on results of continuous testing, the disease has not been detected to date. With the proposed changes to the Importation of Parts Rule, the probability of human introduction of the disease into North Carolina's cervid herds through an infected carcass or carcass parts is anticipated to be greatly reduced. Although many of the costs are quantifiable, the agency is unable to estimate the magnitude of costs and benefits due to uncertainty about the probability of CWD's introduction to North Carolina from natural and/or human modes of transmission and how effective the proposed rules will be at mitigating that risk. However, the WRC believes that the biological, economical, and sociological benefits of the proposed changes to reduce the human-related pathways for introduction of CWD far outweigh the costs.

### **Benefits from reduced risk of CWD introduction:**

CWD can be spread by natural movements of wild cervids or by human transportation of live or dead infected cervids or cervid parts. While the spread of CWD cannot be entirely prevented through regulatory action, the WRC can reduce the risk from transportation, importation, and possession of wild cervid carcasses and parts and their disposal on the landscape, reducing the likelihood of incurring associated costs.

Should CWD be detected, hunters, wildlife recreators, the recreational industry, and the state are likely to incur significant costs. The WRC would implement more restrictive management strategies to contain the disease, and hunting activity would likely decline in CWD affected areas over time, either due to reduced cervid populations or concern about the human health risks of consuming potentially infected venison.

- The WRC could incur costs of up to \$689,148 in the first six years of an outbreak for management interventions in a single CWD management area, and loss of up to \$7.8M in license sales during that same time. Costs would increase with the addition of surveillance areas if CWD spread, but the effect on license sales is unknown. This cost would increase by 75% if these funds are not available for use as match (25%) to obtain federal operating grants.

- Hunters who continue to hunt in CWD-positive jurisdictions would incur additional costs for taking deer to WRC check stations and additional processing and disposal costs, estimated at \$7,300 annually for a single CWD management area. In addition, the WRC would impose prohibitions and restrictions on fawn rehabilitation, feeding and bating of deer, mandatory CWD testing, and changes to season lengths and limits. Costs would vary depending on the size of the management area.
- Captive cervid owners and the NCDACS would also incur costs for disease management in the captive cervid population.
- Over time, the wild and captive cervid populations could be substantially reduced or eliminated.
- Lost recreational benefits from hunting could be in the tens of millions annually depending upon the extent of the disease, but these potential nonmarket losses are highly uncertain. The potential loss of elk-viewing tourism in future years could be anywhere from approximately \$0.6 to over \$5 million annually.
- The loss of the aesthetic and existence values of wild cervids is unknown.

#### **Direct Impacts from Proposed Rules:**

##### **State:**

- Testing and incineration of seized out-of-state cervid carcasses are estimated to cost approximately \$60 each.
- Additional communication, education, and outreach to in-state and out-of-state hunters about the new regulations are estimated to have a one-time cost of approximately \$26,465.
- An increase in citations for violations of the proposed rule are valued at \$205 each.

##### **Local:**

- Fines associated with citations for a rule violation include \$180 in local court costs.

##### **Private:**

- Hunters who choose to hunt out-of-state and harvest deer will need to field dress and de-bone their deer themselves to bring only compliant carcass parts back to North Carolina or take the carcasses to an out-of-state processor. They could incur costs for out-of-state meat processing (estimated at \$93.77 per deer) or may be inconvenienced by preparing the cervid parts before transporting.
- Violations of the proposed rule would cost hunters \$205 in citation costs and seizure of their cervid, an estimated loss of \$602 per whitetail deer and \$2,500 per elk in addition to the cost of their trip, out-of-state hunting license, hunt/guide fees etc. This cost will not be incurred by hunters importing cervids from states where CWD has not been detected until the rule is in full effect (three years after the effective date) or if an individual hunter is in violation of the rule for a third time before year three.



- Up to an 18% reduction in business for taxidermists from the taxidermy of out-of-state cervids.
- Meat processors in border counties (approximately 16) may lose business from the processing of out-of-state cervids. The estimated cost to process a full deer is approximately \$93.77. Processing de-boned meat may cost less.

Pending

## Proposed Rule Text

### 15A NCAC 10B .0124 IMPORTATION OF ANIMAL PARTS

(a) It shall be unlawful to import, transport, or possess a cervid carcass or carcass part part(s) originating from any state or province where Chronic Wasting Disease occurs as identified by the Chronic Wasting Disease Alliance on the Internet at <http://www.cwd-info.org/index.php/fuseaction/about.map> shall be imported, transported, or possessed in outside of North Carolina except as provided herein: except:

- (1) meat that is cut and wrapped;
- (2) quarters or other portions of meat with no part of the spinal column or head attached;
- (3)(1) meat that has been boned out; out such that no pieces or fragments of bone remain;
- (4)(2) caped hides; hides with no part of the skull or spinal column attached;
- (5)(3) antlers, antlers attached to cleaned skull plates; plates, or skulls free from meat or brain tissue;
- (6) antlers;
- (7)(4) cleaned lower jawbone(s) with teeth or cleaned teeth; or
- (8)(5) finished taxidermy products: products and tanned hides.

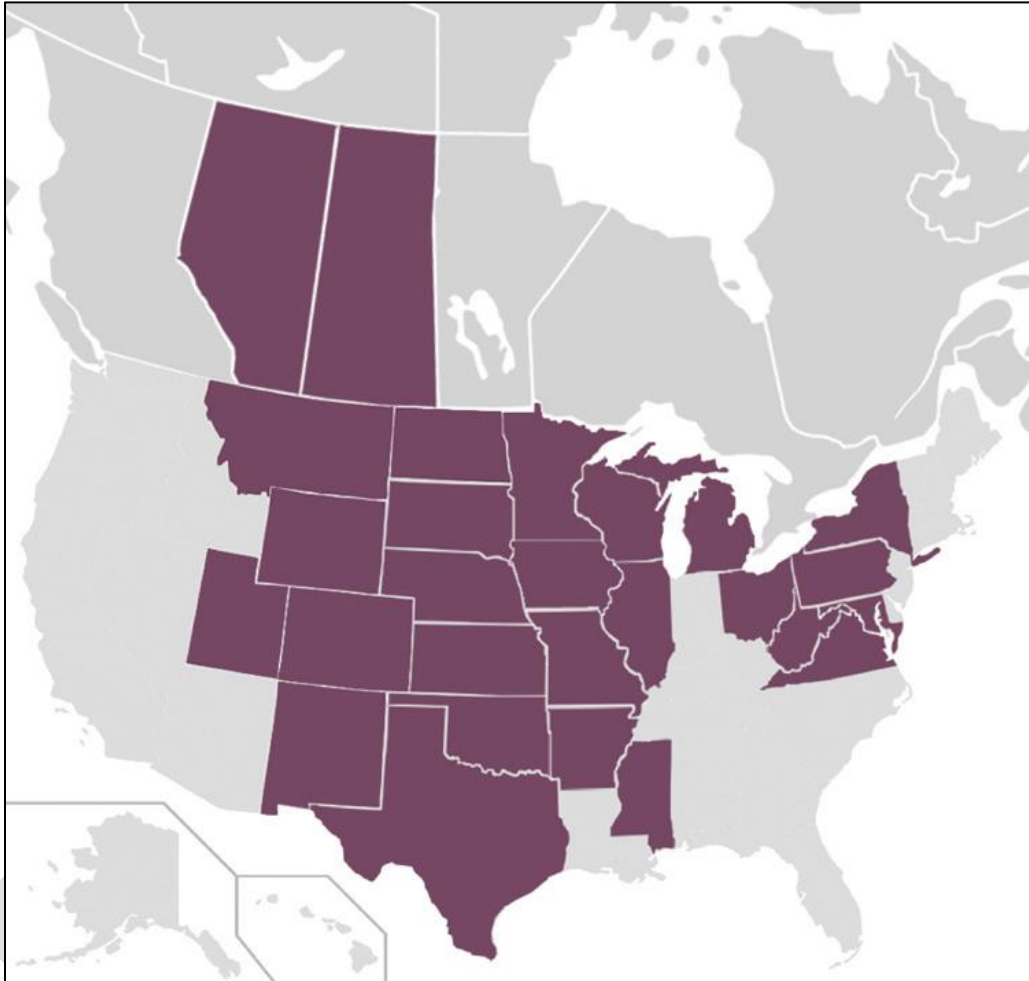
(b) Pursuant to G.S. 113-291.2, any Any cervid carcass, carcass part, part(s), or container of cervid meat or carcass parts processed and packaged cervid meat imported as in (a) listed in Subparagraph (a)(1) through (4) of this Rule above from a state or province where Chronic Wasting Disease is known to occur as identified by the Chronic Wasting Disease Alliance on the Internet at <http://www.cwd-info.org/index.php/fuseaction/about.map> shall be tagged identifying: labeled or identified with the following information:

- (1) Hunter's the individual's name and address;
- (2) State or province the state, Canadian province, or foreign country of origin of any cervid carcass, carcass part, or container of processed and packaged cervid meat; origin;
- (3) Date the date the cervid was killed and the hunter's individual's hunting license number number, permit number, or equivalent identification from the state or province state, Canadian province, or foreign country of origin of any cervid carcass, carcass part, or container of processed and packaged cervid meat; origin; and
- (4) Destination of the cervid carcass, carcass part or container of processed and packaged cervid meat within North Carolina.

(c) It shall be lawful to import, transport, or possess a hide with head attached from a white-tailed deer lawfully taken in South Carolina, if delivered to a licensed North Carolina taxidermist within 24 hours of entering the State. The hide and head shall be double plastic bagged and labeled or identified with the information required in Paragraph (b) of this Rule and the name of the county in South Carolina where the white-tailed deer was killed. This Paragraph shall expire on August 1, 2020 or upon confirmation of Chronic Wasting Disease in a cervid from South Carolina, whichever occurs first. Upon expiration, all restrictions and requirements of Paragraph (a) shall apply.

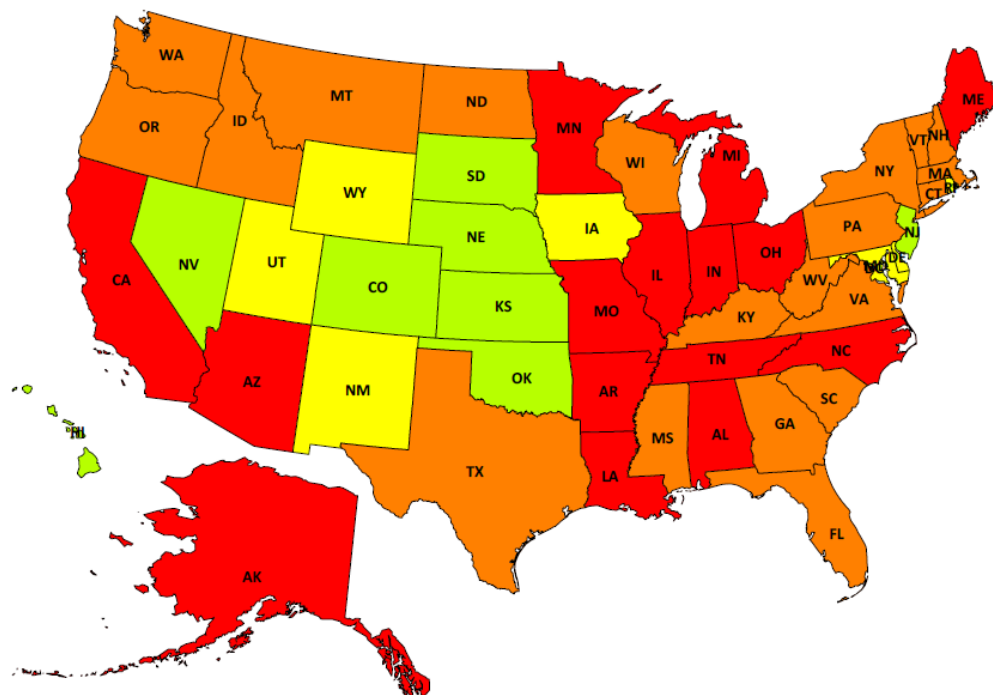
## **APPENDIX A**

States and Provinces where chronic wasting disease has been detected



## **APPENDIX B**

# Rules Governing Interstate Transport of High-risk Cervid Carcass Parts<sup>1,2</sup>



■ No high-risk parts, regardless of CWD status of exporting jurisdiction (15)

■ Import rules apply to entire CWD-positive jurisdiction, regardless of number or distribution of cases (20)

■ Import rules apply to positive units only, not entire jurisdiction (7)

■ No rules restricting importation of high-risk cervid parts (8)

<sup>1</sup>High risk carcass parts may include one or more of the following: head (brain, tonsils, eyes, lymph nodes), spinal cord, spleen, skull plate with attached antlers if visible brain or spinal cord is present, cape if visible brain or spinal cord is present, upper canine teeth if root structure or other soft material is present, any object or article containing visible brain or spinal cord material or brain-tanned hide.

<sup>2</sup>Consult state's website for complete rule details. Intended as a summary of **general** rules only.

Revision Date: 8/2/2018

## **APPENDIX C**

### Estimated Cost of In-House Video Production

Position	Duties	Estimated Time	Total Hourly Compensation	Total Personnel Cost per Video
Information & Communications Specialist II	Video production; recording footage + editing	56	\$ 38.08	\$ 2,132.33
Information & Communications Specialist II	production; recording footage +	32	\$ 38.08	\$ 1,218.48
Information & Communications Specialist III	Video review/editing	8	\$ 43.95	\$ 351.62
Conservation Biologist II	Video production	32	\$ 38.08	\$ 1,218.48
Conservation Management Administrator	Approval and oversight	4	\$ 54.65	\$ 218.60
				<b>\$ 5,139.51</b>
Total compensation based on midpoint salary for Grade and 10 yrs of service.				

### Estimated Cost of Facebook Ad Campaign

Position	Duties	Estimated Time (hrs)	Total Hourly Compensation	Total Personnel Cost per Video
Information & Communications Specialist II	Ad creation and monitoring	20	\$ 38.08	\$ 761.55
Information & Communications Specialist III	Video review/editing	4	\$ 43.95	\$ 175.81
				<b>\$ 937.36</b>
Total compensation based on midpoint salary for Grade and 10 yrs of service.				



## **APPENDIX D**

## Estimated agency costs for implementing the CWD Response Plan

Field Response Team hours and mileage for one CWD Surveillance Area (based on the 2015 Response Plan and the 2013-2014 surveillance effort).

Position	Duties	Estimated Time <sup>a</sup>	Total Hourly Compensation <sup>b</sup>	Total Personnel Cost Yr 1	Estimated Mileage <sup>b</sup>	Estimated Time Over 5-Years <sup>c</sup>	Total Personnel Cost Over 5-Years	Estimated Mileage Over 5-Years <sup>d</sup>
Private Lands Program Supervisor	Field Response Team Leader; Determine best location for a CWD operations facility; appoint a data coordinator; Secure additional sampling sources; assign personal to operate check stations.	28	\$ 47.25	\$ 1,307.83	401	94	\$ 4,446.61	1,365
District Wildlife Biologist	Determine location of unconfirmed CWD-positive sample; Finalize list of all supplies and material needed; Collect a minimum of 1,500 animals for CWD samples; Develop CWD Monitoring and Mangement Plans.	398	\$ 38.08	\$ 15,151.00	6,048	1,194	\$ 45,453.00	18,144
Regional Engineering		71	\$ 38.08	\$ 2,700.83	1,035	213	\$ 8,102.49	3,104
Lands Management Supervisor		73	\$ 47.25	\$ 3,433.05	711	218	\$ 10,299.14	2,133
Deer Biologist		439	\$ 38.08	\$ 16,731.97	5,048	1,318	\$ 50,195.92	15,144
Wildlife Veterinarian		291	\$ 75.94	\$ 22,072.57	491	872	\$ 66,217.71	1,474
Permits Biologist		69	\$ 38.08	\$ 2,634.96	346	208	\$ 7,904.87	1,038
District Wildlife Enforcement Captain		69	\$ 54.65	\$ 3,781.78	346	208	\$ 11,345.34	1,038
Other Staff (per individual) <sup>e</sup>		78	\$ 38.08	\$ 2,964.33	1,273	234	\$ 8,892.98	3,820
<b>Total</b>				<b>\$ 70,778.31</b>	<b>\$ 7,221.89</b>		<b>\$ 212,858.05</b>	<b>\$ 21,739.51</b>

a. Estimated time is based on the average number of hours staff logged during the the 2013-2014 surveillance efforts (per position) plus the difference between collection efforts during the 2013-2014 surveillance and minimum requirements of the 2015 CWD Response Plan.

b. Total compensation based on midpoint salary for Grade and 10 yrs of service.

c. Estimated milage is based on the average milage staff logged during the the 2013-2014 surveillance efforts (per position) plus the difference between collection efforts during the 2013-2014 surveillance and minimum requirements of the 2015 CWD Response Plan.

d. Five year estimates are based on the assumption no additional areas become CWD-positive in North Carolina and certain duties that are required in the first year are removed.

e. Number of staff assisting in CWD collections vary among districts. This table assumes one additional staff member will be added to the group during sampling. If more are added, this number will be multiplied by the number of staff assisting.

## Estimated agency costs for implementing the CWD Response Plan Continued

Logistical Response Team hours for one CWD Surveillance Area (based on the 2015 CWD Response Plan and recent CWD outreach efforts).						
Position	Duties	Estimated Time <sup>a</sup>	Total Hourly Compensation <sup>b</sup>	Logistics Team Personnel Cost Yr 1	Estimated Time Over 5-Years <sup>c</sup>	Logistics Team Personnel Cost 5-yr
Division Chief	Logistical Response Team Leader	16	\$ 54.65	\$ 874.40	32	\$ 1,748.80
Wildlife Veterinarian	List appropriate media contacts, draft press release, develop information section on website, identify stakeholders, begin preparations for public meeting; Create contact list of private land owners, captive cervid facilities, and fawn rehabbers; Review and report on General Statutes, Session Laws, and other local laws; Coordinate with a landfill; Identify options for carcass processing	92	\$ 75.94	\$ 6,986.78	184	\$ 13,973.56
Surveys and Research Program Supervisor		28	\$ 47.25	\$ 1,322.95	56	\$ 2,645.89
Wildlife Diversity Program Supervisor		28	\$ 47.25	\$ 1,322.95	56	\$ 2,645.89
		92	\$ 33.04	\$ 3,039.63	184	\$ 6,079.25
Public Information Officer		163	\$ 38.08	\$ 6,206.62	326	\$ 12,413.23
Information Technology Representative		155	\$ 38.08	\$ 5,902.00	310	\$ 11,804.00
Division of Law Enforcement Representative		28	\$ 54.65	\$ 1,530.20	56	\$ 3,060.40
Raleigh Office Administrative Assistant		155	\$ 33.04	\$ 5,121.11	310	\$ 10,242.22
<b>Total</b>				<b>\$ 32,306.63</b>		<b>\$ 64,613.25</b>
a. Estimated time is based on the average number of actual staff hours logged during CWD outreach efforts.						
b. Total compensation based on midpoint salary for Grade and 10 yrs of service.						
c. Five year estimates are based on the assumption that no additional areas become CWD-positive in North Carolina and certain duties required in the first year are unnecessary in subsequent years.						

Estimated agency costs for implementing the CWD Response Plan Continued

Minimum number of supplies needed for one CWD Surveillance Area for one year of surveillance (based on 2015 CWD Response Plan).			
Item	Price	Quantity	Total
Extra Large Gloves	\$ 74.90	1 case(s) of 1000	\$ 74.90
Large Gloves	\$ 74.90	1 case(s) of 1000	\$ 74.90
Formalin	\$ 188.30	5 5 gallons	\$ 941.50
Sample Container	\$ 165.82	4 case(s) of 400	\$ 663.28
Testing of Samples	\$ 30.00	1,500 each	\$ 45,000.00
<b>Total</b>			<b>\$ 46,604.78</b>

## **APPENDIX E**



July 21, 2010

## **Fiscal Note for Proposed 15A NCAC 10A.1201, Emergency Powers**

**Contact:** Tommy Clark  
North Carolina Wildlife Resources Commission  
(919) 707-0081 or [tommy.clark@ncwildlife.org](mailto:tommy.clark@ncwildlife.org)

**Authority:** G.S. 113-306(f)

**Impact:** State Government: Yes  
Local Government: No  
Substantial Impact: No  
Federal Government: No  
Small Businesses: No

### **GENERAL**

North Carolina Wildlife Resources Commission (WRC) is proposing to adopt rule 15A NCAC 10A.1201 Emergency Powers (see proposed rule text in Appendix 1). Pursuant to G.S. 113-306(f), the General Assembly authorized WRC to pass rules outlining emergency powers for its Executive Director to employ in the event of a wildlife disease threat which could not otherwise be addressed by existing WRC authority. This emergency authority would require input from both Governor's Office and the State Veterinarian, and would be effective for no more than 90 days. If additional authority is required beyond 90 days, it would have to be obtained by the enactment of temporary or permanent rules as needed.

For reasons which will be detailed below, WRC believes that the necessary State funds for the implementation of the emergency powers under this rule would be available through WRC's Wildlife Fund, that there would be no direct local governmental impact, and that the potential economic impact is not expected to exceed \$3 million. Overall, WRC views this rule as being a significant rule change without a substantial economic impact.

### **BACKGROUND**

The N.C. Wildlife Resources Commission is responsible for the conservation, management and wise use of over 1,000 native species of fish, birds, mammals, reptiles, amphibians and invertebrates in the state of North Carolina. Although most of this agency's wildlife resources management is directed at consumptive use and habitat conservation, the threat of wildlife disease is real and must be taken seriously.

Just as in the case of a human epidemic, the arrival of a contagious wildlife disease requires quick action and an executable plan to contain the disease and minimize the threat to the species across

the state. The current process for adopting permanent rules takes a minimum of 120 days. This timeframe is insufficient to amend or adopt rules needed in order to respond effectively to a wildlife disease outbreak. Thus, as noted above, the General Assembly amended G.S. 113-306(f) to authorize WRC to pass rules authorizing temporary emergency powers to deal with such threat.

## **WILDLIFE DISEASE**

There are many potential wildlife diseases that, under the right conditions, could create an emergency situation in North Carolina which would require immediate action by WRC. Therefore, the determination of fiscal impact of a declaration pursuant to this rule is extremely difficult due to the many unknowns associated with a potential declaration. Among them:

- The disease could affect only a single species or several species.
- The disease could be due to an epidemic outbreak of a disease currently known to be within the indigenous population of the species, or it could originate from importation, whether accidental or intentional.
- Until the disease is identified, there can be no way of determining the severity of the threat posed by the outbreak, and thus the measures needed for control.
- The disease could arise in a single location or in multiple locations simultaneously. The emergency response would depend upon the specific scenario.

The invocation of this rule, by its very nature, presupposes an emergency situation that must be responded to promptly. However, before this power may be invoked, the General Assembly has mandated that the Executive Director consult with the full Commission, the State Veterinarian and the Governor.

Given the range of possibilities, it is conceivable that the emergency situation could have little or no budgetary impact if currently available resources may be utilized and the species is unimportant economically. It is also possible that an outbreak of a wildlife disease could have a significant effect on the economy if an economically or ecologically significant species is involved, and could also involve a significant unbudgeted public expenditure if resources are required to begin a depopulation effort.

When these factors are considered, there really is no way to determine the fiscal impact of an outbreak requiring emergency action without knowing the species involved, the nature of the disease, the threat to the species, and the human impact of the disease. One thing is clear, however. If the Executive Director is confronted by a disease threat recognized by the full Commission, the State Veterinarian, and the Governor, the fiscal impact of taking no action is almost certain to far outweigh the impact of an appropriate response. Nonetheless, WRC recognizes the need for some sort of cost estimate, and has developed an impact analysis for the most likely potential threat, and assumes this to be typical of what might be expected - although "typical" is speculative at best.

In developing this estimate, WRC assumes the following:

## **APPENDIX E**

- Any work undertaken to address the problem will have to be accomplished using only currently available resources and personnel. While emergency funding sources may become available, for planning purposes, these are not assumed to be a factor.
- Because existing personnel will be utilized, there will be a temporary reallocation of work assignments within WRC to deal with the threat. Thus, Wildlife Enforcement Officers may be diverted from “routine” enforcement duties to oversee or assist in depopulation efforts, biologists may have to defer non-critical projects until after the emergency has been handled, and support staff will have to spend at least some of their time supporting the emergency mission.
- Although there will be a reallocation of personnel resources, there will be no net budgetary effect on the agency in terms of personnel costs for the 90 day period.

## **ONE POSSIBLE SCENARIO – CHRONIC WASTING DISEASE**

The most foreseeable disease on the horizon, and the most significant one for which WRC has an approved response plan, is Chronic Wasting Disease (CWD). CWD is one of a family of transmissible spongiform encephalopathies caused by prions—mutant proteins that interfere with brain function. CWD naturally affects several deer species, as well as elk and moose, but has never been shown to transmit to human or to other animals, unless the prions are injected directly into the brain. It’s unknown exactly how CWD is transmitted between deer in the wild, but its effects are unambiguous. Once CWD is established in a herd it cannot be eradicated and recent test results from Wisconsin, Colorado and Wyoming indicate that the prevalence of the disease within a herd increases over time. Individual mortality of infected animals is 100%.

Of all known wildlife diseases, CWD presents the most obvious current risk due to its movement eastward over the last decade. At one time, the disease was confined to the western United States. However, the disease appeared in 2001 in the State of Wisconsin and has continued to move east over the last decade. Since its discovery in Wisconsin, CWD has also been found in deer in several other states east of the Mississippi: Illinois, Michigan, New York, West Virginia and Virginia.

The identification of CWD in white-tail deer in Wisconsin triggered a response throughout the eastern U.S. to the threat of a CWD outbreak. In North Carolina, this response included legislative enactments and rulemaking undertaken in concert with N.C. Department of Agriculture & Consumer Services, the State Veterinarian, and the North Carolina Deer Farmers Association, and culminated in a response plan to deal with a verified outbreak of CWD.

An analysis of WRC’s response plan presents one likely “worst case” scenario for the costs associated with an emergency response to such outbreak and represents WRC’s best estimate of the fiscal impact of a potential emergency declaration associated with that outbreak.

### **Responding to Chronic Wasting Disease**

The goal of the CWD response plan is to contain the disease as much as possible in order to protect North Carolina’s wild white-tailed deer herd. Containment is achieved through testing (to detect the disease), reduction of the deer herd and elimination of human-facilitated pathways for disease spread. If a case of CWD is confirmed in a wild white-tailed deer, WRC will establish a 5-mile radius



Surveillance Area (SA). Within this SA WRC will do extensive sampling and also require deer hunters to take their deer to a mandatory check-in station so biological samples can be collected by Commission staff.

If additional cases are detected, WRC will establish a 5-mile radius CWD Management Area (CWDMA) around all positive animals. In addition to mandatory check-in of hunter-harvested deer, within the CWDMA WRC will:

- Prohibit the rehabilitation or transfer of fawns;
- Prohibit supplemental feeding and baiting of deer;
- Prohibit exportation of unapproved deer carcass parts; and
- Prohibit transportation of all captive cervids.

These steps are necessary to prohibit the human-facilitated movement of infected animals or parts of animals and prevent deer from gathering (such as over a bait pile) in order to reduce the natural transmission of the disease. In addition, WRC may increase deer bag limits and season length within the CWDMA in order to further reduce the size of the local deer herd.

## Use of Emergency Powers and Fiscal Impact

**Table 1 Potential Impact: worst-case scenario**

Power Invoked	Impact on WRC	Source	Impact on the public	Source	Impact on Local govt.	Total
Mandatory check-in stations for harvested white-tailed deer (One check station close to the center of the SA. The SA is a circle around the infected animal with a 5 mile radius= 78.5 square miles).	Current staff will be reassigned at an estimated cost of \$43,815 (see source column immediately to the right). No overtime by non-exempt employees is anticipated. Supplies will cost \$20,000. Processing samples will cost \$15,000. An estimated \$16,000 will be spent on informational road signs.	One check station manned with two DWM staff for 12 hours a day for the entire firearms season (49 days)= 1,176 hours @\$22.60 per hour= \$26,577. Enforcement time estimated at 980 hours@ \$17.59 per hour=\$17,238.	Hunters will have to travel to a check station within the CWDMA, consuming an average of \$2 (see source column immediately to the right) in gas per harvested deer (estimated harvest = 504) for a total of = \$1,008.	Estimated harvest of deer in 78.5 square miles of Wilkes County is 504 deer. A 15 mpg truck driving roughly 10 miles to a check station with spend about \$2 in gas if gas is \$3/gal.	None.	<p>\$20,000 +\$15,000 +\$16,000 +\$26,577 +\$17,238 +\$1,008</p> <p>Subtotal = \$95,823</p>
Prohibit exportation of unapproved deer carcass parts.	None. See “source” column notes under the “Prohibit supplemental feeding and baiting of deer.”		Hunters who do not do their own butchering will have to pay a local processor before leaving the SA at an estimated rate of \$50 per deer. We estimated only 25% of hunters will choose to use a local processor for a total cost of \$6,300. Taxidermists will be unaffected since hunters will still be able to move mountable deer parts.		None.	\$6,300
Prohibit the rehabilitation or transfer of fawns (includes revoking fawn rehabilitator permits).	Staff time: \$180.	It is assumed that biologist can revoke all previously approved fawn permits in one day = 8 hours (@ \$22.60 per hour).	Fawn rehabilitators are volunteers who operate under a WRC-issued permit. WRC does not perform animal rehabilitation. There is potential for a small		None.	\$180.

Power Invoked	Impact on WRC	Source	Impact on the public	Source	Impact on Local govt.	Total
			inestimable savings.			
Prohibit supplemental feeding and baiting of deer.	Staff time: \$25,329	Enforcement time for this activity and monitoring the movement of unapproved carcasses is estimated at 1,440 hours@ \$17.59 per hour= \$25,329.	At approximately 604,800 pounds of corn at a cost of 10 cents per pound, we estimate a savings of up to \$60,480. Without the bait, less deer would be hunted, but it is hard to estimate the exact impact.  Note that the lower demand for corn would constitute an indirect cost to local retailers.	A study done in the Coastal Plain of S.C. estimated that 1,200lbs of corn were purchased per deer harvested. Therefore 1,200lbsx504deer= 604,800 lbs of corn. Field plots seem to be more prevalent in SC than NC, so this may be an overestimate of the savings.	Indirect loss of up to \$9,374 (assuming a 7.75% tax rate) of tax on the deer corn to state and local gov't.	\$25,329 - \$60,480  Subtotal =-\$35,151
Prohibit transportation of all captive cervids	None. Staff would not spend additional time on enforcement since this task is already part of officers' assigned duties.		Unknown. Under current rules, captive cervids may only be transported for four reasons: export to a state that will accept cervids, between certified herds in North Carolina, for veterinary care and slaughter. Consequently few cervids are actually transported. In 2009, 6 transportation permits were issued. Average travel was 500 miles. At \$2.50 per gallon, gas savings would be \$7,500.			-\$7,500
<b>Total Direct* Impact by Party</b>	<b>\$120,324</b>		<b>-\$60,672</b>			<b>\$ 59,652</b>

\* The direct impact includes the impact on the parties that are directly regulated in the proposed rule (e.g. WRC and hunters). Note the indirect impact of this particular scenario is estimated to be about \$130,000 in retail revenue loss and state and local sales tax loss.

NOTE: In the event that CWD is detected within a captive cervid facility, the State Veterinarian at the N.C. Department of Agriculture and Consumer Services will quarantine and depopulate that facility. The Wildlife Resources Commission has the authority to revoke an individual's license and confiscate the animals for testing under 15A NCAC 10H .0303 and will not need to invoke Emergency Powers.

If captive cervid facilities are located within the CWDMA, it may be necessary for the N.C. Wildlife Resources Commission to use Emergency Powers to quarantine and de-populate those herds. There are 50 licensed facilities in North Carolina. In a worst case scenario, if an outbreak happened in a precise location in Rowan County, three facilities would be impacted.

**Table 2 Costs Related to Captive Cervid Facilities (worst-case scenario)**

<b>Power Invoked</b>	<b>Impact on WRC</b>	<b>Source</b>	<b>Impact on the public</b>	<b>Source</b>	<b>Impact on Local govt.</b>	<b>Total</b>
Quarantine and de-populate	Cost for testing will be \$7,500. Cost for carcass incineration will be \$10,000. Staff time= \$4,822*	Cost of testing is based on 287 samples sent to SCDWS for testing. Cost of incineration based on NCDA&CS disposal fee of \$25.00 per deer and app. \$10 per deer for transport to disposal facility.	Loss of animals at 3 facilities=287 animals. Value 287 x \$3,000= \$861,000	9 CFR Ch. 1 The Administrator is authorized to pay for the purchase and destruction of CWD positive animals, CWD exposed animals, and CWD suspect animals. Subject to available funding, the amount of the Federal payment for any such animals will be 95 percent of the appraised value established in accordance with § 55.3 of this part, but the Federal payment shall not exceed \$3,000 per animal.	None.	\$7,500 +\$10,000 +\$4,822 + \$861,000
<b>Total by Party Affected</b>	<b>\$22,322</b>		<b>\$861,000</b>			<b>\$883,322</b>

\*Estimate is based on 120 hours of Enforcement Division staff time at a rate of \$17.59 per hour and 120 hours of Wildlife Management Division staff time at a rate of \$22.60 per hour, again through reallocation of existing resources.

## CONCLUSION:

### **Benefit of Responding To Chronic Wasting Disease**

To date, all states faced with an outbreak of CWD responded. Even with response, the economic impact of letting CWD spread could be significant. The economic output of deer hunting in North Carolina is 322.3 million per year. These statistics were provided by a recent report published by Southwick Associates, Inc titled "The 2006 Economic Benefits of Hunting, Fishing, and Wildlife Watching in NORTH CAROLINA." The year CWD was discovered in Wisconsin, 10% of deer hunters in that state did not hunt deer. In North Carolina, that could equate to up to a 32 million dollar impact. However WRC believes that this is an overestimate of the benefits from avoiding a CWD outbreak since the vast majority of the economic output that North Carolina enjoys related to deer hunting would be diverted by our hunters to other activities. Those activities would also have a related economic impact to North Carolina and could include tourist related travel to the mountains or the coast, enjoying other outdoor activities such as boating, fishing or camping and attending the large selection of sporting events within North Carolina.

If the Wisconsin model of the effect on deer hunters is extrapolated to North Carolina, then we could expect up to a 10% drop in our annual sportsman and hunting licenses that could be avoided. This would mean up to a \$976,820 benefit to WRC of having these emergency powers. (This benefit was calculated utilizing a three year average of annual hunting and sportsmen license sales within NC with the final period being the fiscal year ending 6-30-2009.) At the same time, this would mean that hunters would pay up to the same amount in licenses that they probably would not during a CWD outbreak; however, this cost would be surely offset by the benefits hunters would derive from having a hunting license. A prompt response on behalf of the State could serve to isolate the threat and prevent or minimize such statewide impact, in addition to arresting the spread of the disease. Revenues collected from the sale of hunting and fishing licenses allow WRC to continue to fulfill its mission which is to conserve North Carolina's wildlife resources and their habitats and provide programs and opportunities that allow hunters, anglers, boaters and other outdoor enthusiasts to enjoy wildlife-associated recreation.

**State Impact Analysis:** Based on the foregoing analysis, WRC concludes that the "worst case scenario" for Chronic Wasting Disease would cost WRC approximately \$143,000 during the 90 day period (see table 1 and 2 above). Funds for supplies not otherwise previously budgeted would be drawn from existing agency resources. While these amounts are not currently budgeted, for planning purposes, the cost will have to be absorbed by temporary reallocation of personnel and by Commission's Wildlife Fund, assuming there are no State or Federal emergency funds available for this response. The state government could also experience an indirect effect of this rule through the loss of sale tax revenue.

**Local Impact Analysis:** Under the above scenario, there would be no requirement for funds to be expended by local government, although there could be a potential estimated loss of revenue to local government through lost sales tax.

**Significant Economic Impact Analysis:** Under this scenario, the total cost to all parties involved could amount to just under \$950,000 while the benefits could run in excess of \$1 million.

Given that there is no precise way to estimate the exact benefit to the hunting population from this rule change, that a CWD outbreak is only one possible scenario, and that the probability of the use of emergency power is low, the economic impact of this fiscal note is not considered to be substantial.

WRC does not assume that there will be State or Federal funds available to compensate for losses due to depopulation efforts of privately held animals. Accordingly, WRC believes (1) that it has the resources available for allocation to cover the State costs if necessary, (2) that there are no direct expenditures required of local government, although there are minor potential revenue losses, and (3) that the economic impact, while not trivial, if the low probability of a disease outbreak is factored in would not meet the \$3 million threshold of G.S. § 150B-21.4(b1). Thus, WRC believes that the implementation of this rule would have a significant, but not a substantial, impact in any given year, given the overall cost estimates.

In addition, the probability of the need to exercise this power would be relatively low in any given year, although that is not to say that the probability of the need to invoke this power is non-existent. If it were, there would be no need to seek this rule. If such powers are revoked in a “worst case” scenario as outlined above, there would be significant costs and some losses as indicated.

## APPENDIX 1

**15A NCAC 10A .1201 EMERGENCY POWERS is proposed for adoption as follows:**

### **15A NCAC 10A .1201 EMERGENCY POWERS**

(a) Upon a finding by the Wildlife Resources Commission that a wildlife disease threatens irreparable injury to wildlife or to the public, the Executive Director shall develop an emergency response plan in consultation with the Governor's office and the State Veterinarian. The plan may prescribe one or more of the following actions:

- (1) shorten or lengthen harvest seasons;
- (2) prohibit transport of wildlife resources or parts thereof;
- (3) prohibit possession of wildlife resources;
- (4) confiscate wildlife resources;
- (5) revoke licenses or permits;
- (6) expand or restrict daily bag limits, daily creel limits, and possession limits;
- (7) establish mandatory wildlife check stations;
- (8) restrict public access to game lands;
- (9) charge a laboratory processing fee to the public for volunteer samples;
- (10) prohibit supplemental feeding/baiting of wildlife;
- (11) prohibit any other activities that aid in the transmission or movement of the disease as determined by the best available science regarding the disease threat;
- (12) implement any other activities necessary to reduce infection opportunities; and
- (13) implement any other requirements necessary to assist in the detection and isolation of the disease.

(b) The Commission shall inform the public of the actions in the response plan through press releases, postings on the Wildlife Commission web site, letters sent to representatives of sportsmen's groups or others constituents likely to be directly affected, and by employee outreach.

(c) The emergency response plan shall not extend for more than 90 days after the Commission's determination that a disease outbreak has occurred, unless a temporary rule is adopted by the Commission in accordance with G.S. 150B-21.1 to replace the emergency powers contained therein. If a temporary rule is adopted prior to the expiration of the 90 days, the emergency powers invoked in the emergency response plan shall continue in effect until either a permanent rule to replace the temporary rule becomes effective or the temporary rule expires as provided by G.S. 150B-21.1(d).

*History Note: Authority G.S. 113-134; 113-306(f)*

*Eff. January 1, 2011*

## APPENDIX E

# EXHIBIT I

October 3, 2018



## **Proposed Changes to Law Enforcement Regulations for 2019-2020 Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings**

### **Warning Tickets**

Updates the list of offenses for which warning tickets are prohibited and removes the specific list of offenses for which warning tickets may be issued.

#### **Justification:**

Law enforcement officers routinely encounter situations where a violation has occurred and the issuance of a warning ticket instead of a citation is appropriate. However, because specific violations for when warning tickets can be issued are listed in this rule, enforcement options are limited. This proposal will allow enforcement officers more flexibility to issue warning tickets.

*15A NCAC 10A .1001 (page 2)*

### **Summary Disposition**

Allows the Executive Director to determine the disposition of seized fish or wildlife and details the factors to be considered when determining disposition.

#### **Justification:**

Commission staff occasionally must seize unlawfully possessed, live or perishable, fish or wildlife. General statute allows the WRC to determine the disposition of seized fish or wildlife. This rule designates the Executive Director to determine the outcome of those resources on a case-by-case basis.

*15A NCAC 10A .1500 (page 5)*



1     **15A NCAC 10A .1001     PARTICULAR OFFENSES**

2     (a) Warning Tickets Prohibited. Wildlife Enforcement Officers shall not issue warning tickets for the following  
3     ~~offenses, classes of offenses or offenses committed in a particular manner; offenses and classes of offenses:~~

- 4             (1)     second offense of a similar charge;
- 5             ~~(2)     hunting, fishing, or trapping without a license, except as listed in this Rule;~~
- 6             ~~(3)(2)    exceeding bag or creel limits;~~
- 7             ~~(4)(3)    unlawful taking of fish or wildlife by use of drugs, poison, explosives, or electricity;~~
- 8             ~~(5)(4)    hunting, fishing, or trapping in closed season;~~
- 9             ~~(6)     hunting on Game Lands during closed days;~~
- 10            ~~(7)     firelighting deer;~~
- 11            ~~(8)(5)    unlawful taking or possession of antlerless deer or fox;~~
- 12            ~~(9)(6)    unlawful taking or possession of bear or wild turkey;~~
- 13            ~~(10)(7)   unlawful purchase or sale of wildlife; wildlife, except when possession of a Trophy Wildlife Sale~~  
14            ~~Permit would otherwise make purchase or sale lawful; and~~
- 15            ~~(11)(8)   unlawful taking of fox; or~~
- 16            ~~(12)(9)(8)   taking wildlife with the aid of or from a motor vehicle or boat under power or while in motion.~~

17     ~~(b) Warning Tickets Permitted. In accordance with the conditions provided in G.S. 113-140(c) and where there is a~~  
18     ~~contemporaneous occurrence of more than three violations of the motorboat statutes or administrative rules, Wildlife~~  
19     ~~Enforcement Officers may issue a citation on the two most serious violations and a warning ticket on the lesser~~  
20     ~~violation(s). In addition, Wildlife Enforcement Officers may issue warning tickets for the following offenses:~~

- 21            (1)     Boating Violations:
- 22                    (A)     ~~number missing, lack of contrast, not properly spaced or less than three inches in height;~~
- 23                    (B)     ~~no validation decal affixed or incorrect placement;~~
- 24                    (C)     ~~fire extinguisher not charged or non-approved;~~
- 25                    (D)     ~~no fire extinguisher on boats with false bottoms not completely sealed to hull or filled with~~  
26                    ~~flotation material;~~
- 27                    (E)     ~~failure to notify North Carolina Wildlife Resources Commission of change of address of~~  
28                    ~~boat owner;~~
- 29                    (F)     ~~personal flotation device not Coast Guard approved;~~
- 30                    (G)     ~~failure to display navigation lights when there is evidence that lights malfunctioned while~~  
31                    ~~underway;~~
- 32                    (H)     ~~no sound device;~~
- 33                    (I)     ~~muffler not adequate;~~
- 34                    (J)     ~~loaded firearm on access area;~~
- 35                    (K)     ~~parking on access area in other than designated parking area, provided traffic to ramp not~~  
36                    ~~impeded;~~
- 37                    (L)     ~~motorboat registration expired 10 days or less;~~

- (M) ~~no Type IV throwable personal flotation device on board, but other personal flotation device requirements met;~~
- (N) ~~violation of no wake speed zone when mitigating circumstances present;~~
- (O) ~~running lights on motorboat are obstructed, not visible or improperly configured;~~
- (P) ~~personal flotation device is not readily accessible on board motorboat;~~
- (Q) ~~failure to wear a kill switch lanyard on personal watercraft;~~
- (R) ~~exceeding capacity of personal watercraft while towing a skier;~~
- (S) ~~allowing youth under the age of 12 to operate a personal watercraft while accompanied by an adult;~~
- (T) ~~wearing an inflatable personal flotation device while operating a personal watercraft; or~~
- (U) ~~No light available on board a manually propelled vessel.~~
- (2) ~~License Violations:~~
- (A) ~~persons under 16 hunting, trapping, or trout fishing without meeting statutory requirements;~~
- (B) ~~senior citizens hunting or fishing without valid license(s) (Senior citizens are those persons 65 years old or older);~~
- (C) ~~when it appears evident that the wrong license was purchased or issued by mistake;~~
- (D) ~~failure to carry required license or identification on person, if positive identification can be established;~~
- (E) ~~non resident hunting, fishing, or trapping with resident license, if domicile is established, but not 60 days;~~
- (F) ~~hunting, fishing, or trapping on Game Lands or fishing in Designated Trout Waters that are not properly posted or have been posted for no more than 30 days;~~
- (G) ~~persons who are 18 years or older or who do not reside with their parents, when such persons are taking wildlife upon their parent's land without a license as required by G.S. 113-270.2, 113-270.3(b) except for subdivision (5), 113-270.5, 113-271, or 113-272;~~
- (H) ~~failure to comply with a statutorily enacted license requirement that has been in effect for less than a year; or~~
- (I) ~~license expiration of 10 days or less.~~
- (3) ~~Game Lands Violations:~~
- (A) ~~camping on Game Lands in other than designated area; or~~
- (B) ~~possession of weapons readily available for use while on game land thoroughfare, during closed season.~~
- (4) ~~Trapping Violations:~~
- (A) ~~improper chain length at dry land sets;~~
- (B) ~~trap tag not legible;~~
- (C) ~~trap tag missing, but with a group of properly tagged traps;~~

- (D) — trap tag missing, but evidence that animal destroyed;
- (E) — improper jawsize;
- (F) — failure to comply with "offset" jaw requirement for traps with jaw spread of more than 5 ½ inches;
- (G) — failure to attend traps daily, during severe weather (ice, high water, heavy snow); or
- (H) — no written permission, but on right of way of public road.
- (5) — Miscellaneous Violations:
- (A) — allowing dogs, not under the control of the owner to chase deer during closed season;
- (B) — attempting to take deer with dogs, or allowing dogs to chase deer in restricted areas;
- (C) — using dogs to track wounded deer during primitive weapon season;
- (D) — failure to report big game kill to nearest cooperator agent, when game is tagged and subject is enroute to another agent;
- (E) — training dogs or permitting them to run unleashed on Game Lands west of I 95 during the period of April 1 through August 15;
- (F) — violation of newly adopted rules, when not readily available to the public;
- (G) — violation of local laws, when information not available to the public;
- (H) — all permits (except for fox depredation permit);
- (I) — closed season, if misprinted in digest or suddenly changed;
- (J) — minor record violation (taxidermist);
- (K) — failure to put name and address on marker (trotiline); or
- (L) — failure to put name and address on nets.
- ~~(c) Special Consideration. Special consideration may be given in local areas where the offender is hunting or fishing out of his normal locality and is unfamiliar with the local law. Consideration may also be given for violations on newly opened or established Game Lands and on reclassified or newly Designated Mountain Trout Waters. Special consideration may be given to offenders under 18 years of age.~~

*History Note: Authority G.S. 113-140;*

*Eff. April 1, 1991;*

*Amended Eff. August 1, 2019; May 1, 2007; May 1, 2004; November 2, 1992; November 1, 1991.*

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*History Note: Authority G.S. 113-137;*  
*Eff. August 1, 2019.*

# EXHIBIT J

October 3, 2018



## APPLICATION FOR RULEMAKING AMENDMENT TO 15A NCAC 10F .0317 STANLY COUNTY LAKE TILLERY

The Stanly County Board of Commissioners submitted an application and Resolution on September 4, 2018, requesting consideration of a no-wake zone in a cove on Lake Tillery at Eagle Point Subdivision, between Talon Court and Randalls Ferry Road. Residents are concerned about construction of new docks on the north shore of the cove, which will create a narrow passage for vessels. At its mouth the cove is 125 yards wide. It narrows to 15 yards in width. Currently within the cove the widest distance between docks is 50 yards.

Agency Enforcement has investigated the area and submitted an assessment Matrix (Attachment A). Staff found no visual obstructions, underwater obstructions, and no history of accidents in the cove. Staff noted that complaints have been made about operation of personal watercraft within the cove.

Stanly County requests formal consideration by the Wildlife Resources Commission of their application to initiate the rulemaking process.

### 15A NCAC 10F .0317 STANLY COUNTY

(a) Regulated Areas. This Rule applies to the following waters and portions of waters described as follows:

- (1) Narrows Reservoir, otherwise known as Badin Lake; and
- (2) Lake Tillery:
  - (A) Turner Beach Cove shore to shore, south of a point at 35.22529 N, 80.09318 W.
  - (B) the cove bounded by Randles Ferry Road and Talon Court, west of a line at the mouth of the cove from a point on the north shore at 35.26289 N, 80.10028 W to a point on the south shore at 35.26167 N, 80.10065 W.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the waters of a regulated area described in Paragraph (a) of this Rule.

(c) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area on the waters of a regulated area described in Paragraph (a) of this Rule.

(d) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated area described in Paragraph (a) of this Rule:

(e) Placement of Markers. The Board of Commissioners of Stanly County is the designated agency for placement of markers implementing this Rule.

*History Note:* Authority G.S. 75A-3; 75A-15;







North Carolina  
County of Stanly

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF STANLY COUNTY**

**WHEREAS**, under the authority of North Carolina General Statutes Section 75A-15(a) any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the North Carolina Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits; and


**WHEREAS**, Stanly County has given public notice of its intentions to make formal application to the North Carolina Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on Lake Tillery within its territorial limits of Stanly County and for the implementation of the Uniform Waterway Marker System in all the waters of the county; and

**BE IT RESOLVED**, that in accordance with N.C.G.S. 75A-15(a), the Board of Commissioners of Stanly County requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of Lake Tillery located in said county, the pertinent substance of which proposed rules is as follows:

- A no wake zone designation for the cove and canal area directly adjacent to Randalls Ferry Road and Talon Court (Eagle Point Subdivision)

**BE IT FURTHER RESOLVED**, the said Board of Commissioners requests the said Commission promulgate regulations fully implementing the Uniform Waterway Marker System in all of the waters of the said county.

**ADOPTED THIS THE 4th DAY OF SEPTEMBER, 2018**

  
\_\_\_\_\_  
Joseph L. Burleson, Chairman  
Stanly County Board of Commissioners

**CERTIFICATION**

This is to certify the above is a true and exact copy of the resolution adopted by the Stanly County Board of Commissioners at the regular meeting held in the Commissioner's Meeting Room located at 1000 N. First Street, Albemarle, NC 28001 on Tuesday, September 4, 2018. This same appears in Minute Book Number 22 at page 348.

(County Seal)

ATTEST:

  
\_\_\_\_\_  
Tyler Brummitt, Clerk to the Board

## NO-WAKE ZONING MATRIX

### SECTION 1:

Name of organization/entity: Stanly County

Primary contact information: Andy Lucas, Stanly County Manager 704-986-3600

Exact location of requested no-wake zone:

Body of water and County: Lake Tillery, Stanly County

Location: Cove bounded by Randles Ferry Road and Talon Court, west of a point at the mouth at 35.262319 N, 80.10039 W.

Popular name of area, if any: locally known as Mountain View Cove

Width of No-Wake Zone: Narrowest Point: 15 yards \_\_\_\_\_ Widest Point: 125 yards  
*wide at mouth of cove. Cove is 285 yards long.* \_\_\_\_\_

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) This is a heavily populated residential area with two houses under construction. At present a total of ?? piers are in this cove.

### Attach map of designated no-wake zone - attached

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact

### Attach detailed reason given from point of contact for the request

*County Manager Andy Lucas did not elaborate on water safety concerns in this cove; he simply asked for an investigation to determine possible safety hazard. Please contact him for more information.*

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e.; Intracoastal Waterway?

YES ☐

NO ☒

**(When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.)**



## SECTION 2:

### PUBLIC SAFETY HAZARD

What public safety hazard exists? None.

Is this a public swimming or recreational area?

NO ☒

YES ☐ would the establishment of a swimming area or placement of regulatory buoys be more appropriate? YES ☐ NO ☒

## SECTION 3:

### NAVIGATIONAL HAZARDS

Identify any and all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS ☐ (Identify) None.

NARROW CHANNEL ☐ (give approximate width) 15 yards at very end of cove.

SHALLOW WATER ☐ (give average depth) Plenty of water depth. 2 feet at very end of cove.

OBSTRUCTED VISION ☐ (for approximately how great a distance) No obstruction.

### STRUCTURES (Check all applicable)

☐ DAM

☐ SPILLWAY

☐ FLOOD CONTROL STRUCTURE

☐ TRESTLE

☐ POWER LINE

☐ FUELING DOCK

☐ RESTAURANT DOCKS

☐ LOCK

☐ JETTY

☐ SUBMERGED STRUCTURE

☐ SANDBAR

☐ SHOAL

☒ PRIVATE DOCKS

☐ BRIDGE

☐ ACCESS AREA/BOAT LAUNCH

PIER

OTHER (list and describe) No visual obstructions or obstruction under the water.

**SECTION 4:**

If approved, will the no-wake zone extend into a designated channel?

NO **X**

YES ☐ (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed 285 yards.

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed  
Four minutes and thirty seconds from the very end of the cove to the mouth of the cove.

**SECTION 5:**

List any other known incidents, safety concerns or problems that have occurred?

No other safety violations have been reported. There have been previous complaints due to individuals operating a personal watercraft from the end of the cove.

Rate traffic density in this area from light to heavy **LIGHT 1 2 3 4 5 6 7 8 9 10 HEAVY**

Is traffic density specific to weekend/and or holidays? Weekends and Holidays.

Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?

YES ☐ NO **X**

Rate the likelihood of an incident occurring in this area compared to other similar areas on this same body of water **VERY UNLIKELY 1 2 3 4 5 6 7 8 9 10 MORE LIKELY**

**SECTION 6:**

**OFFICER ASSESSMENT OF WATER SAFETY HAZARDS**

YES: ☐

NO: **X**

Reasons: After patrolling this area for the past several years and interviewing individuals whom reside in this cove in question, it is my opinion that a NO Wake Zone should not be considered for this area. I have discovered no hazards relating to this request.

Officer:

David R. Hume 747

Date: July 24, 2018



# Co Lake Tillery Cove at Talon Court

scription for your map.

on Channel Points  
Points  
Way  
100  
Areas  
on Channels  
9 Aug 2011

## Legend

- 15A NCAC
- Lake Tillery Cove for Investigation
- Randall United Methodist Church
- Talon Court
- WH\_OD\_000002





# EXHIBIT K

October 3, 2018



## **APPLICATION FOR RULEMAKING AMENDMENT TO 15A NCAC 10F .0303 – BEAUFORT COUNTY**

The Wildlife Resources Commission received a formal application and Resolution from the Beaufort County Board of Commissioners on September 10, 2018, requesting consideration of a no-wake zone in the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico River at Fork Point and Whichard Beach.

Private citizens have agreed to purchase and place buoys to mark the no-wake zone if approved, at no expense to state or local government. No fiscal note is required.

Agency Enforcement has investigated the area and returned the Assessment Matrix (Attachment A). Multiple hazards to boater safety were found including canals as narrow as 30 feet wide, with diminished sight lines, submerged rocks and logs, a sandbar, and private docks in the congested area. It is recommended that a no-wake zone beginning at the entrance to the canal off of the Pamlico River and the entrance of the canal off of Chocowinity Bay will mitigate hazards to boater safety.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0303, with an open comment period of at least 60 days and one local public hearing per the Administrative Procedure Act. Upon the close of the open comment period, the WRC will then consider adoption of the no wake zone.

**15A NCAC 10F .0303    BEAUFORT COUNTY**

(a) Regulated Areas. This Rule applies to the following waters in Beaufort County:

- (1) that portion of Broad Creek south of a line from a point on the east shore at 35.49472 N, 76.95693 W to a point on the west shore at 35.49476 N, 76.96028 W and north of a line from a point on the east shore at 35.48485 N, 76.95178 W to a point on the west shore at 35.48495 N, 76.95619 W;
- (2) that portion of Blounts Creek south of a line 100 yards north of the Blounts Creek Boating Access Area, from a point on the east shore at 35.40846 N, 76.96091 W to a point on the west shore at 35.40834 N, 76.96355 W, and north of a line 100 yards south of Cotton Patch Landing, from a point on the east shore at 35.40211 N, 76.96573 W to a point on the west shore at 35.40231 N, 76.96702 W;
- (3) the waters of Battalina Creek, within the territorial limits of the Town of Belhaven;
- (4) the navigable portion of Nevil Creek extending upstream from its mouth at the Pamlico River;
- (5) that portion of Blounts Creek north of a line 35 yards south-southeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43333 N, 76.96985 W to a point on the west shore at 35.43267 N, 76.97196 W and south of a line 350 yards north-northeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43553 N, 76.96962 W to a point on the west shore at 35.43645 N, 76.96998 W;
- (6) that portion of Tranters Creek east of a line from a point on the north shore at 35.56961 N, 77.09159 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, 77.09029 W; and
- (7) the waters of Little Creek beginning at a line near its mouth from a point on the east shore at 35.41917 N, 76.97102 W to a point on the west shore at 35.41900 N, ~~76.96940 W~~, 76.96940 W; and
- (8) the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico River at Fork Point and Whichard Beach, beginning at the canal entrance off of Chocowinity Bay at a point a 35.50296 N, 77.03043 W and beginning at the canal entrance off of the Pamlico River at a point at 35.50340 N, 77.02364 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 of Markers. The Board of Commissioners of Beaufort County and the City Council of the City of Washington are the designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

*History Note:    Authority G.S. 75A-3; 75A-15*

15A NCAC 10F .0303 (a) (8) - No Wake Zone - Proposed  
Canals of Fork Point and Whichard Beach - Beaufort County



**Resolution No. 2018-09-10-001**

**Resolution Requesting Establishment of No-Wake Zones in Certain Whichard's Beach Canals – Part of the Pamlico River and Chocowinity Bay in Beaufort County**

**WHEREAS**, Beaufort County was contacted by certain residents living at Whichard's Beach requesting the County's assistance in creating a N.C. Wildlife Resources Commission "No-Wake Zone" for certain areas of Whichard's Beach, and;

**WHEREAS**, the County seeks to establish a No-Wake Zone for certain areas of Whichard's Beach for the purpose of mitigating hazards to water safety, and;

**WHEREAS**, the NC Wildlife Resources Commission is the agency responsible for establishing official No-Wake Zones, and;

**WHEREAS**, the Board of Commissioners discussed and adopted this resolution requesting the establishment of a No-Wake Zone for certain areas of Whichard's Beach at its regularly scheduled meeting held on September 10, 2018.

**NOW, THEREFORE, BE IT RESOLVED**, that the Beaufort County Board of Commissioners hereby requests that a No-Wake Zone be established for certain areas of Whichard's Beach described in the No-Wake Zoning Matrix document provided by the NC Wildlife Commission.

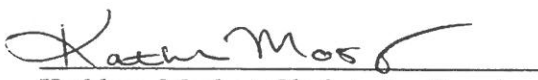
**BE IT FURTHER RESOLVED**, that if approved, the requesting residents of Whichard's Beach and the NC Wildlife Resources Commission will arrange for the purchase, installation, and maintenance of the required signage, buoys, and/or markings that will delineate the No-Wake Zone areas. Further, the requesting residents will be responsible for any required environmental permitting and associated fees.

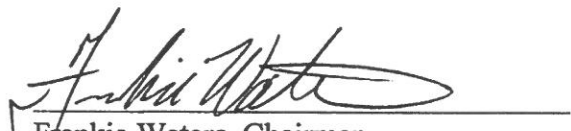
ADOPTED, this the 10<sup>th</sup> day of September 2018.



(SEAL)

ATTEST:

  
Kathleen Mosher, Clerk to the Board

  
Frankie Waters, Chairman  
Beaufort County Board of Commissioners



## NO-WAKE ZONING MATRIX

### SECTION 1:

Name of organization/entity: \_Beaufort County\_

Primary contact information: Brian Alligood, County Manager [brian.alligood@co.beaufort.nc.us](mailto:brian.alligood@co.beaufort.nc.us)  
252-946-0079 \_

Exact location of requested no-wake zone:

Body of water and County: \_Pamlico River and Chocowinity Bay in Beaufort County

Location: \_Whichard Beach canals\_\_\_\_\_

Popular name of area, if any: \_\_Whichard Beach\_\_\_\_\_

Width of No-Wake Zone: Narrowest Point:\_\_\_\_\_ Widest Point:\_\_\_\_\_

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) \_ Canals off of the Pamlico River with three entrances, obstructed sight lines. Shallow with underwater rocks.

### **Attach map of designated no-wake zone**

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact

### **Attach detailed reason given from point of contact for the request**

*Travis Stephenson at 919-669-5053 reports that the canals are very narrow and shallow with underwater rocks. Obstructed sight lines and heavy traffic. Also please advise if other canals northwest of Whichard Beach near Whichards Beach Campground may need consideration of no-wake buoys so we can advise the County. \_*

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corp of Engineers or the Division of Coastal Management (CAMA) i.e.; Intracoastal Waterway?

YES ☒ CAMA permit required

NO ☐

**(When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.)**

**SECTION 2:**

**PUBLIC SAFETY HAZARD**

What public safety hazard exists? It is a confined area in very close proximity to multiple docks which have boats tied up to them.

Is this a public swimming or recreational area?

NO ☐

YES ☒ would the establishment of a swimming area or placement of regulatory buoys be more appropriate? YES ☐ NO ☒

**SECTION 3:**

**NAVIGATIONAL HAZARDS**

Identify any and all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS ☒ (Identify) Docks, boats, sandbar, submerged stumps, rocks and logs.

NARROW CHANNEL ☒ (give approximate width) 30 ft

SHALLOW WATER ☒ (give average depth) 2.5ft

OBSTRUCTED VISION ☒ (for approximately how great a distance) 100 plus yards in areas

**STRUCTURES (Check all applicable)**

☐ DAM

☐ SPILLWAY

☐ FLOOD CONTROL STRUCTURE

☐ TRESTLE

☐ POWER LINE

☐ FUELING DOCK

☐ LOCK

☐ JETTY

☒ SUBMERGED STRUCTURE

☒ SANDBAR

☐ SHOAL

☒ PRIVATE DOCKS

ATTACHMENT A

- ☐ RESTURANT DOCKS
- ☒ BRIDGE
- ☒ ACCESS AREA/BOAT LAUNCH
- ☐ PIER

OTHER (list and describe) There are rocks in the water up against the road to prevent erosion.  
There are also logs as well as stumps submerged.

SECTION 4:

If approved, will the no-wake zone extend into a designated channel?

- NO ☒
- YES ☐ (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed 2500yards is the entire  
distance of the canals in question.

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed  
Unknow because it depends where your boat dock is located.

SECTION 5:

List any other known incidents, safety concerns or problems that have occurred? People on jet  
skis go really fast in and out of the canal. The jet skis turn really sharp by the rocks up against  
road.

=====

Rate traffic density in this area from light to heavy

LIGHT 1 2 3 4 5 6 7 8 9 10 HEAVY

ATTACHMENT A

Is traffic density specific to weekend/and or holidays? Weekends and Holidays.

Does traffic density or ability to maneuver a vessel due to traffic cause safety issues? YES ☒  
NO ☐

Rate the likelihood of an incident occurring in this area compared to other similar areas on this same body of water **VERY UNLIKELY** 1 2 3 4 5 6 7 8 9 10 **MORE LIKELY**

**SECTION 6:**

**OFFICER ASSESSMENT OF WATER SAFETY HAZARDS**

YES: ☒

NO: ☐

Reasons: There are docks and boats at almost every house on the waterway. These canals are very active and have a lot of boat traffic. There are multiple areas where you cannot see another boat coming do to a curve or a corner in the canal. There is also lots of submerged objects in the water as well as rocks up against the road. The canal is not very wide and is 30 ft at the narrowest point. I also believe all of the canal on the Wichards beach Island need no wake buoys because of the same conditions.

Officer: Trent Parrish 685

Date: 18 June 2018



# **EXHIBIT L**

**October 3, 2018**



## **Proposed 2019 Schedule of NC Wildlife Resources Commission Meetings**

**THURSDAY, FEBRUARY 21, 2019**

**THURSDAY, APRIL 25, 2019**

**THURSDAY, JULY 18, 2019**

**THURSDAY, AUGUST 29, 2019**

**THURSDAY, OCTOBER 10, 2019**

**THURSDAY, DECEMBER 5, 2019**