



PROPOSED CHANGES IN FISHING AND WILDLIFE
MANAGEMENT REGULATIONS FOR 2013-14 FOR
PUBLIC
NOTICE AND PRESENTATION AT PUBLIC HEARINGS

Fishing

Trout

- F1. South Fork New River (Ashe County)** – Designate approximately 1.0 mile of the South Fork New River in Ashe County as Public Mountain Trout Waters and classify as Delayed Harvest Trout Waters.
- F2. Big Elkin Creek (Surry County)** – Designate approximately 0.4 mile of Big Elkin Creek in Surry County as Public Mountain Trout Waters and classify as Hatchery Supported Trout Waters.
- F3. South Fork New River (Watauga County)** – Designate 1.0 mile of the South Fork New River in Watauga County as Public Mountain Trout Waters and classify as Hatchery Supported Trout Waters.
- F4. Fires Creek (Clay County)** – Reclassify 2.2 miles of Fires Creek in Clay County from Wild Trout Waters to Delayed Harvest Trout Waters.
- F5. Big Snowbird Creek (Graham County)** – Reclassify 2.8 miles of Big Snowbird Creek in Graham County from Hatchery Supported Trout Waters to Delayed Harvest Trout Waters.
- F6. Tributaries to 19 Hatchery Supported Trout Waters Located on Commission Game Lands** – Reclassify the tributaries to the following Hatchery Supported Trout Waters on Commission game lands from Hatchery Supported Trout Waters to Wild Trout Waters unless otherwise classified: Elk River in Avery County; Corner Rock Creek and Bent Creek in Buncombe County; Carroll Creek and Linville River in Burke County; Hyatt Creek and Junaluska Creek in Cherokee County; Santeetlah Creek, (Big) Snowbird Creek, and Panther Creek in Graham County; Cold Springs Creek in Haywood County; Burningtown Creek and Cullasaja River in Macon County; Shut-in Creek, Roaring Fork, and Spillcorn Creek in Madison County; Little Buck Creek in McDowell County; Connelly Creek in Swain County; and West Fork French Broad River in Transylvania County.
- F7. North Fork New River (Watauga County)** – Reclassify 1.5 miles of North Fork New River in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.
- F8. Maine Branch (Watauga County)** – Reclassify 1.0 mile of Maine Branch in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.

F9. Howard Creek (Watauga County) – Reclassify 6.0 miles of Howard Creek in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.

F10. Nantahala River (Macon County) – Reclassify the portion of the upper Nantahala River and its tributaries on Commission game lands from Wild Trout Waters to Wild Trout/Natural Bait Waters.

F11. Richland Creek (Haywood County) – Modify the lower boundary of Hatchery Supported Trout Waters on Richland Creek in Haywood County, adding 0.3 mile to Public Mountain Trout Waters.

F12. Cane Creek (Henderson County) – Modify the upper boundary of Hatchery Supported Trout Waters on Cane Creek in Henderson County, adding 0.3 mile to Public Mountain Trout Waters.

F13. Brush Creek (Alleghany County) – Modify the upper boundary of Hatchery Supported Trout Waters on Brush Creek in Alleghany County, removing approximately 2.0 miles of Public Mountain Trout Waters.

F14. Buffalo Creek (Ashe County) – Modify the upper boundary of Hatchery Supported Trout Waters on Buffalo Creek in Ashe County, removing approximately 2.0 miles of Public Mountain Trout Waters.

F15. Clear Creek (Henderson County) – Modify the upper boundary of Hatchery Supported Trout Waters on Clear Creek in Henderson County, removing 0.3 mile from Public Mountain Trout Waters.

F16. South Fork Reddies River (Wilkes County) – Modify the upper boundary of Hatchery Supported Trout Waters on South Fork Reddies River in Wilkes County, removing 3.0 miles from Public Mountain Trout Waters.

F17. South Prong Lewis Fork (Wilkes County) – Modify the upper boundary of Hatchery Supported Trout Waters on South Prong Lewis Fork in Wilkes County, removing 2.0 miles from Public Mountain Trout Waters.

F18. Fall Creek (Wilkes County) – Modify the upper boundary of Hatchery Supported Trout Waters on Fall Creek in Wilkes County, removing 4.0 miles from Public Mountain Trout Waters.

F19. Green River (Henderson County) – Modify the Hatchery Supported Trout Waters section of the Green River in Henderson County by removing 2.1 miles from Public Mountain Trout Waters, allowing 2.4 miles on Commission game lands to default to Wild Trout Waters, and maintaining a popular 0.3-mile section below Lake Summit as Hatchery Supported Trout Waters.

F20. Watauga River (Watauga County) – Modify the lower boundary of Wild Trout Waters on Watauga River in Watauga County, removing approximately 0.3 mile from Public Mountain Trout Waters.

F21. Pine Swamp Creek (Ashe County) – Remove 4.0 miles of Pine Swamp Creek in Ashe County from Public Mountain Trout Waters.

F22. Mill Creek (Ashe County) – Remove 3.0 miles of Mill Creek in Ashe County from Public Mountain Trout Waters.

F23. Yellow Creek (Graham County) – Remove 6.8 miles of Yellow Creek in Graham County on private lands from Public Mountain Trout Waters. The remaining 0.8 miles on Commission game lands will default to Wild Trout Waters.

F24. Mountain Creek (Graham County) – Remove 5.2 miles of Mountain Creek in Graham County on private lands from Public Mountain Trout Waters. The remaining 0.4 mile on Commission game lands will default to Wild Trout Waters.

F25. Shoal Creek (Jackson County) – Remove approximately 0.1 mile of Shoal Creek in Jackson County from Public Mountain Trout Waters.

F26. West Fork Tuckasegee River (Jackson County) – Remove 3.3 miles of the West Fork Tuckasegee River in Jackson County from Public Mountain Trout Waters.

F27. East Prong Roaring River (Alleghany County) – Clarify in the NC Administrative Code that East Prong Roaring River in Alleghany County should not be listed as Public Mountain Trout Waters.

F28. Little Buffalo Creek (Graham County) – Clarify in the NC Administrative Code that Little Buffalo Creek in Graham County should not be listed as Hatchery Supported Trout Waters.

F29. East Prong Roaring River (Wilkes County) – Clarify in the NC Administrative Code the boundaries for Hatchery Supported Trout Waters and Delayed Harvest Trout Waters on East Prong Roaring River in Wilkes County.

Black Bass

F30. General Statewide Limits – Clarify the general statewide limits for black bass in the NC Administrative Code by incorporating the statewide exception listed in 15A NCAC 10C .305(b)(7) which allows the possession of two fish smaller than the minimum size limit into the general size and creel limits listed in 15A NCAC 10C .0305(a).

F31. Santeetlah Reservoir – Establish an exception to the general statewide limits for black bass in Santeetlah Reservoir by removing the daily creel limit for black bass less than 14 inches minimum size limit. The creel limit for black bass greater than 14 inches will remain five fish in combination.

F32. General Statewide Limits – Establish the general statewide limits for black bass (a five-fish daily creel limit with a minimum size limit of 14 inches allowing two fish to be retained in the daily creel limit that are less than 14 inches) in these waters: Lake Luke Marion in Moore County; Reedy Creek Park lakes in Mecklenburg County; Lake Rim in Cumberland County; Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, and all their tributaries; South Yadkin River downstream of Cooleemee Dam; and the Yadkin-Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery and Blewett Falls Lake.

Striped Bass and Hybrid Striped Bass

F33. General Statewide Limits – Clarify the general statewide limits for striped bass and hybrid striped bass in the NC Administrative Code by incorporating the statewide exception listed in 15A NCAC 10C .0305(b)(10) which allows the possession of two fish smaller than the minimum size limit into the general size and creel limits listed in 15A NCAC 10C .0305(a).

F34. John H. Kerr Reservoir and Dan River – Modify an exception to the general statewide limits for striped bass and hybrid striped bass by decreasing the minimum size limit for striped bass from 26 to 24 inches in John H. Kerr Reservoir and in the North Carolina portion of the Dan River upstream from the Bannister River to the dam at Union Street in Danville, VA from October 1 through May 31. The creel limit will remain two striped bass or hybrid striped bass in combination from October 1 through May 31. From June 1 through September 30 the daily creel limit of four striped bass or hybrid striped bass in combination and no minimum size limit will not change. The upstream boundary for this regulation on the Dan River will be redefined from the Brantly Steam Plant Dam to the dam at Union Street in Danville, VA.

Walleye

F35. John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Lake – Establish an exception to the general statewide limits for walleye by establishing an 18-inch minimum size limit for walleye in John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Lake and decreasing the daily creel limit from eight to five fish.

American Shad

F36. Cape Fear River – Establish an exception to the general statewide daily creel limit for American shad and hickory shad by reducing the possession limit of American shad in the inland fishing waters of the Cape Fear River and its tributaries to five fish per day within the 10-fish daily creel for American shad and hickory shad in combination.

Crappie and Sunfish

F37. Lake Mattamuskeet – Remove from the NC Administrative Code the exception to the general statewide limits for crappie and sunfish that stipulates federal regulations apply on Lake Mattamuskeet.

Nongame Fish

F38. Bighead and Silver Carp – Add bighead and silver carp to the list of species which are unlawful to transport, purchase, possess, sell or stock into public or private waters.

F39. River Herring in Coastal Rivers – Clarify that river herring (alewife or blueback herring) greater than six inches may not be possessed while boating on or fishing in inland fishing waters of coastal rivers and their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam, Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek, and in all other inland fishing waters east of Interstate 95.

F40. River Herring on Lake Rhodhiss and Lake James – Remove the prohibition on the possession of live river herring (alewife and blueback herring) on Lake Rhodhiss and Lake James.

Other

F41. Set hooks – Allow the use of set hooks in impounded waters of power reservoirs and municipally owned water supply reservoirs which are designated as Public Mountain Trout Waters.

Wildlife Management

Deer

H1. Move the portions of Avery and Yancey counties that are currently in the Introductory Either-Sex deer season (one day) into the Conservative Either-Sex deer season (six days) for all private lands. Keep game land either-sex season as Introductory (one day).

H2. Remove restrictions on carrying firearms during the deer bow-and-arrow season and pistols during the muzzleloader season in accordance with state law. Allow hunting with muzzleloading pistols.

Turkeys

H3. Allow an adult to accompany more than one youth during the one-day Spring Youth Only Wild Turkey Season.

H4. Create a one week Spring Youth Only Wild Turkey Season from the first Saturday in April through the following Friday. The bag limit for this entire week will be one bird.

Squirrels

H5. Open four additional counties to fox squirrel hunting: Stokes, Surry, Watauga, and Wilkes.

Alligators

H6. Change the Commission's existing rules to enable the Commission to propose an alligator season sometime in the future.

Dog Training

H7. Allow hunters to carry firearms while dog training.

Game Lands

H8. Increase user fees for the use of the field trial facilities located on the Sandhills Game Lands from the current \$25.00 to \$75.00 for use of the club house only and \$100 to \$200 for the use of the club house and field trial grounds. These fees have not been adjusted for more than 20 years.

H9. Allow open carry of firearms anytime on state-owned game lands and conservation areas.

H10. Allow hunting by special permit on game lands when the seasons for game animals (bear, fox, rabbit, squirrel, deer, bobcat, opossum and raccoon) and game birds (all migratory game birds and upland game birds) are closed.

H11. Limit hunting on game lands with weapons legal for open game animal or game bird seasons.

H12. Allow trapping on Sherwood and Harmon Den Bear Sanctuaries, part of the Pisgah Game Land in Haywood County.

H13. Allow waterfowl hunting to take place the Monday after Christmas and the Monday after New Year's Day when these two holidays fall on a Sunday.

H14. Allow a youth/adult dove hunt on opening day of dove season on Needmore Game Lands. This hunt would be on posted dove fields by permit only.

H15. Prohibit horseback riding on Perkins Game Land (Davie County).

H16. Clarify existing regulations that allow muzzleloader and archery deer hunting on the J. Robert Gordon Field Trial Grounds at the Sandhills Game Land.

H17. Allow waterfowl hunting on the J. Robert Gordon Field Trial Grounds at the Sandhills Game Land during all open days of the waterfowl season.

H18. Open spring camping season on the game lands on March 31.

Permits

H19. Ease requirements for getting a permit in cases of depredation (wildlife damage) and allow for better use of wildlife taken under depredation permits by making the following changes:

- Remove the requirement that an animal cause at least \$50.00 in damage before the property owner can receive a depredation permit and allow for a permit to be written for any amount of damage;
- Remove the requirement that cities, towns and villages attempt Urban Archery for deer overabundance before receiving a depredation permit;,,
- Allow the take of alligators with depredation permits, subject to Executive Director approval;
- Allow the take of feral swine with depredation permits; and
- Allow any animal taken under a depredation permit to be retained for food if so written on the permit.

H20. Ease restrictions on people who kill wildlife in the act of depredation (wildlife damage) without a permit and allow for better use of animals taken while causing damage by making the following changes:

- Remove the limit on the number of deer taken without a permit that can be retained for food. Deer may only be taken without a permit while in the act of damaging property;
- Allow feral swine taken without a permit to be retained for food;
- Allow the use of artificial lights in taking wildlife without a permit; and
- Reduce the number of species of wildlife taken without a permit that require reporting to the Commission to just two: bears and alligators.

H21. Reduce restrictions on keeping wildlife killed accidentally or found dead. Specifically:

- Allow a person to request authorization to keep a deer or turkey found dead of natural causes or due to a vehicle collision;
- Allow a person to keep dead raptors and nongame migratory game birds if the person gets a federal permit; and
- Allow possession of any other species of wildlife found dead without Commission authorization, except bears and protected species may not be possessed at all.

Captive Cervids

H22. For regulatory purposes, divide captive cervids (deer, elk, etc.) into two categories:

- Category 1 cervid — any white-tailed deer, white-tailed deer hybrid, Sika deer, red deer, elk, elk hybrid, moose or any other species of cervid in which the scientific community has documented Chronic Wasting Disease (CWD); and
- Category 2 cervid — any species of cervid in which the scientific community has not documented CWD.

Prohibit importation from any U.S. or Mexican state or territory, Canadian province or

other country of origin which has documented CWD in a wild or captive cervid herd. Establish these importation criteria for Category 1 cervids: the individual U.S. or Mexican state or territory, Canadian province or other country of origin for a captive cervid coming into North Carolina must require facility owners to:

- Report all cervid deaths within the facility and submit all animals over the age of 12 months for CWD testing;
- Place at least two tags on each animal in the facility; and
- Record all acquisitions and dispositions to the herd.

Allow importation of a Category 2 cervid from any state/province/country without restrictions, except importation is prohibited from any state/province/country with CWD for Category 2 and Category 1 cervids. Category 2 cervids that are co-mingled, or have been in the past five years, with Category 1 cervids will be held to the same importation standards as Category 1 cervids.

H23. Allow new captive cervid licenses. Require these new facilities to have an interior or exterior electric fence placed two feet away from the eight-foot fence that surrounds the pen with strand placements at 12, 20, 28, 36 and 48 inches above ground. Prohibit any person with a captivity license from requesting an additional license or obtaining a new license if one was revoked in the previous two years.

H24. Increase the age for the requirement for CWD testing of deceased captive cervids from six months to 12 months.

H25. Reduce the species of captive cervids that must be tested for CWD upon death from all captive cervids to only Category 1 cervids.

H26. Allow for pen expansion for all captive cervid licensees if the expanded pen is double fenced with an outer eight-foot high fence and an interior or exterior electric fence placed two feet away from the eight-foot high fence with strand placements at 12, 20, 28, 36 and 48 inches above ground.

H27. Allow transportation of captive cervids from any N.C. Certified herd to any other captive cervid herd up to the licensed pen capacity for the receiving herd.