



AGENDA
N.C. WILDLIFE RESOURCES COMMISSION
WEBINAR MEETING
June 9, 2022, 11:00 a.m.

CALL TO ORDER – *Chairman Monty Crump*

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

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

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

RULEMAKING

Temporary Rulemaking Adoption – 15A NCAC 10B .0500 Wildlife Disease Management – Review public comments and consider request to adopt temporary rules to address Chronic Wasting Disease – *Carrie Ruhlman, Rulemaking Coordinator (EXHIBIT A-1, A-2)*

Temporary Rulemaking Notice of Text – 15A NCAC 10D .0240 Jordan Game Land in Chatham, Durham, Orange, and Wake Counties – Consider request to publish Notice of Text with an open comment period and a public hearing for proposed temporary rules to manage Jordan Game Land – *Carrie Ruhlman (EXHIBIT B)*

Temporary Rulemaking Notice of Text – 15A NCAC 10C .0300, .0400, .0700 Inland Fishing – Consider request to publish Notice of Text with an open comment period and a public hearing for proposed temporary rules to address adoptions and amendments to various 10C .0300, .0400, and .0700 inland fishing rules – *Christian Waters, Inland Fisheries Division Chief (EXHIBIT C)*

COMMENTS BY THE CHAIRMAN – *Chairman Crump*

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram*

ADJOURN

EXHIBIT A-1

June 9, 2022



Public Comments for 15A NCAC 10B .0500 Chronic Wasting Disease - Recommended by Agency Staff for Adoption

Comment	
1	I understand why this is important but, after the deer is shot why is it we can't remove form said county, if its go straight to be cleaned then body disposed of. Not like is going back around live deer. Why is this rule ?
2	Our hunting property is inside the primary zone. Is it possible to get a list of processors\taxidermists that are participating in the CHC program so we can avoid going to two places? Also, is it possible to just get a list of the processors that we're allowed to go to in general? Thank you.
3	First I want to say thank you for putting our deer herds health first. Second, have you considered banning baiting throughout the upcoming seasons or will that depend on any future positives? I realize it wont be a popular decision with some but Im sure more hunters than just me are more than willing to stop baiting if it will help the herds health. Thank you.
4	What is the anticipated process for submitting samples? The proposed SSA is rather large, very rural, and consists primarily of private land (little public hunting land). if the process is overly cumbersome or costly, I suspect you will see a large drop in "reported" harvest from the SA. Additionally, what is the expected outcome of this reporting, other than to just "know" the extent of existence of CWD in the herd, as there is really nothing that can be done about it, other than to slow the spread. the end-result is the same, it may just take longer, is it not ?
5	Make baiting illegal statewide
6	During the NCWRC meeting on March 7th a verbal comment was made referring to the banning of natural deer urines. Although the emergency powers invoked do not mention restrictions on urine, division chief Brad Howard stated via email that "the game has now changed" and that the commission would be "working with legislators to determine what is legal" in the coming year. Could you please publicly share what is the resource commission's recommendation to legislators for the proposed changes to natural urine use that Mr. Howard spoke of?

7

Coming from the state of Michigan originally, I have been through outbreaks of self sustaining Bovine Tuberculosis and CWD in our free ranging deer herd. Not just as a hunter, but also as a farmer, a member of the agricultural media and a participant in senior agricultural leadership. I am acutely aware of the science behind these issues, defense strategies and coping mechanisms when they do hit.

That said, I commend NC Wildlife for its rapid, and well thought out response to CWD in North Carolina. Now that I am a resident here, it was heartening to see and hear of your plans at the May 2 meeting in Yadkin County. It was also relieving to see representatives from NC Department of Agriculture, and county Cooperative Extension present.

Agriculture has its work cut out making sure the public at large doesn't equate this to a livestock issue. My first comment is that NC Wildlife can play an important, preemptive role making sure this circumstance doesn't play out to begin with, by choosing its words wisely. At the May 2 meeting, I heard "deer version of mad cow disease." Lets please be careful with this. As they say ... perception is reality. If the public at large hears language like this, if the media hears language like this, it could quickly lead to a perceived reality about the safety of locally grown meat. It could set false expectations about the need to restrict movement of livestock in/out of the PSA and SSA. As much as we need an action plan for combating CWD, we need a well thought out communication and education plan, that includes all stakeholders during its development.

My second comment is that more needs to be done actually activating the aforementioned education plan within agriculture. Particularly focused on growers (especially cattlemen) in the PSA and SSA. I serve on the Stokes County Farm Bureau Board. It is alarming to me how much of our own membership do not understand CWD, believing that it poses inherent risk to their farming operations. At minimum, I would recommend NCW have representatives meet with each of the County Farm Bureau's affected by the temp rules. Present a scaled down version of the May 2 meeting, discuss education efforts and the role Farm Bureau can play in those efforts, answer questions. I would also highly recommend meetings with NC Cattlemen's and North Carolina Dairy Producers.

Finally, in the plan itself, I firmly believe a ban on baiting and feeding is critical. CWD is most easily spread through direct deer to deer contact, shared mucous and shared saliva. Circumstances that rarely happen in a natural environment, but are commonplace when we artificially concentrate deer over bait piles. I do understand the reasoning for allowing it specifically during hunting season, and cautiously support that reasoning. My recommendation, based again on experience, is to limit the amount of bait to no more than two gallons, disbursed over a large area, not piled. I realize the enforcement of this will be difficult at best, and there will be some who ignore it, but I believe the vast majority of hunters will understand and respect the rule. This keeps hunters engaged who might otherwise choose not to hunt if baiting is eliminated. It brings deer in close for better observation and higher harvest rates. All while spreading them out, creating less opportunity for CWD propagation. Thank you for your consideration of these ideas. Again, I commend NCW for its preparedness and rapid response. If there is anything I can do assist as a volunteer, I am happy to help.

8	<p>Please consider methods to increase harvest in and around the primary surveillance area. Increased harvest will 1) increase testing/surveillance opportunities and 2) decrease deer densities. From CWD in other states we know that these two activities can help control the spread of CWD. E.g., CWD has continued to increase in WI, where deer density reduction has not been a goal. In IL, however, deer density reduction has maintained CWD rates at low levels for over a decade. Removing bag limits, expanding seasons, and incentivizing hunters to hunt in the surveillances areas are example methods to achieve this.I understand that deer farming is out of NCWRC's responsibility, but we need to dramatically reduce deer farming activities. We know from CWD in other states that deer farms are a primary way that CWD jumps large distances and spreads in new areas.Please consider additional restrictions on baiting *statewide*, in addition to more stringent restrictions in the surveillance areas. Baiting increases deer densities and deer-to-deer contact and concentrates feeding in relatively small areas, all of which assist the spread of pathogens.</p>
9	<p>The bait/food cannot and should not be enforced. Are you going to not allow corn/soybeans/alfalfa/etc to be grown by farmers? They all attract and hold deer. How about salt/mineral licks in cow pastures? Can't take your deer to a processor just a few miles away, but since the facility is across hwy 115 in Iredell County, it is not safe. Give me a break! I have hunted many times in Wyoming since 1996. That state lives with CWD. Animals are taken to processing plants there without issue. These two 'rules' should be taken out of this proposal.</p>
10	<p>As a professional deer processor these requirements will make it difficult to keep track of/send in samples with so many different guidelines. The sheer volume alone in addition to relying on truthful statements by the hunters sets up the processor for failure. If these rules and regulations are set into place it will deter even more professionals from wanting to process deer in fear of making a mistake, unknowingly accepting falsified information, and facing potential repercussions that could affect their business/livelihood.</p>
11	<p>I am so relieved to see North Carolina taking CWD seriously. Wisconsin did not and now the CWD is found in the entire state. CWD has been shown in n experiments to be able to jump the species barrier into Macaques (although there hasn't been any confirmed case in humans yet--we aren't testing humans for CWD, technically is possibly it already made the jump).</p> <p>Regardless, I hope to see the state enact a ban on baiting and feeding, rules on field dressing, and rules on transporting kills. Lastly, I truly hope to see a statewide testing program rolled out.</p> <p>One additional consideration. This isn't just deer and hunters who are affected. Deer with late stage CWD lose their thinking capacity to the point that they no longer recognize cars or fear humans. I fear this could lead to a large increase in animal-caused car accidents and deaths, especially for people in the mountains where swerving could mean flying off a cliff. It is critical for our own public safety as well as maintaining the health of North Carolinas deer herd that we take action, fast. Thank you.</p>
12	<p>In the western part of our state we need to limit buck tags and raise the allotment of doe tags per hunter. CWD is a herd condition and a sign of herds growing to large for an area. My suggestion:</p> <p>Open every zone from the Northwestern zone east in alignment with the North/Southeastern zone dates for blackpowder/gun. Limit buck tags to 1 with the ability to claim a 2nd on receipt of 2 doe tags filled. Offer 6 doe tags.</p>

13	I think we should suspend baiting through the end of the 2022 season. Test during the season should confirm whether or not this was an isolated incident.
14	I support the actions of NCWRC on this and understand the areas affected, but for those from other areas maps need to show the zones so that there isn't any confusion.
15	There is a pond at the edge of my property where locals dispose of deer carcasses. At any given time there are up to 50 carcasses rotting in the water. Surely this needs to be looked into to prevent CWD.
16	Baiting Of Deer should be stopped in N.C. Virginia does not allow it .I think this would help keep the spread C W D down. I know this would be unpopular but it might stop the spread.
17	Restrictions on baiting for cervid populations should be imposed statewide. Baiting and the use of bait piles artificially increase deer density on the landscape and create unnatural levels of contact. It has been determined that baiting outside of captive deer populations is a big spreader of CWD in wild populations. Better to be early rather than late when it comes to limiting CWD spread.
18	You make your rules too complicated and the people will not obey them and the game wardens can interpret them to suit their desire to write tickets however they choose. We have a God given right to hunt and you should not try to take that away! The people will not stand for it !
19	You need to open more sample drop off stations if you want to gather most of the deer samples. In Wilkes county, presently, I would have to drive quite a distance to deliver a sample.
20	.0502 - Will a map or outline of the surveillance area be published? .0504 - Will the sample process be communicated? is it meat? Bone? etc.? .0505 (general) - Will there be a map outlining the PSA and SSA?
21	I am writing to express my concern with coming CWD regulations for the Northwestern Section of our State. I feel the applications of the regulations will produce an undo burden on Hunters in the area. I am concerned that there will not be adequate resources applied(CWD specimen pullers), locations for this process, or game wardens to help with the enforcement. I am an experienced hunter who has hunted for over 30 years. The daunting regulations that are about to be placed in effect will greatly reduce desire to legally harvest deer in the area. I help manage a hunting club were the majority of members live outside of the CWD areas, but hunt exclusively within that area. I am in the process of trying to find locations where hunters in their position would be able to have a deer processed within the CDW area. To my knowledge there is only one processor who has the resources to help hunters adhere to the new regulations. And unfortunately he is located 2 miles outside of the CWD area, west of HWY 115 in Northern Iredell County. I am writing this letter mainly to seek permission for his shop to be able to take in deer from the CWD area. Zack Smith owns Wild American Taxidermy and Deer Processing. I believe he takes in about a 1,000 deer a season. I ask the State to move the CWD area to include all of Northern Iredell County (North of I40), or make an exception for his business. I can personally quarter a deer in 15-20 minutes. But a lot of today's hunters can not do this. Many, especially new hunters do not process their deer themselves. To continue the tradition of hunting in the area, and to recruit new hunters, these things must be considered. I know the State would like more deer killed this Fall, so that they can receive more samples and monitor the herd. This will not happen. People are not going to even know what to do

	<p>with the animal if they choose to harvest one. Many hunters, may not hunt this year or in the future. Many who do, unfortunately will not provide samples for the deer that are shot, if better accommodations are not made.</p>
22	<p>We own 25 acres in Randolph county and would welcome NC eradication of the deer. We didn't have any deer 25 years ago but now we are overrun with them - turkeys and coyotes. We cannot have a garden for the deer population eating everything, even with an electric fence.</p> <p>Do you realize how many people are getting mad cow? First in our community of 17,000 - was the hair dressers husband who was a truck driver. They told us he had mad cow. Then it struck a neighbor down the road that our family had known since childhood. Mary Alice Deaton Flippin - She was a very young healthy 72 old woman until mad cow struck and then her family was praying for her quick death. She died in 3 months. They allowed her house to set empty for 3-4 years before selling it - but she had a septic tank - what about ground water and the danger to people buying the house and to the plumbers. I am sure that they didn't tell the buyers. How many of their family are they exposing?</p> <p>So my mom got the idea to call Cumbys funeral home (one of two in Archdale) and they told my mom they had had 5-6 people that had died of mad cow at that time back in 2012. I assume that it was not including the two we knew about. Cumbys sold out and have new owners now - I wonder if this was part of the reason? Soon after all this transpired, my great aunt had back surgery at Baptist Hospital at Winston and then they sent her a letter saying she had been exposed to a previous patient from surgery that had mad cow.</p> <p>If these prions can get in plants - the sick deer go to water sources - then shouldn't we put a bounty on their heads and let hunters eradicate them all? If 50% of the buck population of some counties in High infected areas of other states are positive- shouldn't we just be controlling the deer population?</p> <p>What about deer processors who would butcher a sick deer and then how many after that are they infecting? Should we even be allowing any processors to process the meat from restricted areas - or hunters to eat any deer meat within the restricted areas? Or taxidermists to mount the deer? Do we want to allow NC to become as infected as Wisconsin or Arkansas?</p>
23	<p>To whom it may concern, it is my opinion that any and ever resources should be used to contain and stop the spread of cwd. Any temporary measures and rules should be made to protect the wildlife in North Carolina. Thank you for the work North Carolina wildlife commission has done to stay on top of this disease and to stay in front off it.</p>
24	<p>I regard to CWD testing, it would be much easier to submit samples as just the excised retropharyngeal lymph node than the whole head. I'm sure there are concerns about proper removal and not providing the wrong tissue, but whole head collection is cumbersome. The state of Wyoming has a great video on the removal of the node and it would be a great addition to your website.</p> <p>https://wgfd.wyo.gov/Wildlife-in-Wyoming/More-Wildlife/Wildlife-Disease/CWD-in-Wyoming-Wildlife/CWD-Testing</p> <p>Is there as way we can remove and mail/drop off just the node?</p>

25	Some concerns over fawn rehabbing and would like to have more conversations about it
26	Health cooperator and processor that is concerned over waste removal. The closest disposal area falls outside of the secondary area. (6 miles west of I40, outside secondary zone) 2/3 deer come from the secondary zone that I deal with.
27	Just found out about this today and concerned about transmission to people.
28	From Surry county. I want to know if you are working with processors through this?
29	Questions about deboning our own meat? What part is required for testing?
30	Agree
31	Agree
32	Agree
33	Agree
34	Agree
35	Agree
36	Agree

One public hearing was held on May 12, 2022

EXHIBIT A-2

June 9, 2022



Proposed Temporary Rules 15A NCAC 10B .0500 Chronic Wasting Disease Noticed for Public Comment

The rules in this Section are necessary to regulate activities that aid in the transmission of chronic wasting disease (CWD), to assist with detection and isolation of the disease. Requirements will apply to areas surrounding the CWD detection to reduce movement and infection opportunities.

15A NCAC 10B .0501

Clarifies applicability of rules in the Section and defines CWD-related terms.

15A NCAC 10H .0501 Definitions and General Requirements (page 2)

15A NCAC 10B .0502

Identifies surveillance areas around the Index Location in Yadkin County.

15A NCAC 10B .0502 CWD Surveillance Areas Defined (page 3)

15A NCAC 10B .0503

Specifies activities prohibited in Surveillance Areas, including:

- Placement of bait and food;
- Exportation of cervids, cervid carcasses or carcass parts with exceptions; and
- White-tailed deer fawn rehabilitation and transportation.

15A NCAC 10B .0503 Surveillance Area (page 4)

15A NCAC 10B .0504

Specifies mandatory testing requirements and prohibition on transportation.

15A NCAC 10B .0504 Primary Surveillance Area (page 5)

15A NCAC 10B .0505

Specifies mandatory testing requirements and transportation restrictions.

15A NCAC 10B .0505 Secondary Surveillance Area (page 6)

1 **15A NCAC 10B .0501 DEFINITIONS AND GENERAL REQUIREMENTS**

2
3 (a) The rules in this Section apply to any area of the State where Chronic Wasting Disease (CWD) has
4 been detected, as determined by the Commission.

5 (b) The following definitions shall apply to rules in this Section:

6 (1) “Cervid” means all animals in the Family Cervidae not otherwise regulated by the NC
7 Department of Agriculture and Consumer Services.

8 (2) “Cervid Health Cooperator” means an individual authorized to collect CWD samples on
9 behalf of the Commission.

10 (3) “Chronic Wasting Disease” or “CWD” means the transmissible spongiform
11 encephalopathy prion disease affecting species within the deer (Cervidae) Family.

12 (4) “CWD Management Area” means the area delineated by the Commission where CWD
13 has been determined to be endemic and the rules of this Section apply.

14 (5) “Index location” means the approximate location where a new CWD detection has been
15 identified.

16 (6) “Primary Surveillance Area” or “PSA” means an area within an approximate five-mile
17 radius around an index location as delineated by the Commission for CWD surveillance.

18 (7) “Sample” means tissue from a cervid suitable for CWD testing.

19 (8) “Secondary Surveillance Area” or “SSA” means an area within an approximate five- to
20 30-mile radius around an index location delineated by the Commission for CWD
21 surveillance.

22 (9) “Surveillance Area” means the PSA and SSA collectively.

23
24 *History Note: Authority G.S. 113-134; 113-306*

1 **15A NCAC 10B .0502 CWD SURVEILLANCE AREAS DEFINED**

2
3 The following Surveillance Area is established around the Yadkin County index location:

4 (1) Surry County East of US 601, South of NC 268 and West of Quaker Church Road and
5 the Ararat River; and Yadkin County East of US 601, North of NC 67, West of Shoals
6 Road to the intersection with Shady Grove Church Road and West of Fairground Road
7 are delineated as the PSA.

8 (2) Surry County, Yadkin County, Davie County, Forsyth County, Stokes County,
9 Alleghany County East of US 21 and NC 18, Wilkes County East of NC 18 and
10 NC 115, and Iredell County East of NC 115 and North of I 40 are delineated as
11 the SSA.

12
13 History Note: Authority G.S. 113-134; 113-306

1 **15A NCAC 10B .0503 SURVEILLANCE AREA**

2
3 (a) Placement of bait, food, food product, mineral, or salt licks to purposefully congregate wildlife shall
4 be prohibited from January 2 through August 31 each year inside the Surveillance Area, except that bird
5 feeders and other activities specifically permitted by the Commission shall be allowed. Placement of bait,
6 food, or food products for the purpose of hunting during the urban archery season shall be allowed within
7 the established season in participating municipalities.

8 (b) It is unlawful to export a live cervid, cervid carcass or carcass parts originating from inside a
9 Surveillance Area except:

10 (1) meat that has been boned out such that no pieces or fragments of bone remain;

11 (2) caped hides with no part of the skull or spinal column attached;

12 (3) antlers, antlers attached to cleaned skull plates, or skulls free from meat or brain tissue;

13 (4) cleaned lower jawbones with teeth or cleaned teeth;

14 (5) finished taxidermy products and tanned hides; and

15 (6) carcass or carcass parts permitted by the Commission for disposal outside of the
16 Surveillance Area.

17 (c) White-tailed deer fawn rehabilitation is prohibited in a Surveillance Area.

18 (d) White-tailed deer fawns originating from within the Surveillance Area shall not be transported outside
19 the Surveillance area.

20
21 History Note: Authority G.S. 113-134; 113-306

1 **15A NCAC 10B .0504 PRIMARY SURVEILLANCE AREA**

2

3 (a) Any hunter who harvests a cervid in the PSA during the blackpowder or all lawful weapons season
4 shall submit a sample to the Commission for CWD testing.

5 (b) No cervid carcass or carcass part originating from inside a PSA shall be transported outside the PSA
6 unless double bagged and taken directly to a Cervid Health Cooperator in a county included in the PSA ,
7 or the carcass parts comply with Rule 10B .0503(b), or as permitted by the Commission.

8

9 History Note: Authority G.S. 113-134; 113-306

1 **15A NCAC 10B .0505 SECONDARY SURVEILLANCE AREA**

2
3 (a) Any hunter who harvests a cervid in the SSA during the blackpowder season and from opening day
4 through the second Sunday of all lawful weapons season shall submit a sample to the Commission for
5 CWD testing.

6 (b) Cervid carcass and carcass parts originating from inside an SSA may be transported to the PSA within
7 the same Surveillance Area.

8 (c) Except as provided in 10B .0503 (b), cervid carcasses or carcass parts shall not be transported outside
9 of the SSA without a permit from the Commission.

10
11 History Note: Authority G.S. 113-134; 113-306

EXHIBIT B

June 9, 2022



Proposed Temporary Rule 15A NCAC 10D .0240 Jordan Game Land Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

This rule is necessary to manage activities on Jordan game land and includes the amendment to allow hunter camping in posted camping areas from September 1 through the last day of February and March 31–May 14. Camping during these times will be limited to 14 consecutive days in a 30-day period.

15A NCAC 10D .0240 Jordan Game Land in Chatham, Durham, Orange, And Wake Counties (page 2)

1 15A NCAC 10D .0240 JORDAN GAME LAND IN CHATHAM, DURHAM, ORANGE, AND WAKE
2 COUNTIES

3 Jordan game land is a Six Days per Week Area. The following shall apply:

- 4 (1) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers
5 Season.
- 6 (2) Waterfowl may be taken only on:
7 (A) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
8 (B) Thanksgiving, Christmas, and New Year's Days; and
9 (C) the opening and closing days of the applicable waterfowl seasons.
- 10 (3) Horseback riding, including all equine species, is allowed only on those areas posted as American
11 Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding
12 is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On
13 all other trails posted for equestrian use, horseback riding is allowed seven days per week from May
14 16 through August 31, and on Sundays only from September 1 through May15. People age 16 or
15 older shall obtain a game land license prior to engaging in horseback riding on any area other than
16 the American Tobacco Trail.
- 17 (4) Target shooting is prohibited.
- 18 (5) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- 19 (6) The use of bicycles is restricted to designated areas, except that this restriction does not apply to
20 hunters engaged in the act of hunting during the open days of the applicable seasons for game birds
21 and game animals.
- 22 (7) Camping and the presence of campers and tents in designated and posted Hunter Camping Areas
23 are limited to September 1 through the last day of February and March 31 through May 14. The
24 maximum period of consecutive overnight camping at any posted camping area is 14 days within
25 any 30-day period.

26
27 *History Note:* Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;

EXHIBIT C

June 9, 2022



Proposed Temporary Amendments to 15A NCAC 10C – Inland Fishing Rules Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

15A NCAC 10C .0300 Game Fish

10C .0307, 10C .0325, and 10C .0326

Establish daily creel limits, size limits, and seasons for Flounder, Sea Trout, and Red Drum.

15A NCAC 10C .0307 Flounder (page 3)

15A NCAC 10C .0325 Sea Trout (page 6)

15A NCAC 10C .0326 Red Drum (page 7)

10C .0314

Update rule text and simplify formatting and maintain reduced creel limit on the Roanoke River.

15A NCAC 10C .0314 Striped Bass (page 4-5)

15A NCAC 10C .0400 Nongame Fish in Inland Fishing Waters

10C .0401

Update rule text and simplify formatting. Focus rule specific to inland fishing waters. Clarify the use of archery equipment for taking nongame fishes. Relocate species-specific creel limits, size limits, and seasons to separate rules. Relocate text prohibiting the alteration of appearance for nongame fishes with a specific size or creel limit.

15A NCAC 10C .0401 Manner of Taking Nongame Fishes (pages 8-10)

10C .0402

Modify the rule title, update rule text, and simplify formatting. Clarify that American Shad and Hickory Shad may be taken with dip nets and bow nets from March 1-April 30. Relocate text prohibiting the alteration of appearance for nongame fishes with a specific size or creel limit.

15A NCAC 10C .0402 Taking Nongame Fishes by Special Device for Bait or Personal Consumption (pages 11-12)

10C .0409

Consolidate and clarify general restrictions on taking, possessing, and altering the appearance of nongame fishes.

15A NCAC 10C .0409 Taking and Possession of Nongame Fishes (page 13)

10C .0410, 10C .0413, 10C .0415, 10C .0416, 10C .0418, 10C .0419, 10C .0421, and 10C .0423

Establish species-specific rules for American Eel, Blue Catfish, Blue Crab, Bowfin, Channel Catfish, Flathead Catfish, freshwater mussels, Grass Carp, Margined Madtom, river herring, and Tadpole Madtom.

15A NCAC 10C .0410 American Eel (page 14)

15A NCAC 10C .0413 Blue Crab (page 17)

15A NCAC 10C .0415 Bowfin (page 19)

15A NCAC 10C .0416 Blue Catfish, Channel Catfish, and Flathead Catfish (page 20)

15A NCAC 10C .0418 Freshwater Mussels (page 22)

15A NCAC 10C .0419 Grass Carp (page 23)

15A NCAC 10C .0421 Margined Madtom and Tadpole Madtom (page 25)

15A NCAC 10C .0423 Alewife and Blueback Herring (page 27)

10C .0411, 10C .0412, 10C .0414, 10C .0417, 10C .0420, 10C .0422, 10C .0424, 10C .0425, 10C .0426, 10C .0427, 10C .0428, 10C .0429, and 10C .0430

Establish size limits, creel limits, seasons, and species that may be sold for Atlantic Croaker, Black Drum, Bluefish, Cobia, King Mackerel, mullet, sharks, Sheepshead, Spanish Mackerel, Spot, Tarpon, and Weakfish.

15A NCAC 10C .0411 Atlantic Croaker (page 15)

15A NCAC 10C .0412 Black Drum (page 16)

15A NCAC 10C .0414 Bluefish (page 18)

15A NCAC 10C .0417 Cobia (page 21)

15A NCAC 10C .0420 King Mackerel (page 24)

15A NCAC 10C .0422 Striped Mullet and White Mullet (page 26)

15A NCAC 10C .0424 Sharks (page 28)

15A NCAC 10C .0425 Sheepshead (page 29)

15A NCAC 10C .0426 Spanish Mackerel (page 30)

15A NCAC 10C .0427 Spot (page 31)

15A NCAC 10C .0428 Tarpon (page 32)

15A NCAC 10C .0429 Weakfish (Gray Trout) (page 33)

15A NCAC 10C .0430 Other Fishes (page 34)

15A NCAC 10C .0700 Game Fish in Coastal Fishing Waters

10C .0701

Clearly identify inland game fish in coastal fishing waters. Clarify these fish may only be taken with hook and line and when taken incidental to commercial fishing operations shall be immediately returned to the water unharmed. Include reference to size limits, creel limits, and seasons in Section .0300, general possession limits, and text prohibiting the alteration of appearance.

15A NCAC 10C .0801 Inland Game Fishes Designated in Coastal Fishing Waters (page 35)

15A NCAC 10C .0307 is amended under temporary procedures as follows:

15A NCAC 10C .0307 ~~FLOUNDER, SEA TROUT, AND RED DRUM~~ FLOUNDER

~~In inland fishing waters, Sea Trout (Spotted or Speckled), Flounder, and Red Drum (also known as Channel Bass, Red Fish or Puppy Drum) recreational seasons, size limits, and creel limits are the same as those established in the Rules of the Marine Fisheries Commission or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.~~

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

(b) The minimum size limit is 15 inches.

(c) The season for taking and possessing flounder is September 1 through September 30.

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

Eff. November 1, 2013;

Readopted Eff. October 1, 2021.

Temporary Amendment Eff. September 1, 2022.

15A NCAC 10C .0314 is amended under temporary procedures as follows:

15A NCAC 10C .0314 STRIPED BASS

(a) The daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is four fish in the aggregate, except in waters identified in Paragraphs ~~(b), (c), (f), (g), (h), (i), and (j)~~ d and (g) through (l) of this Rule.

~~(b)~~ (b) 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)~~ (d) through (l) of this Rule.

~~(c)~~ (c) There is no closed season, except for waters identified in Paragraphs ~~(g), (h), (i), (j), and (k)~~ (i) through (m) of this Rule.

~~(b)(d)~~ (d) 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~~ striped bass and its hybrids is two in the aggregate and the minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on ~~Striped Bass~~ striped bass and its hybrids is four in the aggregate with no minimum size limit.

~~(e)~~ (e) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for ~~Striped Bass~~ 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)(f)~~ (f) In ~~Lake Norman~~, Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for ~~Striped Bass~~ striped bass and its hybrids is 16 inches.

~~(e)~~ (g) 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)~~ (h) 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~~ striped bass and its hybrids is three fish in the aggregate, and the minimum size limit is 18 inches.

~~(g)~~ (i) 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)~~ and (j) through (l) of this Rule, the daily creel limit for ~~Striped Bass~~ 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~~ striped bass is closed from May 1 through September 30.

~~(h)~~ (j) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in the ponds associated with Martin Marietta Park in Craven County, the season for taking and possessing ~~Striped Bass~~ striped bass is closed year-round.

~~(i)~~ (k) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in 15A NCAC 03R .0201 and identified in 15A NCAC 10C .011 which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing ~~Striped Bass~~ 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~~ striped bass and its hybrids is ~~two~~ one

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)~~(l) In designated inland and joint 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~~ 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)~~(m) In accordance with G.S. 113-292, the Executive Director may, by proclamation, ~~suspend~~, suspend or extend the hook-and-line season for ~~Striped Bass~~ 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;
Readopted Eff. August 1, 2019;
Amended Eff. August 1, 2021; August 1, 2020;
Temporary Amendment Eff. September 1, 2022;

15A NCAC 10C .0325 is adopted under temporary procedures as follows:

15A NCAC 10C .0325 SEA TROUT

(a) The daily creel limit for sea trout (spotted or speckled) is four fish.

(b) The minimum size limit is 14 inches.

(c) There is no closed season.

History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305
Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0326 is adopted under temporary procedures as follows:

15A NCAC 10C .0326 RED DRUM

- (a) The daily creel limit for red drum (also known as channel bass, red fish or puppy drum) is one fish.
- (b) The minimum size limit is 18 inches and no fish over 27 inches may be possessed in the daily creel limit.
- (c) There is no closed season.

History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305
Temporary Amendment Eff. September 1, 2022.

15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES

(a) Except as permitted by the rules in this Section, ~~it is unlawful no person shall to~~ take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line, grabbling, or special device with a special device fishing ~~license~~.license, or inland fishing license.

(b) Nongame fishes may be taken from inland fishing waters by hook and line, grabbling, or special device with a special device fishing license at any time without restriction as to size limits or creel limits, except as ~~designated~~ specified in this Rule. Section.

(c) Special devices ~~may only be used to take nongame fishes with a special device fishing license shall only be used~~ in those counties and waters with open season designated in ~~Rule .0407 of this Section.~~ 15A NCAC 10C .0407.

(d) Archery equipment ~~may used with either a hunting license or inland fishing license may only be used to take~~ nongame fishes year-round in all inland fishing waters, except:

- (1) ~~for the take of catfish on in the~~ Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and in all tributaries, where only catfish can be taken;
- (2) in impounded waters located on the Sandhills Game Land; and
- (3) in public mountain trout waters.

(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:~~

- (1) ~~Lake Waccamaw in Columbus County; and~~
- (2) ~~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.~~

~~(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 or blue catfish by means other than hook and line; the daily creel limit for channel catfish is seven. Waters where this creel limit applies shall be posted on site with signs indicating the creel limit.~~

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

- ~~(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) Dan River (Downstream of the Union Street Dam in Danville, VA);~~
- ~~(8) Lake Gaston (North Carolina portion); and~~
- ~~(9) 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.~~

~~(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. Eels greater than 9 inches in length and with a minimum body depth greater than ½ inch may be cut for use as bait.~~

~~(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.~~

~~(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 impractical to measure its total original length, except as provided in Paragraph (m) of this Rule. 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 impractical to count the number of fish in possession, except as provided in Paragraph (m) of this Rule.~~

~~(r) (g) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license may be sold, sold unless otherwise specified in this Section. 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.

~~(s) Margined madtom and tadpole madtom shall not be taken or possessed from inland fishing waters.~~

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, 2019; 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;
Readopted Eff. August 1, 2020;
Amended Eff.; August 1, 2021.
Temporary Amendment Eff. September 1, 2022.

15A NCAC 10C .0402 is amended under temporary procedures as follows:

15A NCAC 10C .0402 TAKING NONGAME FISHES BY SPECIAL DEVICE FOR BAIT OR PERSONAL CONSUMPTION

(a) ~~The use of equipment specified in this Rule requires a valid license that provides basic inland fishing privileges.~~

(b) 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 shall be returned unharmed to the water, except for the following: ~~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).~~

- (1) American and hickory shad may be taken when captured with dip nets and bow nets from March 1 through April 30 subject to the size and creel limits specified in 15A NAC 10C .0313.
 - (2) 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) subject to the size and creel limits specified in 15A NCAC 10C .0319.
- (e) No person shall take or possess during one day more than 200 nongame fish₂ in aggregate₂ for bait or personal consumption ~~subject to the consumption, accounting for species specific size and creel limits identified in 15A NCAC 10C.0401~~ Section .0400 of this Subchapter.
- (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 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.
- ~~(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 impractical to measure its total original length, except as provided in 15A NCAC 10C .0401(m). 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 impractical to count the number of fish in possession, except as provided in 15A NCAC 10C .0401(m).~~

History Note: Authority G.S. 113-134; 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);
Amended Eff. August 1, 2019; August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015;
August 1, 2014; August 1, 2013; August 1, 2010; May 1, 2008; May 1, 2007; May 1, 2006;
Readopted Eff. August 1, 2021.
Temporary Amendment Eff. September 1, 2022.

15A NCAC 10C .0409 is adopted under temporary procedures as follows:

15A NCAC 10C .0409 TAKING AND POSSESSION OF NONGAME FISHES

(a) Individuals shall only take up to the daily creel limit of those species of nongame fish having a specified creel limit.

(b) Individuals shall only possess, on those waters being fished:

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

(c) Individuals shall only possess up to three days creel limit at any place.

(d) No person, while fishing or afield, shall:

- (1) remove the head or tail or otherwise change the appearance of any nongame fish specified in Section .0400 as having a size limit, so as to render it impractical to measure its total original length, except for American Eel as provided in 15A NCAC 10C.0410.
- (2) change the appearance of any nongame fish that has a species-specific daily creel limit in Section .0400, as to obscure its identification or render it impractical to count the number of fish in possession, except for American Eel as provided in 15A NCAC 10C.0410.

*History Note: Authority G.S. 113-134; 113-292;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0410 is adopted under temporary procedures as follows:

15A NCAC 10C .0410 AMERICAN EEL

(a) 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.

(b) The minimum size limit is 9 inches.

(c) There is no closed season.

(d) Eels greater than 9 inches in length and with a minimum body depth greater than ½ inch may be cut for use as bait.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0411 is adopted under temporary procedures as follows:

15A NCAC 10C .0411 ATLANTIC CROAKER

(a) The daily creel limit for Atlantic croaker is 50 fish.

(b) There is no minimum size limit.

(c) There is no closed season.

(d) Atlantic croaker shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0412 is adopted under temporary procedures as follows:

15A NCAC 10C .0412 BLACK DRUM

(a) The daily creel limit for black drum is 10 fish.

(b) The minimum size limit is 14 inches and no fish over 25 inches may be possessed in the daily creel limit.

(c) There is no closed season.

(d) Black drum shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0413 is adopted under temporary procedures as follows:

15A NCAC 10C .0413 BLUE CRAB

- (a) Blue crabs shall have a minimum carapace width of five inches (point to point).
- (b) It is unlawful to possess more than 50 crabs per person per day, or to exceed 100 crabs per vessel per day.
- (c) There is no closed season.
- (d) Blue crabs shall not be sold.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0414 is adopted under temporary procedures as follows:

15A NCAC 10C .0414 BLUEFISH

(a) The daily creel limit for bluefish is three.

(b) There is no size limit.

(c) There is no closed season.

(d) Bluefish shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0415 is adopted under temporary procedures as follows:

15A NCAC 10C .0415 BOWFIN

(a) There is no daily creel limit for bowfin.

(b) There is no minimum size limit.

(c) There is no closed season.

(d) Bowfin shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0416 is adopted under temporary procedures as follows:

15A NCAC 10C .0416 BLUE CATFISH, CHANNEL CATFISH, AND FLATHEAD CATFISH

(a) There is no daily creel limit for blue, channel, and flathead catfish, except for waters identified in Paragraphs (e), (f), and (g) of this Rule.

(b) There is no minimum size limit.

(c) There is no closed season.

(d) 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, no person shall take channel or blue catfish by means other than hook and line.

(e) 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, the daily creel limit for channel catfish is seven on waters posted with signs indicating the creel limit.

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

(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) Dan River (Downstream of the Union Street Dam in Danville, VA);

(8) Lake Gaston (North Carolina portion); and

(9) Roanoke Rapids Reservoir.

(g) 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.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0417 is adopted under temporary procedures as follows:

15A NCAC 10C .0417 COBIA

(a) The daily creel limit for cobia is one fish.

(b) The minimum size limit is 36 inches.

(c) The season for taking and possessing cobia is May 1 to December 31.

(d) Cobia shall not be sold.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0418 is adopted under temporary procedures as follows:

15A NCAC 10C .0418 FRESHWATER MUSSELS

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

(1) Lake Waccamaw in Columbus County; and

(2) University Lake in Orange County.

(b) 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*).

(c) There is no minimum size limit.

(d) There is no closed season.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0419 is adopted under temporary procedures as follows:

15A NCAC 10C .0419 GRASS CARP

(a) There is no daily creel limit for grass carp, except for waters identified in Paragraphs (d) and (e) of this Rule.

(b) There is no minimum size limit.

(c) There is no closed season.

(d) Grass carp shall not be taken or possessed except that one fish per day may be taken with archery equipment on the following waters:

- (1) Lake James;
- (2) Lookout Shoals Lake;
- (3) Mountain Island Reservoir; and
- (4) Lake Wylie.

(e) Grass carp shall not be taken or possessed except for scientific study by permit issued by the Wildlife Resources Commission on the following waters:

- (1) Lake Gaston (SL 2009-261);
- (2) Roanoke Rapids Reservoir (SL 2009-261);
- (3) Lake Norman; and
- (4) the North Carolina portion of John H. Kerr Reservoir.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0420 is adopted under temporary procedures as follows:

15A NCAC 10C .0420 KING MACKEREL

(a) The daily creel limit for king mackerel is three fish.

(b) The minimum size limit is 24 inches.

(c) There is no closed season.

(d) King mackerel shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0421 is adopted under temporary procedures as follows:

15A NCAC 10C .0421 MARGINED MADTOM AND TADPOLE MADTOM

Margined madtom and tadpole madtom shall not be taken or possessed.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0422 is adopted under temporary procedures as follows:

15A NCAC 10C .0422 STRIPED MULLET AND WHITE MULLET

(a) The daily creel limit for striped mullet and white mullet is 200 fish in aggregate.

(b) There is no minimum size limit.

(c) There is no closed season.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0423 is adopted under temporary procedures as follows:

15A NCAC 10C .0423 ALEWIFE AND BLUEBACK HERRING

(a) There is no daily creel limit for alewife or blueback herring (river herring), except for waters identified in Paragraph (e) of this Rule.

(b) There is no minimum size limit, except for waters identified in Paragraph (d) of this Rule.

(c) There is no closed season.

(d) While boating on or fishing in the following inland fishing waters, no person shall take 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) It shall be unlawful to transport, possess, or release live alewife or blueback herring, 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.

(f) Alewife and blueback herring, excluding those less than 6 inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties), may not be sold.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0424 is adopted under temporary procedures as follows:

15A NCAC 10C .0424 SHARKS

Sharks shall not be taken or possessed.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0425 is adopted under temporary procedures as follows:

15A NCAC 10C .0425 SHEEPSHEAD

(a) The daily creel limit for sheepshead is 10 fish.

(b) The minimum size limit is 10 inches.

(c) There is no closed season.

(d) Sheepshead shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0426 is adopted under temporary procedures as follows:

15A NCAC 10C .0426 SPANISH MACKEREL

(a) The daily creel limit for Spanish mackerel is 15 fish.

(b) The minimum size limit is 12 inches.

(c) There is no closed season.

(d) Spanish mackerel shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0427 is adopted under temporary procedures as follows:

15A NCAC 10C .0427 SPOT

(a) The daily creel limit for spot is 50 fish.

(b) There is no minimum size limit.

(c) There is no closed season.

(d) Spot shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0428 is adopted under temporary procedures as follows:

15A NCAC 10C .0428 TARPON

Tarpon shall not be taken or possessed.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0429 is adopted under temporary procedures as follows:

15A NCAC 10C .0429 WEAKFISH (GRAY TROUT)

(a) The daily creel limit for weakfish (gray trout) is one fish.

(b) The minimum size limit is 12 inches.

(c) There is no closed season.

(d) Weakfish shall not be sold.

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

Temporary Adoption Eff. September 1, 2022.

15A NCAC 10C .0430 is adopted under temporary procedures as follows:

15A NCAC 10C .0430 OTHER FISHES

(a) For any nongame fish species not specifically listed in this Section, there is no daily creel limit.

(b) There is no size limit.

(c) There is no closed season.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Temporary Adoption Eff. September 1, 2022.*

15A NCAC 10C .0701 is adopted under temporary procedures as follows:

15A NCAC 10C .0701 INLAND GAME FISHES DESIGNATED IN COASTAL FISHING WATERS

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

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

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

(c) Size, creel limits, and seasons for inland game fishes in coastal fishing waters shall be the same as those in inland waters designated in Section .0300 of this Subchapter.

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

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

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

(g) Individuals shall only possess, on those waters being fished:

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

(h) Individuals shall only possess up to three days creel limit at any place.

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

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

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

Temporary Adoption Eff. September 1, 2022.