CHECK APPROPRIATE BOX:

- Proposed Temporary Rule
- Proposed Temporary Rule simultaneously adopted as an emergency rule
- Permanent Rule with substantial change pursuant to G.S. 150B-21.12(c)/skip block 4


2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

- **AMENDMENT:** 15A NCAC 10B.303, 15A NCAC 10B.0304

- REPEAL:

3. Public Hearing:

- Date: November 7, 2011
- Time: 7:00 PM
- Location: WRC, Centennial Campus, Raleigh, NC

4. Reason for agency adopting rule(s) under temporary action:

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.
  - Cite: SL 2011-369
  - Effective date: October 1, 2011
- A recent change in federal or state budgetary policy.
- A recent federal regulation.
  - Cite:
  - Effective date:
- A recent court order.
  - Cite order:

**Explain:** G.S. 113-129 and G.S. 113-291 were amended by SL 2011-369, which became effective relevant to these rules on October 1, 2011. The intent of this bill was to delegate regulatory authority for feral swine to WRC. WRC proposes to enact permanent rules to clarify that there are no bag limits on feral swine, and to establish a season and regulations for the trapping of swine. The proposed temporary rules are necessary to prevent confusion by the public as to seasons and bag limits, and to prevent the escape of trapped feral swine back into the wild.
5. Comments from the public shall be directed to:
Name: Ms. Kate Pipkin  
Address: North Carolina Wildlife Resources Commission  
1751 Varsity Drive  
Raleigh, North Carolina 27606  
Phone (optional): (919) 707-0065  
Fax (optional):  
E-Mail (optional): Kathryn.pipkin@ncwildlife.org

Comment Period Ends: November 14, 2011

7. Rule-making Coordinator: C. Norman Young, Jr.  
Address: N.C. Dept. of Justice, SSA, 9001 Mail Service Center, Raleigh, North Carolina 27699-9001  
Phone: (919) 716-6813  
E-Mail: nyoung@ncdoj.gov  
Agency contact, if any: Ms. Kate Pipkin  
Phone: (919) 707-0065  
E-mail: kathryn.pipkin@ncwildlife.org

8. Signature of Agency* Head or Rule-making Coordinator:
*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.  
Typed Name: C. Norman Young, Jr.  
Title: WRC Rulemaking Coordinator
15A NCAC 10B .0303 is proposed as a temporary rule as follows:

15A NCAC 10B .0303  OPEN SEASONS

(a) General. Following are the seasons for taking by trapping fur-bearing animals as defined in G.S. 113-129(7a), coyotes, armadillos, and groundhogs, all dates being inclusive:

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. 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.
4. Nutria may be trapped east of I-77 at any time.

(b) Feral Swine. There is no closed season for trapping feral swine subject to the following restrictions:

1. In addition to a hunting or trapping license, a permit issued by the Wildlife Resources Commission is required to trap feral swine.
2. 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.
3. Feral swine must be euthanized while in the trap and may not be removed alive from any trap.

Note: See 15A NCAC 10D .0102(f) for other trapping restrictions on game lands.

History Note:  Authority G.S. 113-134; 113-291.1; 113-291.2;
Eff. February 1, 1976;
Amended Eff. July 1, 1996; July 1, 1984; July 1, 1983; August 1, 1982; August 1, 1981;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. August 1, 2010; May 1, 2009; November 1, 2008; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005; August 1, 2004;
15A NCAC 10B .0304 is proposed as a temporary rule as follows:

**15A NCAC 10B .0304  BAG LIMITS**

There shall be no restrictions on bag limits of furbearers, coyotes, **groundhogs, groundhogs, and feral swine**.

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

History Note: Authority G.S. 113-134; 113-291.2;
Eff. August 1, 1977;
Amended Eff. May 1, 2009; May 1, 2008; June 1, 2005; July 1, 1996; July 1, 1984;