

TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice is hereby given in accordance with G.S. 150B-21.2 and G.S. 150B-21.3A(c)(2)g. that the Wildlife Resources Commission intends to adopt the rules cited as 15A NCAC 10B .0306; 10D .0240, amend the rules cited as 15A NCAC 10B .0127, .0203, .0227, .0301, .0303; 10C .0205, .0206, .0302, .0306, .0314, .0401; 10D .0102, .0211, .0215, .0239, .0258, .0269, .0271; 10H .1506, repeal the rule cited as 15A NCAC 10B .0110, and readopt with substantive changes the rules cited as 15A NCAC 10D .0103-.0105; 10J .0101 and .0102.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncwildlife.org/Proposed-Regulations>

Proposed Effective Date: August 1, 2023

Public Hearing:

Date: January 10, 2023

Time: 7:00 p.m.

Location: Craven County Courthouse (District Courtroom #4), 302 Broad St., New Bern, NC 28560

Date: January 12, 2023

Time: 7:00 p.m.

Location: Old Asheboro Courthouse, 725 McDowell Road, Asheboro, NC 27205

Date: January 17, 2023

Time: 7:00 p.m.

Location: McDowell Technical Community College, 54 College Drive, Marion, NC 28752

Date: January 19, 2023

Time: 7:00 p.m.

Location: Register Online: https://ncwildlife-org.zoomgov.com/webinar/register/WN_S8FEIx8TFaqY4FkC0bmYg Webinar ID: 160 229 5222 Phone: 877-853-5247

Reason for Proposed Action: Each year, the N.C. Wildlife Resources Commission reviews and adjusts, as needed, seasons, bag limits, and the management of land, in order to achieve conservation management goals, comply with statutory changes, and respond to constituent requests.

10C .0314 and 10C .0401 are subject to legislative review. Amendments to the rules based on the temporary versions and the versions subject to review are both included in the annual cycle filings, as the agency is unsure at this time which version will have to be amended.

Comments may be submitted to: Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email regulations@ncwildlife.org

Comment period ends: January 30, 2023

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10B - HUNTING AND TRAPPING

SECTION .0100 - GENERAL REGULATIONS

15A NCAC 10B .0110 ATTENDANCE OF TRAPS

- ~~(a) Every trap shall be visited daily and any animal caught therein removed, except for completely submerged conibear type traps which shall be visited once every 72 hours and any animal caught therein removed.~~
- ~~(b) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following features:~~
- ~~(1) a control unit that monitors the trap in real time and reports trap status and unit status to a centralized application database at least once every 12 hours;~~
 - ~~(2) a software application that notifies the user of unit status, trap activity, and system health issues within 10 minutes of these events via email, text based messaging systems, or an in application notification; and~~
 - ~~(3) an on demand test procedure that is used at each deployment of a unit to confirm that the unit is placed in a location where its wireless communication can be received and processed.~~
- ~~(c) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within 24 hours of the time the trap was reported closed.~~
- ~~(d) If a remote trap checking system control unit fails to report its status after a 12 hour period, or reports a system health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.~~
- ~~(e) Remote trap checking system users shall maintain records of trap status and notification alarms for at least seven days after receipt. Records shall be made available for inspection upon request by a representative of the Commission.~~

*History Note: Authority G.S. 113-134; 113-291.6;
Eff. February 1, 1976;
Amended Eff. August 1, 2002; July 1, 1988;
Readopted Eff. August 1, 2021;
Repealed Eff. August 1, 2023.*

15A NCAC 10B .0127 POSSESSION OF WILDLIFE KILLED ACCIDENTALLY OR FOUND DEAD

- (a) Deer killed accidentally on a road by reason of collision with a motor vehicle may be possessed and transported if authorization is obtained from the law enforcement officer who investigates the accident. Possession and transport of the deer carcass for personal and lawful use, including delivery of the carcass to a second person for his or her private use or use by a charitable organization shall be authorized.
- (b) Commission employees may authorize possession and transport of deer and turkey killed accidentally or found dead.
- (c) The following shall not be possessed or transported if killed accidentally or found dead unless written authorization is obtained from the Commission:
- (1) black bears; and
 - (2) elk.
- ~~(e) Black bears killed accidentally or found dead shall not be possessed or transported unless a possession permit is obtained from the Commission.~~
- (d) Species listed as endangered, threatened, or of special concern under 15A NCAC 10I .0103, .0104, and .0105 killed accidentally or found dead may be possessed or transported if an endangered species permit is obtained from the Commission.
- (e) Raptors and migratory birds killed accidentally or found dead may be possessed and transported under federal permits obtained from the U.S. Fish and Wildlife Service.
- (f) All other wildlife resources may be possessed and transported legally if killed accidentally or found dead.
- (g) The sale of any wildlife resources or wildlife parts from any animal killed accidentally or found dead is prohibited, except that licensed trappers and hunters may sell the carcasses, parts, or pelt of any armadillo, beaver, coyote, groundhog, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel or bobcat to a licensed fur dealer if the dead furbearing animal was found during the open season for that species. Licensed trappers and hunters may also sell the carcasses, parts, or pelt of any fox to a licensed fur dealer if the dead fox was found during an open fox season and the county where the fox was found allows for the sale of fox carcasses, parts, and pelts. All tagging requirements set forth in 15A NCAC 10B .0400 apply.

*History Note: Authority G.S. 113-134; 113-274; 113-291.3; 113-291.4; 113-331; 113-333; 113-337;
Eff. January 1, 2013;
Readopted Eff. October 1, 2022;
Amended Eff. August 1, 2023.*

SECTION .0200 - HUNTING

15A NCAC 10B .0203 DEER (WHITE-TAILED)

- (a) Open Seasons (All Lawful Weapons) for hunting deer:
- (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, may be taken on all game lands except Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Deer With Visible Antlers seasons on these Game Lands), during the following seasons:
 - (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bladen, Brunswick, Carteret, Columbus*, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones, Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson, Scotland, Tyrrell, and Washington counties.
*Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline.

- (B) Saturday on or nearest October 15 through January 1 in all of Bertie, Camden, Chowan, Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin, Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and Wilson counties.
- (C) Saturday before Thanksgiving Day through January 1 in all of Alexander, Alleghany, Ashe, Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes, Surry, Watauga, Wilkes, and Yadkin counties.
- (D) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, and Yancey counties.
- (E) Two Saturdays before Thanksgiving Day through January 1 in all of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg, Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union counties.
- (F) Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in that part of Hyde county known as Lake Mattamuskeet National Wildlife Refuge; in those parts of Dare and Hyde counties known as Alligator River National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in that part of Currituck County known as the Mackay Island National Wildlife Refuge.

(2) Antlered or Antlerless Deer. ~~Deer of Either Sex.~~ Except on Game Lands, antlered or antlerless deer of either sex may be taken during the open seasons and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this Subparagraph (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game Lands). Antlered or antlerless deer ~~Deer of either sex~~ may be taken during the open season identified in Part (H) of this Subparagraph.

- (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service during the period from the Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife Refuge.
- (B) The open either-sex deer hunting dates established by the appropriate military commands at each of the military installations listed in this Paragraph, during the period from Saturday on or nearest October 15 through January 1 in that part of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of Craven County known and marked as Cherry Point Marine Base, in that part of Onslow County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall Military Reservation.
- (C) Youth ~~either sex~~ deer hunts. First Saturday in October for youth antlered or antlerless either sex deer hunting by permit only on a portion of Belews Creek Steam Station in Stokes County designated by agents of the Commission; the third Saturday in October for youth antlered or antlerless either sex deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties; and the second Saturday in November for youth antlered or antlerless either sex deer hunting by permit only on apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated by agents of the Commission. A youth is defined as a person under 18 years of age.
- (D) The first open Saturday of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and Transylvania counties.
*Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280
- (E) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the first Saturday thereafter in all of ~~Avery, Burke, Caldwell, Madison and McDowell~~ McDowell, Mitchell, and Yancey counties.
- (F) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the second ~~Friday~~ Saturday thereafter in all of ~~Cleveland, Polk, and Rutherford~~ Avery, Burke, Caldwell, Madison, Mitchell, and Yancy counties.
- (G) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the fourth Friday thereafter in all of Cleveland, Polk, and Rutherford counties.
- ~~(G)~~(H) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and Gaston counties and in the following parts of counties: Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280; and Henderson: That part east of NC 191 and north and west of NC 280.
- ~~(H)~~(I) The fourth Saturday in September in all counties, subject to the following restriction: only persons under the age of 18 years may hunt.

(b) Open Seasons (Archery) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the following seasons:

- (A) Saturday on or nearest September 10 through the day immediately preceding the first open day of the Blackpowder Firearms and Archery Seasons described in Subparagraph (c)(1) of this Rule; and the Sunday immediately following the closing of blackpowder firearms and archery season identified in Part (c)(1)(B) of this Rule to the Sunday before Thanksgiving in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Archery seasons on these Game Lands).
- (B) Sunday immediately following the closing of the open season for Deer With Visible Antlers through January 1 in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.

(2) Restrictions

- (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs may not be used for hunting deer during the archery season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
- (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer may be used during the archery deer hunting season.
- (C) ~~Antlered or antlerless deer Deer of either sex~~ may be taken during archery seasons specified by Part (b)(1)(A) of this Rule.
- (D) Only deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, shall be taken during the archery season specified by Part (b)(1)(B) of this Rule.

(c) Open Seasons (Blackpowder Firearms and Archery) for hunting deer:

(1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be taken only with blackpowder firearms and archery equipment during the following seasons:

- (A) Two Saturdays preceding the first day of the Deer with Visible Antlers seasons described in Parts (a)(1)(A), (B), (C), (E), and (F) of this Rule through the second Friday thereafter except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Blackpowder Firearms and Archery seasons on these Game Lands):
- (B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.

(2) Restrictions

- (A) ~~Antlered or antlerless deer Deer of either sex~~ may be taken during blackpowder firearms and archery season in any county or county part set forth in Part (a)(2)(G) of this Rule that has either-sex days for all lawful weapons and in the following counties: Polk, Rutherford, McDowell, Burke, Caldwell, and Cleveland. ~~Antlered or antlerless deer Deer of either sex~~ may be taken on the first Saturday day of this season only in all other counties.
- (B) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the blackpowder firearms and archery seasons, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).

(3) As used in this Rule, "blackpowder firearms" means Any firearm - including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or before 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that is designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the muzzle, cylinder, or breech and that cannot use fixed ammunition.

(d) Open Season (Urban Season) for hunting deer:

(1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, ~~antlered or antlerless deer of either sex~~ may be taken with bow and arrow in participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following January 1 through the sixth Sunday thereafter. Deer shall not be taken on any game land or part thereof that occurs within a city boundary.

(2) Participation. Cities that intend to participate in the urban season shall send a letter to that effect no later than April 1 of the year prior to the start of the urban season to the Executive Director or his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map of the city's boundaries within which the urban season shall apply.

(3) Restrictions:

- (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the urban season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
- (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer shall be used during the urban season.

(e) Bag limits. The possession and season limit is six deer, two of which may be deer with visible antlers and four of which may be antlerless deer. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from spikes protruding through the skin. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report cards from the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional antlerless deer per card for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities, except

on State-owned game lands. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the possession and season limit. The bag limits described above do not apply to deer harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e) for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with DMAP tags may only be harvested during the regularly established deer seasons subject to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report card.

History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2; 113-291.5;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1, 1994; July 1, 1994; July 1, 1993;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002; July 1, 2001;
Amended Eff. August 1, 2002 (Approved by RRC on 06/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2021; August 1, 2020; August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015;
August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011; July 10, 2010; June 1, 2008; May 1, 2007; May 1,
2006; June 1, 2005;
Readopted Eff. August 1, 2022;
Amended Eff. August 1, 2023.

15A NCAC 10B .0227 WILD QUAIL MANGEMENT AREAS

- (a) A "Wild Quail Management Area" shall be land maintained to enhance enjoyment of sportsmen and support wild bobwhite quail conservation under signed agreement between the landowner(s) and the Wildlife Resources Commission.
- (b) The following qualifications shall apply to all Wild Quail Management Areas:
- (1) At least 500 acres of contiguous land; and
 - (2) A minimum of 225 acres or 15 percent of the land, whichever is greater, shall be maintained in year-round bobwhite quail habitat.
- (c) Wild bobwhite quail habitat shall be any early successional habitat dominated by herbaceous vegetation or shrub cover consisting of a mixture of young saplings, shrubs, forbs, and woody plants typically less than ten feet tall with scattered open patches of grasses, wildflowers, and vines. Forest stands shall have a basal area no greater than 60 square feet per acre. Land managed and maintained primarily for human uses such as large lawns, golf courses, sod-forming pastures, production agriculture fields, monoculture hayfields, solar energy, or production timber stands shall not qualify as early successional habitat.
- (d) Landowners interested in establishing a Wild Quail Management Area shall contact the Commission as described on the Commission's website at www.ncwildlife.org.
- (e) The signed agreement between the landowner(s) and the Commission shall include:
- (1) a list of all owners of land included in the Wild Quail Management Area;
 - (2) county parcel identification information for each parcel to be included in the Wild Quail Management Area;
 - (3) a scaled map of the Wild Quail Management Area with the areas to be maintained in year-round bobwhite quail habitat identified;
 - (4) management practices to be used to maintain bobwhite quail habitat and populations; and
 - (5) any reporting requirements in addition to the minimum requirements in Subparagraph (g)(6) of this Rule that are specific to the individual Wild Quail Management Area.
- (f) Property inspection:
- (1) All potential properties shall be inspected by a representative of the Commission prior to acceptance into the program to determine that the proposed land and habitat will qualify to become a Wild Quail Management Area; and
 - (2) Wild Quail Management Areas shall be inspected by a representative of the Commission at least once every five years to determine that the requirements of the signed agreement and this rule are being met.
- (g) The following shall apply to all Wild Quail Management Areas:
- (1) No domestically raised upland game birds shall be released on Wild Quail Management Areas.
 - (2) The hunting of wild bobwhite quail shall only be permitted during the established seasons in 15A NCAC 10B .0208.
 - (3) Supplemental feeding, if conducted, shall be for the primary purpose of ensuring that wild bobwhite quail populations remain stable during droughts or other periods of stressful environmental conditions. Supplemental feed shall:
 - (A) be broadcast into quail habitat along a minimum linear distance of at least one mile per 100 acres of habitat at a rate of three bushels per mile;
 - (B) be broadcast on a bi-weekly schedule during at least five months each year
 - (C) be broadcast using a non-stationary spreader;
 - (D) be only natural grains or seed; and
 - (E) not be placed to attract birds for the purpose of hunting.

- (4) Except for wild bobwhite quail on Wild Quail Management Areas, no wild birds shall be taken near or with the aid of supplemental feed.
- (5) ~~Outside of the trapping season established in 15A NCAC 10B .0303, trapping~~ Trapping for raccoon, striped skunk, armadillo, and opossum on Wild Quail Management Areas for the purpose of nest predator control shall only be allowed ~~from the end of the established trapping season in 15A NCAC 10B .0303 through May 31. Enclosed~~ using enclosed foot-hold traps with a one-way trigger or cage ~~traps may be used, and trapped~~ traps. Trapped raccoons, striped skunks, armadillos, and opossums may be euthanized or released at the trap site.
- (6) An annual report for the period of June 1 through May 31 shall be submitted to the Commission within 30 days of the end of the reporting period, and shall include the following:
 - (A) number of days and hours wild bobwhite quail were hunted;
 - (B) total annual harvest of wild bobwhite quail;
 - (C) total number of coveys flushed;
 - (D) supplemental feeding activities;
 - (E) number of trap nights, number of animals trapped and their disposition or release, by species, for trapping activity conducted during trapping seasons established by 15A NCAC 10B .0303; and
 - (F) number of trap nights, number of animals trapped and their disposition or release, by species, for trapping activity conducted outside of trapping seasons established by 15A NCAC 10B .0303.

*History Note: Authority G.S. 113-134; 113- 291.1;
Eff. August 1, 2021;
Amended Eff. August 1, 2023.*

SECTION .0300 - TRAPPING

15A NCAC 10B .0301 DEFINITIONS

As used in this Section, the following definitions apply:

- (1) "Box trap" and "cage trap" are any device designed in such a manner that the animal enters the trap through a door that closes and is meant to prevent the animal from exiting.
- ~~(1)(2)~~ "Breakaway device" means any device incorporated into a snare or snare component that allows the loop to break open, and an animal to escape completely free of the snare, when a specified amount of force is applied.
- ~~(2)(3)~~ "Collarum™-type trap" means any power-activated snare that is activated when the trigger is pulled and that is designed to capture and restrain the animal by a cable around the neck.
- (4) "Conibear®", "conibear®-type", and "bodygrip" traps are designed to catch an animal in a body hold resulting in a quick kill.
- ~~(3)(5)~~ "Leghold" and "foothold" mean any trap designed to hold an animal by the foot.
- ~~(4)(6)~~ "Loop stop" means a device that is attached to the snare cable to prevent the loop from closing beyond a specified point.
- ~~(5)(7)~~ "Power-activated" means a snare on which the speed or direction of the loop closure is initiated or augmented by some type of powering device like a spring.
- ~~(6)(8)~~ "Relaxing lock" means a snare lock that allows the snare loop to release constriction pressure on the captured animal when the cable is not taut.
- ~~(7)(9)~~ "Snare" means any cable restraining device.
- ~~(8)(10)~~ "Steel-jaw" means any leghold or foothold trap in which the jaw(s) are made of metal.

*History Note: Authority G.S. 113-134; 113-291.1; 113-291.6;
Eff. January 1, 2011;
Readopted Eff. February 1, 2022;
Amended Eff. August 1, 2023.*

15A NCAC 10B .0303 OPEN SEASONS

(a) ~~General.~~ The open season for the taking by trapping of fur-bearing animals as those animals are defined in G.S. 113-129(7a), as well as the taking by trapping of coyotes, armadillos, and groundhogs, shall be ~~November~~ October 1 through the last day of February, subject to the following:

- (1) trapping coyotes shall also be allowed during local fox trapping seasons and in accordance with methods described by local law in counties that have established fox trapping seasons by law outside the regular trapping season described in Paragraph (a); and
 - (2) 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. 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;
 - (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 released or can escape without harm. The permit number must be displayed on all traps; and
 - (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; 113-291.12;
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;
Recodified from Rule 10B .0302 Eff. January 1, 2011;
Temporary Amendment Eff. December 29, 2011;
Amended Eff. November 1, 2012;
Readopted Eff. August 1, 2019;
Amended Eff. August 1, 2023.

15A NCAC 10B .0306 ATTENDANCE AND TAGGING OF FURS

(a) Every trap shall be visited daily and any animal caught therein removed, except for completely submerged conibear type traps which shall be visited once every 72 hours and any animal caught therein removed.

(b) Steel-jaw, leghold, conibear®, conibear®-type traps, Collarum™-type traps, snares, box traps, and cage traps must have a weather-resistant permanent tag attached legibly giving the trapper's name and address or the trapper's trapper identification number provided by the Wildlife Resources Commission and the Wildlife Resources Commission's telephone number to report wildlife violations. Box traps for rabbits must have a weather-resistant permanent tag attached legibly giving the hunter's name and address or the hunter's Wildlife Resources Commission customer number and the Wildlife Resources Commission's telephone number to report wildlife violations.

(c) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following features:

- (1) a control unit that monitors the trap in real-time and reports trap status and unit status to a centralized application database at least once every 12 hours;
- (2) a software application that notifies the user of unit status, trap activity, and system health issues within 10 minutes of these events via email, text-based messaging systems, or an in-application notification; and
- (3) an on-demand test procedure that is used at each deployment of a unit to confirm that the unit is placed in a location where its wireless communication can be received and processed.

(d) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within 24 hours of the time the trap was reported closed.

(e) If a remote trap checking system control unit fails to report its status after a 12-hour period, or reports a system health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.

(f) Remote trap checking system users shall maintain records of trap status and notification alarms for at least seven days after receipt. Records shall be made available for inspection upon request by a representative of the Commission.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.12;
Eff. August 1, 2023.

SUBCHAPTER 10C - INLAND FISHING REGULATIONS

SECTION .0200 - GENERAL REGULATIONS

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) "Single hook" means a fish hook with only one point.
- (3) "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.
- (4) "Artificial fly" means one single hook dressed with feathers, hair, thread, tinsel, rubber, or any similar material to which no additional hook, spinner, spoon or similar device is added.
- (5) "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 and Lures Only Trout Waters" are Public Mountain Trout Waters where only artificial flies and 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.
- (3) "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.

- (4) "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.
 - (5) "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.
 - (6) "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.
 - (7) "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.
 - (8) "Undesignated Waters" are all other waters in the State. These waters have no bait or lure restrictions.
- (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

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 Flies and 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 (900 yards upstream of SR 1372 bridge [marked by a sign on each bank] 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)

Nathans Creek

North Fork New River (Watauga Co. line to Sharp Dam)

Old Fields Creek (N.C. 221 to South Fork New River)

Peak Creek (~~headwaters to~~ Upper boundary of NCDA-NCSU Upper Mountain Research Station to Trout Lake, except Blue Ridge Parkway waters) Lake)

Roan Creek

Three Top Creek

(3) Avery County

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

Elk River (portion on Lees-McRae College property, excluding the millpond)

Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)

Wilson Creek (game land portion)

(B) Hatchery Supported Trout Waters are as follows:

Boyde Coffey Lake

Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state line)

- Linville River S.R. 1504 to the Blue Ridge Parkway boundary line, except where posted against trespassing)
- Milltimber Creek
- North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park, except where posted against trespassing)
- North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against trespassing)
- Squirrel Creek
- Wildcat Lake
- (C) Wild Trout Waters are as follows:
 - Birchfield Creek
 - Cow Camp Creek
 - Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)
 - Gragg Prong
 - Horse Creek
 - Kentucky Creek
 - North Harper Creek
 - Plumtree Creek
 - Roaring Creek
 - Rockhouse Creek
 - Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
 - South Harper Creek
 - Webb Prong
- (4) Buncombe County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 - Carter Creek (game land portion)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Bent Creek (headwaters to N.C. Arboretum boundary line)
 - Cane Creek (headwaters to S.R. 3138 bridge)
 - Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)
 - Dillingham Creek (Corner Rock Creek to Ivy Creek)
 - Ivy Creek (Ivy River)(Dillingham Creek to U.S. 19-23 bridge)
 - Lake Powhatan
 - Reems Creek (Sugar Camp Fork to U.S. 19-23 bridge, except where posted against trespassing)
 - Rich Branch (downstream from the confluence with Rocky Branch)
 - Stony Creek
 - Swannanoa (S.R. 2702 bridge near Ridgecrest to Wood Avenue bridge [intersection of N.C. 81 and U.S. 74A in Asheville], except where posted against trespassing)
- (5) Burke County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 - Henry Fork (portion on South Mountains State Park)
 - (B) Delayed Harvest Trout Waters are as follows:
 - Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)
 - (C) Hatchery Supported Trout Waters are as follows:
 - Carroll Creek (game land portion above S.R. 1405)
 - Henry Fork (lower South Mountain State Park line downstream to S.R. 1919 at Ivy Creek)
 - Linville River portion within Linville Gorge Wilderness area and portion below Lake James powerhouse from upstream bridge on S.R. 1223 to Muddy Creek)
 - (D) Special Regulation Trout Waters are as follows:
 - Catawba River (Muddy Creek to City of Morganton water intake dam)
 - (E) Wild Trout Waters are as follows:
 - All waters located on South Mountains State Park, except those waters identified in Parts A and B of this Subparagraph
- (6) Caldwell County
 - (A) Delayed Harvest Trout Waters are as follows:
 - Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Boone Fork Pond
 - Buffalo Creek (mouth of Joes Creek to McCloud Branch)
 - Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)
 - Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted against trespassing)
 - Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
 - (C) Wild Trout Waters are as follows:
 - Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)
 - Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)
 - Rockhouse Creek
- (7) Cherokee County

- (A) Hatchery Supported Trout Waters are as follows:
Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
Hyatt Creek (Big Dam Branch to Valley River)
Junaluska Creek (Ashturn Creek to Valley River)
Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)
Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- (B) Special Regulation Trout Waters are as follows:
Apalachia Reservoir
- (C) Wild Trout Waters/Natural Bait are as follows:
Bald Creek (game land portion)
Dockery Creek (game land portion)
- (8) Clay County
 - (A) Delayed Harvest Trout Waters are as follows:
Fires Creek (Rockhouse Creek to the foot bridge in the USFS Fires Creek Picnic Area)
 - (B) Hatchery Supported Trout Waters are as follows:
Buck Creek (game land portion downstream of U.S. 64 bridge)
Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)
Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- (9) Graham County
 - (A) Delayed Harvest Trout Waters are as follows:
(Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)
 - (B) Hatchery Supported Trout Waters are as follows:
Calderwood Reservoir (Cheoah Dam to Tennessee state line)
Cheoah Reservoir
Panther Creek (confluence of Stand Creek and Rock Creek to Lake Fontana)
Santeetlah Creek (Johns Branch to Lake Santeetlah)
(Big) Snowbird Creek (USFS Road 2579 to S.R. 1127 bridge)
Stecoah Creek (upper game land boundary to Lake Fontana)
Tulula Creek (S.R. 1201 to lower bridge on S.R. 1275)
West Buffalo Creek
Yellow Creek (Lake Santeetlah hydropower pipeline to Cheoah River)
 - (C) Wild Trout Waters are as follows:
Little Buffalo Creek
South Fork Squally Creek
Squally Creek
 - (D) Wild Trout Waters/Natural Bait are as follows:
Long Creek (game land portion)
- (10) Haywood County
 - (A) Delayed Harvest Trout Waters are as follows:
West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)
 - (B) Hatchery Supported Trout Waters are as follows:
Cold Springs Creek (Fall Branch to Pigeon River)
Jonathan Creek (upstream S.R. 1302 bridge to Pigeon River, except where posted against trespassing)
Pigeon River (Stamey Cove Branch to upstream U.S. 19-23 bridge)
Richland Creek (Russ Avenue [U.S. 276] bridge to U.S. 19 bridge)
West Fork Pigeon River (Tom Creek to Queen Creek, including portions on game lands, except Middle Prong)
 - ~~(C) Wild Trout Waters/Natural Bait are as follows:
Hurricane Creek~~
- (11) Henderson County
 - (A) Delayed Harvest Trout Waters are as follows:
North Fork Mills River (game land portion below the Hendersonville watershed dam)
 - (B) Hatchery Supported Trout Waters are as follows:
(Rocky) Broad River (end of S.R. 1611 to Rutherford County line)
Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)
Clear Creek (Laurel Fork to S.R. 1582)
Green River (Lake Summit powerhouse to game land boundary)
(Big) Hungry River (S.R. 1885 to Green River)
- (12) Jackson County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
Flat Creek
(East Fork) Tuckasegee River (game lands portion upstream of Tanasee Creek Lake, including Duke Energy powerline corridor)
Tuckasegee River (upstream from the Clark property)
 - (B) Delayed Harvest Trout Waters are as follows:

- Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream of the U.S. 23-441 bridge [marked by a sign on each bank])
- (C) Hatchery Supported Trout Waters are as follows:
 Balsam Lake
 Bear Creek Lake
 Cedar Cliff Lake
 Cullowhee Creek (Tilley Creek to Tuckasegee River)
 Dark Ridge Creek (Jones Creek to Scott Creek)
 Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)
 Savannah Creek (Shell Branch to Cagle Branch)
 Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against trespassing)
 Tanasee Creek Lake
 Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)
 Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)
 Wolf Creek Lake
- (D) Wild Trout Waters are as follows:
 Gage Creek
 North Fork Scott Creek
 Tanasee Creek
 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
 Wolf Creek (except Balsam Lake and Wolf Creek Lake)
- (E) Wild Trout Waters/Natural Bait are as follows:
 Chattooga River (S.R. 1100 bridge to the South Carolina state line)
~~Scotsman Creek (game land portion)~~
- (13) Macon County
- (A) Delayed Harvest Trout Waters are as follows:
 Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- (B) Hatchery Supported Trout Waters are as follows:
 Burningtown Creek (Left Prong to Little Tennessee River)
 Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
 Cliffside Lake
 Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)
 Nantahala River — upper (Dicks Creek to Whiteoak Creek)
 Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
 Queens Creek Lake
- (C) Wild Trout Waters/Natural Bait are as follows:
 Chattooga River (S.R. 1100 bridge to South Carolina state line)
 Kimsey Creek
 Park Creek
~~Tellico Creek (game land portion)~~
~~Turtle Pond Creek (game land portion)~~
- (14) Madison County
- (A) Delayed Harvest Trout Waters are as follows:
 Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)
 Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)
 Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Ave.)
- (B) Hatchery Supported Trout Waters are as follows:
 Big Laurel Creek (Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of Bearpen Branch)
 Big Pine Creek (S.R. 1151 bridge to French Broad River)
 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence with Ivy Creek at Forks of Ivy)
 Max Patch Pond
 Meadow Fork Creek (Meadow Fork Campground to Spring Creek)
 Puncheon Fork (Wolf Laurel Branch to Big Laurel Creek)
 Roaring Fork (Fall Branch to Meadow Fork)
 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at Belva)
 Shut-in Creek
 Spillcorn Creek
 Spring Creek (junction of N.C. 209 and N.C. 63 to the confluence with Meadow Fork)
 West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-in Creek)
- (C) ~~Wild Trout Waters/Natural Bait are as follows:
 Big Creek (headwaters to the lower game land boundary)~~
- (15) McDowell County
- (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:

- Newberry Creek (game land portion)
- (B) Delayed Harvest Trout Waters are as follows:
Catawba River (portion adjacent to Marion Greenway)
Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)
Mill Creek (U.S. 70 bridge to I-40 bridge)
- (C) Hatchery Supported Trout Waters are as follows:
Armstrong Creek (Cato Holler line downstream to upper Greenlee line)
Catawba River (Catawba Falls Campground to Old Fort Recreation Park)
Little Buck Creek (game land portion)
North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- (16) Mitchell County
- (A) Delayed Harvest Trout Waters are as follows:
Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)
North Toe River (U.S. 19E bridge to N.C. 226 bridge)
- (B) Hatchery Supported Trout Waters are as follows:
Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)
Cane Creek (S.R. 1219 to N.C. 226 bridge)
East Fork Grassy Creek
Grassy Creek (East Fork Grassy Creek to mouth)
Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against trespassing)
North Toe River (Avery Co. line to S.R. 1121 bridge)
- (C) Wild Trout Waters are as follows:
Green Creek (headwaters to Green Creek bridge, except where posted against trespassing)
Little Rock Creek (above Green Creek bridge, including all tributaries, except where posted against trespassing)
Wiles Creek (game land boundary to mouth)
- (17) Polk County
- (A) Delayed Harvest Trout Waters are as follows:
Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
- (B) Hatchery Supported Trout Waters are as follows:
Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
North Pacolet River (Joels Creek to N.C. 108 bridge)
- (18) Rutherford County
- (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 (0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge on S.R. 1330)
- (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 and Lures Only Trout Waters are as follows:
Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek and Grogan ~~Creek~~ Creek, Cedar Rock Creek [tributary to the Davidson River at Bobby N. Setzer State Fish Hatchery] and John Rock Branch)

- (B) Delayed Harvest Trout Waters are as follows:
East Fork French Broad River (East Fork Baptist Church to 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 (S.R. 1312 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 Flies and 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 – upper (S.R. 1114 bridge to Valle Crucis Community Park lower boundary)
Watauga River – lower (S.R. 1103 bridge to confluence with Laurel Creek)
 - (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~~ S.R. 1136 bridge 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)
Norris Fork Creek
South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower boundary of Brookshire Park)
Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)
 - (D) Wild Trout Waters are as follows:
Dutch Creek (headwaters to ~~second bridge on S.R. 1134~~ S.R. 1136 bridge)
Howard Creek
Maine Branch (headwaters to North Fork New River)
North Fork New River (from confluence with Maine and Mine branches to Ashe Co. line)
Watauga River (Avery Co. line to S.R. 1580 bridge)
Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)
- (24) Wilkes County
- (A) Delayed Harvest Trout Waters are as follows:
East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park lower boundary)
Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain Club)
Elk Creek — lower (portion on Leatherwood Mountains development)
Reddies River (Town of North Wilkesboro water intake dam to confluence with the Yadkin River)
Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong Roaring River and Bullhead Creek)
 - (B) Hatchery Supported Trout Waters are as follows:
Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)
Bell Branch Pond
Boundary Line Pond
Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)
Darnell Creek (North Prong Reddies River)(downstream ford on S.R. 1569 to confluence with North Fork Reddies River)
East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)
Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where posted against trespassing)
Middle Fork Reddies River (Clear Prong)(headwaters to bridge on S.R. 1580)

Middle Prong Roaring River (headwaters to second bridge on S.R. 1736)
North Fork Reddies River (Vannoy Creek)(headwaters to Union School bridge on S.R. 1559)
Pike Creek
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 U.S. 421 bridge adjacent to S.R. 1155 intersection)

- (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 and Lures 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);
Amended Eff. August 1, 2018; August 1, 2017; 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, 2019;
Amended Eff. August 1, 2023; August 1, 2022; August 1, 2021; August 1, 2020.*

15A NCAC 10C .0206 TROTLINES, JUG HOOKS AND SET HOOKS

- (a) For purposes of this Rule, the following definitions apply:
- (1) "set hook" means a fishing device consisting of a single line having no more than three hooks that is attached at one end only to a stationary object.
 - (2) "jug hook" means a fishing device consisting of a single line having no more than three hooks that is attached to a float.
 - (3) "trotrline" means a fishing device consisting of a horizontal common line having multiple hooks attached.
- (b) Trotrlines, jug hooks, and set hooks may be set in the inland waters of North Carolina, provided no live bait is used, except that they:
- (1) may not be set in any of the impounded waters on the Sandhills Game Land;
 - (2) may not be set in any designated public mountain trout waters except impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing; and
 - (3) in Lake Waccamaw, trotrlines, jug hooks, or set hooks may be set only from October 1 through April 30.
 - (4) in the Roanoke River, trotrlines, jug hooks, or set hooks may only be set from July 1 through March 31.
- (c) Each trotrline, set hook, and jug hook shall bear legible and indelible identification of the user's name and address or the user's Wildlife Resources Commission customer number.
- (d) Each trotrline and set hook shall be conspicuously marked at each end with a flag, float, or other prominent object so that its location is readily discernible by boat operators and swimmers.
- (e) Trotrlines shall be set parallel to the nearest shore in all inland fishing waters unless otherwise prohibited.
- (f) The number of jug hooks that may be fished is limited to 70 per boat.
- (g) All trotrlines, set hooks, and jug hooks shall be fished at least once daily with all fish removed.

- (h) Trotlines, set hooks, and jug hooks without bait or not labeled as described in this Paragraph may be removed from the water by wildlife enforcement officers.
- (i) It is unlawful to use metal cans or glass jugs as floats.

History Note: Authority G.S. 113-134; 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1993; May 1, 1992; July 1, 1989; January 1, 1982;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2015; August 1, 2014; August 1, 2013; May 1, 2008; June 1, 2005; August 1, 2002;
Readopted Eff. October 1, 2022;
Amended Eff. August 1, 2023.

SECTION .0300 - GAME FISH

15A NCAC 10C .0302 MANNER OF TAKING INLAND GAME FISHES

- (a) Inland game fishes may only be taken with hook and line unless otherwise provided.
- (b) Landing nets may be used to land fishes caught on hook and line.
- (c) Game fishes taken incidental ~~to~~ to
- ~~(1)~~ commercial fishing operations in joint fishing waters or coastal fishing waters shall be immediately returned to the water unharmed.
 - ~~(2)~~ the use of special devices for taking nongame fishes from inland fishing waters as authorized in ~~Rule .0402 of this Subchapter~~ 15A NCAC 10C .0402 or as authorized by 15A NCAC 10C .0407 by anglers licensed under G.S. 113-272.2(c) shall be immediately returned to the water unharmed except:
 - ~~(A)~~(1) that a daily creel limit of American and hickory shad may be taken with dip nets and bow nets from March 1 through April 30 in those waters where such gear may be lawfully used; and
 - ~~(B)~~(2) white perch may be taken when captured in a cast net being used to collect nongame fishes in all impounded waters west of Interstate 95 and in the Tar River Reservoir (Nash County).
- (d) Inland game fishes taken from Inland Fishing Waters shall not be sold.
- (e) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless circle hook may be used when fishing with live or natural bait from April 1 to June 30. With all other tackle, only a single barbless hook or a lure with a single barbless hook may be used. used from 1 April to 30 June. "Circle hook" as used in this Rule means a hook with the point turned perpendicularly back to the shank. "Barbless" as used in this Rule requires that the hook does not have a barb or the barb is bent down.

History Note: Authority G.S. 113-134; 113-272.3; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1996; October 1, 1994; July 1, 1993; May 1, 1992; January 1, 1982;
Temporary Amendment Eff. November 1, 1998;
Amended Eff. August 1, 2014; August 1, 2002; April 1, 1999;
Readopted Eff. October 1, 2021;
Amended Eff. August 1, 2023.

15A NCAC 10C .0306 CRAPPIE

- (a) There is no daily creel limit for Crappie, except for waters identified in Paragraphs ~~(b), (c), (d), (e), and (f)~~ (d) through (h) of this Rule.
- (b) There is no minimum size limit ~~for these fish, except for~~ in waters identified in Paragraphs ~~(d), (e), and (f)~~ (f) through (h) of this Rule.
- (c) There is no closed season.
- ~~(b)~~(d) In Buckhorn Reservoir in Wilson and Nash counties, the daily creel limit is 20 fish.
- ~~(e)~~(c) In Lake Chatuge in Clay County, the daily creel limit is 30 fish.
- ~~(d)~~(f) 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)~~(g) In the following waters, the daily creel limit is 20 fish and the minimum size limit is eight inches:
- (1) Lake Norman;
 - (2) Lake Hyco;
 - (3) Lake Ramseur;
 - (4) Cane Creek Lake (Union County);
 - (5) Lake Hampton (Yadkin County);
 - (6) Tar River downstream of Tar River Reservoir Dam and all tributaries;
 - (7) Neuse River downstream of Falls Lake Dam and all tributaries;
 - (8) Haw River downstream of Jordan Lake Dam and all tributaries;

- (9) Deep River downstream of Lockville Dam and all tributaries;
- (10) Cape Fear River and all tributaries;
- (11) Waccamaw River downstream of Lake Waccamaw Dam and all tributaries;
- (12) Lumber River including Drowning Creek and all tributaries;
- (13) 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)~~(f) of this Rule; and
- (14) all public waters west of Interstate 77, except Lake Chatuge.
- (15) B. Everett Jordan Reservoir.

~~(h)~~(h) 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;
Readopted Eff. August 1, 2019;
Amended Eff. August 1, 2023; August 1, 2020.*

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 (m) 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 (m) 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) 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) 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)~~ (i) 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.

~~(k)~~ In the inland fishing waters of the Cape Fear River from Lock and Dam 1 upstream to Buckhorn Dam and its tributaries, the daily creel limit for striped bass and its hybrids is two fish. The minimum size limit is 18 inches. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through the last day in February.

~~(i)~~(l) 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~~ over 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)~~(m) 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)~~(n) 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;*

SECTION .0400 – JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS

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. 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.~~

~~(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.~~

(h) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless circle hook may be used when fishing with live or natural bait from April 1 to June 30. With all other tackle, only a single barbless hook may be used. "Circle hook" as used in this Rule means a hook with the point turned perpendicularly back to the shank. "Barbless" as used in this Rule requires that a hook does not have a barb or the barb is bent down.

*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;
Amended Eff. August 1, 2023.*

SUBCHAPTER 10D - GAME LANDS REGULATIONS

SECTION .0100 - GAME LANDS REGULATIONS

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE

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

- (1) "Permanent Hunting Blind" means any structure that is used for hunter concealment, constructed from manmade or natural materials, and that is not disassembled and removed at the end of each day's hunt.
- (2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping, or self-defense.
- (3) "Youth" means individuals under 18 years of age.

(b) Trespass. Entry on game lands for purposes other than hunting, trapping, or fishing shall be as authorized by the landowner. The Wildlife Resources Commission has identified the following areas on game lands that have additional restrictions on entry or usage:

- (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open days of any applicable deer season.
- (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on any game land. Falconry is exempt from this provision.
- (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use of centerfire rifles is prohibited.
- (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person or persons requesting entry are able to demonstrate a valid need or such person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.
- (5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written

- approval of such entry or use from an authorized agent of the Wildlife Resources Commission. An area of a game land may be declared a Temporary Restricted Zone when there is a danger to the health or welfare of the public.
- (6) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge of firearms or bow and arrow is prohibited.
 - (7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting Zones" the use of dogs for taking deer is prohibited, except as allowed by permit as provided in G.S. 113-264(d).
 - (8) Day Use Only Zone. On portions of game lands posted as "Day Use Only Zones" the use by the general public shall be prohibited from sunset to sunrise.
 - (9) Sensitive Habitat Zone. Portions of game lands posted as "Sensitive Habitat Zones" are closed to all use by the general public during the dates specified on the sign, and entry upon such an area for any purpose is prohibited without first obtaining written approval of such entry or use from an authorized agent of the Wildlife Resources Commission by calling 919-707-0150 and requesting a permit.

The Commission shall conduct a public input meeting in the area where the game land is located before establishing the following zones: archery, restricted firearms, restricted deer hunting, day use only, or sensitive habitat. After the input meeting, the public comments shall be presented at an official Commission meeting for final determination.

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

(d) Use of weapons. No person shall discharge:

- (1) any weapon within 150 yards of any game land building or designated game land camping area, except where posted otherwise;
- (2) any weapon within 150 yards of any residence located on or adjacent to game lands, except on Butner-Falls of Neuse and Jordan game lands; and
- (3) any firearm within 150 yards of any residence located on or adjacent to Butner-Falls of Neuse and Jordan Game Lands.

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any posted waterfowl impoundment on any game land, except shotgun shells containing lead buckshot may be used while deer hunting. Every individual carrying a concealed handgun shall adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. On Butner-Falls of Neuse, Jordan, Kerr Scott, and Vance game lands, no person shall possess loaded firearms, ammunition, bows and arrows, crossbows, or other weapons except as provided in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13, which is incorporated by reference, including subsequent amendments and editions, free of charge, at:

http://www.ecfr.gov/cgi-bin/text-idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327_113&rgn=div8. On Buckhorn, Chatham, Harris, Hycos, Lee, Mayo, and Sutton Lake game lands; Pee Dee River Game Land north of U.S. 74; and that portion of R. Wayne Bailey- Caswell Game Land that is located north of U.S. 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days for game birds or game animals, except under the following conditions:

- (1) the firearm is a .22 caliber pistol with a barrel not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition carried as a side arm;
- (2) the firearm is cased or not immediately available for use;
- (3) the firearm is used by persons participating in field trials on field trial areas; or
- (4) the firearm is possessed in designated camping areas for defense of persons and property.

(e) Game Lands License: Hunting and Trapping

- (1) Requirement. Except as provided in Subparagraph (4) of this Paragraph, any person entering upon any game land for the purpose of hunting, trapping, running dogs, or training dogs using wildlife shall have in his or her possession a game lands license in addition to the appropriate hunting or trapping license, or a license that conveys the game land use privilege.
- (2) For Commission-sanctioned field trials, active participants (as defined in 15A NCAC 10B .0114) in a field trial using wildlife shall possess a game lands license in addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege, except non-residents may substitute hunting licenses from their state(s) of residence.
- (3) For any other field trial using wildlife occurring on game lands, judges and active participants shall possess a game lands license in addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege.
- (4) Exceptions:
 - (A) a person under 16 years of age may hunt on game lands on the license of his parent or legal guardian;
 - (B) on the game lands described in Rule .0103(e)(1) of this Section, the game lands license is required only for hunting doves; all other activities are subject to the control of the landowners.

(f) Field Trials and Training Dogs. Any individual or organization sponsoring a field trial on the Sandhills Field Trial area shall file with the Commission an application to use the area and facility accompanied by the facility use fee computed at the rate of ~~two hundred dollars (\$200.00)~~ three hundred dollars (\$300.00) for each scheduled day of the trial. The total facility use fee shall cover the period from 12:00 noon of the day preceding the first scheduled day of the trial to 10:00 a.m. of the day following the last scheduled day of the trial. The facility use fee shall be paid for all intermediate days on which for any reason trials are not run but the building or facilities are used or occupied. A fee of ~~seventy five dollars (\$75.00)~~ one hundred dollars (\$100.00) per day shall be charged to sporting, educational, or scouting groups for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or use in any manner any of the physical facilities located on the Sandhills Field Trial area without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission, and no such entry or use of any

such facility shall exceed the scope of or continue beyond the approved use. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the approval of the Wildlife Resources Commission. No more than ~~46~~ 20 days of field trials may be scheduled for occurrence on the Sandhills facilities during any calendar month, and no more than ~~four~~ five days may be scheduled during any calendar week; provided, that a field trial requiring more than ~~four~~ five days may be scheduled during one week upon reduction of the maximum number of days allowable during some other week so that the monthly maximum of ~~46~~ 20 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or other organization desiring use of the Sandhills facilities between ~~the Wednesday on or nearest October 18~~ October 22 and ~~November 18~~ the second Friday before Thanksgiving and between ~~December 3~~ the first Monday following Thanksgiving and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays, and Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1 through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Dogs may not be trained or permitted to run unleashed from March 15 through June 15 on any game land located east of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for sportsmen participating in the Disabled Sportsman Program, dogs may not be trained or allowed to run unleashed during legal big game hunting hours on the dates of the special hunts. A field trial shall be authorized when such field trial does not conflict with other planned activities on the Game Land or field trial facilities, and the applying organization can demonstrate their experience and expertise in conducting genuine field trial activities. Entry to physical facilities, other than by field trial organizations under permit, shall be granted when they do not conflict with other planned activities previously approved by the Commission and they do not conflict with the mission of the agency.

(g) Trapping. Subject to the restrictions contained in 15A NCAC 10B ~~.0110, .0302, and .0303, and .0306~~ trapping of furbearing animals, armadillos, coyotes, and groundhogs is permitted on game lands during the applicable open trapping seasons established by rule. Foxes can be trapped on game lands from ~~November 1~~ October 1 through the end of February in any county with an open fox trapping season that falls between ~~November 1~~ October 1 and the end of February. Foxes may not be taken by trapping on game lands in counties with a closed fox trapping season or during any fox trapping season that occurs outside the dates of ~~November 1~~ October 1 through the end of February. Additionally, fox trapping is allowed on game lands in Clay, Graham, Henderson, Macon, and Tyrrell counties with a daily bag limit of two and a season bag limit of 10 from the first to the fourth Saturday in January. Trapping is prohibited:

- (1) on the J Robert Gordon Field Trial Area of Sandhills Game Land;
- (2) in posted "safety zones" located on any game land;
- (3) by the use of bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south, US 276 on the north and east, and NC 215 on the west;
- (4) on the John's River Waterfowl Refuge in Burke County;
- (5) on the DuPont State Forest Game Lands; and
- (6) from April 1 through ~~October~~ September 31.

At each trap, trappers may use a single bait site of grain, fruit, or other foods when trapping if the food is not a processed food product as defined in G.S. 113-294(r), is less than three cubic inches and is covered to prevent it from being seen from above. Feathers, including those with attached skin or entire bird wings, hair with or without skin or hide, and bones that include no attached meat, organs, or viscera do not need to be covered.

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

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

(i) Camping.

- (1) No person shall camp on any game land except on an area ~~designated~~ posted by the landowner for camping.
- (2) On game lands owned by the State of North Carolina, where the North Carolina Wildlife Resources Commission is the primary custodian, the maximum period of consecutive overnight camping at any designated camping area is 14 days within any 30-day period, ~~period from May 1 through August 31~~, unless otherwise specified in rules of this Subchapter. After 14 consecutive days of camping, all personal belongings shall be removed from the game land.
- (3) A hunting, fishing, trapping or Game Lands License is required for individuals age 16 or older to camp on game lands in areas posted for camping except when camping within 100 yards of the Roanoke River on the state-owned portion of the Roanoke River Wetlands Game Land, within 100 yards of the Neuse River on that portion of the game land west of NC-43, and in posted areas along the Mountains-to-Sea Trail on Butner-Falls of Neuse Game Land.

(j) ~~Swimming. Swimming is prohibited in the lakes located on the Sandhills Game Land.~~

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

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

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

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

Each program participant may be accompanied by one companion provided such companion has in his possession the companion card issued by the Commission. Hunters who qualify under the Disabled Sportsman Program and their companions may access special hunting blinds for people with disabilities during regularly scheduled, non-permit hunting days on a first come basis, except for those blinds located on the Restricted Area of Caswell Game Land.

(l) Release of Animals and Fish. It is unlawful to release pen-raised animals or birds, wild animals or birds, domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes, or feral animals, or hatchery-raised fish on game lands without prior written authorization. It is unlawful to move wild fish from one stream to another on game lands without prior written authorization. Written authorization shall be given when release of such animals is determined by a Wildlife Resources Commission biologist not to be harmful to native wildlife in the area and such releases are in the public interest or advance the programs and goals of the Wildlife Resources Commission.

(m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k) of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but shall comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans with Disabilities Act (42 U.S.C. 126) may use wheelchairs or other all-terrain wheel chairs mobility devices designed for indoor pedestrian use on any area where foot travel is allowed. Off road vehicles including ATVs, UTVs, and ebikes are not permitted.

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

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

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

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

(r) 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.

(s) Baiting. Except as provided in Paragraph (g) of this Rule, no person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization from an agent of the Commission. Written authorization may be provided for

Commission authorized projects or Commission contractors to meet specific objectives. Except as authorized by rule, no person shall take or attempt to take any wild birds or wild animals attracted to such foods.

History Note: Authority G.S. 113-129; 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 143-318.10; Eff. February 1, 1976; Amended Eff. July 1, 1993; April 1, 1992; Temporary Amendment Eff. October 11, 1993; Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994; Temporary Amendment Eff. July 1, 1999; Amended Eff. July 1, 2000; Temporary Amendment Eff. August 31, 2001; Amended Eff. August 1, 2002; Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July 17, 2003); Amended Eff. January 1, 2013; January 1, 2012; June 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; November 1, 2005; Temporary Amendment Eff. July 1, 2014; Amended Eff. August 1, 2023; August 1, 2022; August 1, 2021; August 1, 2020; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014.

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.~~

~~(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.~~

~~(a) The following shall be prohibited on game lands:~~

- ~~(1) hunting on any designated game land while under the influence of alcohol or any narcotic drug;~~
- ~~(2) failing to comply with restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands;~~
- ~~(3) parking a vehicle on game lands in such a manner as to block traffic or gates, or otherwise prevent vehicles from using any roadway; and~~
- ~~(4) erecting or occupying any tree stand or platform attached by nails, screws, bolts, or to a tree on any game land while for the purpose of hunting. 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)(b) 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. Unless allowed by permit, hunting on game lands shall only be during the open season for game animals and game birds. 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.~~

- ~~(1) On managed waterfowl impoundments, persons shall:
 - ~~(A) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;~~
 - ~~(B) not hunt after 1:00 p.m. on such hunting dates;~~
 - ~~(C) not set decoys out prior to 4:00 a.m.;~~
 - ~~(D) remove decoys by 3:00 p.m. each day; and~~
 - ~~(E) not operate any vessel or vehicle powered by an internal combustion engine.~~~~
- ~~(2) On Sundays, the following shall be prohibited:
 - ~~(A) hunting with a firearm between 9:30 a.m. and 12:30 p.m.;~~
 - ~~(B) the use of a firearm to take deer that are run or chased by dogs;~~
 - ~~(C) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, and~~
 - ~~(D) hunting migratory game birds.~~~~

~~(c) Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Subchapter.~~

~~(d) Persons shall hunt only with weapons lawful for the open game animal or game bird seasons.~~

~~(e) 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.~~

~~(f) On Sundays, the following shall be prohibited:~~

- ~~(1) hunting with a firearm between 9:30 a.m. and 12:30 p.m.;~~
- ~~(2) the use of a firearm to take deer that are run or chased by dogs;~~

- (3) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, and
- (4) hunting migratory game birds.

~~On designated youth waterfowl days, youths may hunt on managed waterfowl impoundments from ½ hour before sunrise to sunset. On designated veterans and military waterfowl days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit only areas from ½ hour before sunrise to sunset. Restrictions (1)(A), (1)(C), and (1)(E) 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."~~

~~(g) On designated Youth Waterfowl Days the following shall apply:~~

- ~~(1) hunting on managed waterfowl impoundments shall be from one-half hour before sunrise to sunset;~~
- ~~(2) subparagraphs (e)(1), (e)(3), and (e)(5) of this Rule; and~~
- ~~(3) youth may hunt on any game land and on any impoundment without a special hunt permit, including permit-only areas, except where prohibited in Paragraph (a) of this Rule.~~

~~(h) On designated Veterans and Military Waterfowl Days veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from one-half hour before sunrise to sunset. Subparagraphs (e)(1), (e)(3), and (e)(5) of this Rule shall apply; and~~

~~(i) 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."~~

~~(j) Definitions:~~

- ~~(1) For purposes of this Subchapter, "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 Subchapter, "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, Veterans Day, Martin Luther King Day, and New Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Hunting is not allowed on Christmas Day, Veterans Day, and New Year's Day when these holidays fall on Sunday. 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 Subchapter, "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. Falconry may also be practiced on Sundays.~~
- ~~(4) For purposes of this Subchapter, "Seven Days per Week Area" refers to a Game Land on which game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays, and Sundays.~~
- ~~(5) For purposes of this Subchapter, "Four 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 Tuesdays, Thursdays, Saturdays, ~~and Sundays.~~ Sundays, Labor Day, Veterans Day, Christmas Day, New Year's Day, and Martin Luther King Day. Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays, and 7:00 a.m. on Mondays.~~
- ~~(6) For purposes of this Subchapter, "Permit Only" means areas on which species take or activities listed shall be during the applicable season(s) by permit only subject to annual limitations imposed by the Commission to meet wildlife, hunter, or land management objectives, unless otherwise specified. Individuals may apply for available opportunity permits online at ncwildlife.org, by phone, or in person at a wildlife service agent location. The Commission shall issue permits to applicants selected at random by computer in accordance with G.S. 113-264. Permits shall be non-transferrable. All applicable laws and rules regarding the species or activity shall apply.~~
- ~~(7) For the purposes of this Subchapter, "Either-Sex" means antlered or antlerless.~~

~~(k) 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.~~

~~(l) On permitted type permit 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.~~

~~(m) 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) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);~~
- ~~(5) Dare County—Roanoke Marshes Game Lands; and~~
- ~~(6) Henderson and Transylvania counties—DuPont State Forest Game Lands.~~

~~(n) 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)(o)~~ 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)~~ Veterans and Military Waterfowl Days. On the day declared by the Commission to be Veterans and Military Waterfowl Days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit only areas.

~~(n)(p)~~ Permit Hunt Opportunities for Disabled Sportsmen. The Commission may designate special hunts for youth and participants of the disabled sportsman program by permit. The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on each permit.

~~(o)(q)~~ As used in the rules of this subchapter horseback riding includes all equine species.

~~(p)(r)~~ When waterfowl hunting is authorized on Christmas and New Years' Day and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

*History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
Eff. February 1, 1976;
Temporary Amendment Eff. October 3, 1991;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September 1, 1994; July 1, 1994;
Temporary Amendment Eff. October 1, 1999; July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002; July 1, 2001;
Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014; January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; October 1, 2006; August 1, 2006;
May 1, 2006; February 1, 2006; June 1, 2005; October 1, 2004;
Temporary Amendment Eff. August 1, 2018;
Amended Eff. August 1, 2020; August 1, 2019;
Temporary Amendment Eff. September 25, 2020;
Temporary Amendment Eff. August 1, 2021;
Amended Eff. August 1, 2023.*

15A NCAC 10D .0104 FISHING ON GAME LANDS

(a) When fishing on game lands, all rules in Subchapter 15A NCAC 10C shall apply.

~~(a)(b)~~ Generally. Except as otherwise indicated herein, fishing on game lands that are open to fishing shall be in accordance with the North Carolina rules. All game lands are open to public fishing ~~except~~ except: restocked ponds when posted against fishing, Hunting Creek Swamp Waterfowl Refuge, Grogan Creek, in Transylvania County, and in the case of private ponds where fishing may be prohibited by the owners thereof. No trotline or set hook or any net, trap, gig, archery equipment, or other special fishing device of a type mentioned in 15A NCAC 10C .0404(b),(c),(d), and (f) may be used in any impounded waters located entirely on game lands. Archery equipment may be used to take nongame fishes in impounded waters located entirely on game lands with the exception of those waters mentioned in 15A NCAC 10C .0404(a). Blue crabs taken by hook and line (other than set hooks) in designated waterfowl impoundments located on game lands shall have a minimum carapace width of five inches (point to point) and the daily possession limit is 50 per person and 100 per vessel.

(1) restocked ponds when posted against fishing;

(2) Hunting Creek Swamp Waterfowl Refuge;

(3) Grogan Creek, John Rock Branch, and Cedar Rock Creek tributaries to the Davidson River at Bobby N. Setzer State Fish Hatchery in Transylvania County; and

(4) private ponds where fishing is prohibited by the owners.

(b) No trotline, set-hook, net, trap, gig, or other special fishing device mentioned in 15A NCAC 10C .0404(b),(c),(d), and (f) may be used in any impounded waters located entirely on game lands.

(c) Archery equipment may be used to take nongame fishes in impounded waters located entirely on game lands except for those waters mentioned in 15A NCAC 10C .0404(a).

(b)(d) Designated Public Mountain Trout Waters All waters located on the game lands listed in this Subparagraph are designated public mountain trout waters except as noted:

(1) Location. All waters located on the game lands listed in this Subparagraph are designated public mountain trout waters except as noted:

(A) Cold Mountain Game Land in Haywood County;

- (B) ~~DuPont State Forest Game Lands in Henderson and Transylvania counties, except Little River from 100 yards downstream of Hooker Falls downstream to the DuPont State Forest boundary, Lake Imaging, Lake Dense, Lake Alfred, Lake Julia, and Fawn Lake;~~
- (C) ~~Green River Game Land in Henderson and Polk counties, except Green River downstream of the natural gas pipeline crossing;~~
- (D) ~~Headwaters Game Land in Transylvania County;~~
- (E) ~~Nantahala National Forest Game Lands in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties, except Cheoah River downstream of Santeetlah Reservoir and Cherokee Lake;~~
- (F) ~~Pisgah National Forest Game Lands in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties, except Grogan Creek, North Fork Catawba River downstream of the mouth of Armstrong Creek, Big Laurel Creek downstream from the US 25-70 bridge to the French Broad River, Mill Ridge Pond, Nolichucky River, Pigeon River downstream of Waterville Reservoir to the Tennessee state line, and Spring Creek below US Forest Service road 223;~~
- (G) ~~Pond Mountain Game Land in Ashe County;~~
- (H) ~~Rendezvous Mountain State Forest Game Land in Wilkes County;~~
- (I) ~~South Mountains Game Land in Cleveland and Rutherford counties;~~
- (J) ~~Three Top Mountain Game Land in Ashe County;~~
- (K) ~~Thurmond Chatham Game Land in Wilkes County;~~
- (L) ~~Toxaway Game Land in Transylvania County; and~~
- (M) ~~William H. Silvers Game Land in Haywood County.~~
- (1) Cold Mountain Game Land in Haywood County;
- (2) DuPont State Forest Game Lands in Henderson and Transylvania counties, except Little River from 100 yards downstream of Hooker Falls downstream to the DuPont State Forest boundary, Lake Imaging, Lake Dense, Lake Alfred, Lake Julia, and Fawn Lake;
- (3) Green River Game Land in Henderson and Polk counties, except Green River downstream of the natural gas pipeline crossing;
- (4) Headwaters Game Land in Transylvania County;
- (5) Nantahala National Forest Game Lands in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties, except Cheoah River downstream of Santeetlah Reservoir and Cherokee Lake;
- (6) Pisgah National Forest Game Lands in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties, except Grogan Creek, Creek, Cedar Rock Creek tributary to the Davidson River at Bobby N. Setzer State Fish Hatchery, John Rock Branch, North Fork Catawba River downstream of the mouth of Armstrong Creek, Big Laurel Creek downstream from the US 25-70 bridge to the French Broad River, Mill Ridge Pond, Nolichucky River, Pigeon River downstream of Waterville Reservoir to the Tennessee state line, and Spring Creek below US Forest Service road 223;
- (7) Pond Mountain Game Land in Ashe County;
- (8) Little Fork State Forest Game Land in Wilkes County;
- (9) South Mountains Game Land in Cleveland and Rutherford counties;
- (10) Three Top Mountain Game Land in Ashe County;
- (11) Thurmond Chatham Game Land in Wilkes County;
- (12) Toxaway Game Land in Transylvania County; and
- (13) William H. Silvers Game Land in Haywood County.
- (2) ~~All designated public mountain trout waters located on the game lands listed in Subparagraph (b)(1) of this Rule are Wild Trout Waters unless classified otherwise. [See 15A NCAC 10C .0205(d)]~~

(e) All designated public mountain trout waters located on the game lands listed in Paragraph (e) of this Rule are Wild Trout Waters unless classified otherwise in 15A NCAC 10C .0205(d).

~~(e) Ponds. In all game lands ponds, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means other than hook and line and the daily creel limit for forked tail catfish is six fish in aggregate.~~

*History Note: Authority G.S. 113-134; 113-264; 113-272; 113-292; 113-305;
 Eff. February 1, 1976;
 Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993; July 1, 1992;
 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, 2018; August 1, 2017; August 1, 2015; August 1, 2014; August 1, 2010; May 1, 2009; August 1, 2004;
 Readopted Eff. August 1, 2023.*

15A NCAC 10D .0105 POSSESSION AND REMOVAL OF ANIMALS, PLANTS AND MATERIALS

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

- (1) "Other materials" includes: all metals, minerals, rocks, soil, organic debris, buildings, fences, ~~historic artifacts,~~ archeological resources as defined in G.S. 70-12, and water.
- (2) "Commission lands" includes all State-owned game lands, hatcheries, depots, refuges, boating access areas and public fishing access areas, or parts thereof, allocated to the Wildlife Resources Commission.

- (3) "Written permission" includes permits, sales agreements, agricultural agreements, and letters written by authorized Commission personnel. Written permissions shall specify the type of activity allowed, the Commission land(s) where the activity may ~~occur~~ occur, and the persons ~~authorized~~ authorized to partake in the activity. Written permission must be carried on their person at all times. This requirement extends to any individual operating in conjunction with another's written permission.
- (b) On Commission lands:
- (1) No wildlife resources, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other materials shall be possessed on or removed from Commission lands except:
 - (A) as allowed in this Rule;
 - (B) bullfrogs, as specified in 15A NCAC 10B .0226; or
 - (C) if written permission has been granted by the Wildlife Resources Commission.
 This restriction applies to both dead and living wildlife resources, fungi, invertebrates, eggs, animal parts, ~~plants~~ plants, and plant materials.
 - (2) All game, fur-bearing animals, wildlife resources, fisheries resources, and nongame animals or birds, ~~for which the Commission has established an open season~~, legally taken under a valid hunting, trapping, fishing, falconry, or other collection license that entitles the licensee to access and use Wildlife Resources Commission Property may be possessed on and removed from Commission lands.
 - (3) Berries, fruit, nuts, mushrooms, ramps and other plants or plant ~~products~~ materials suitable for human consumption may be possessed on and removed from Commission lands without written permission for personal consumption only, except any fungi, plant or part thereof on a State or federal protected list shall not be possessed on or removed from Commission lands without written permission. All other fungi, plants and plant ~~products~~ materials which are not suitable for human consumption may not be possessed on or removed from Commission lands except with written permission. Crops or products thereof planted for the benefit of wildlife may not be removed without written permission.
 - (4) Insects, worms, or other invertebrates collected as fish bait may be possessed on and removed from Commission lands without written permission for personal use only, except any species on a State or federal protected list may not be collected and may not be removed from Commission lands. Sale of these resources is prohibited.
 - (5) Minimal amounts of animal parts, plant parts not removed from live plants, and other materials may be collected by hand and removed from Commission lands without written permission, except in violation of rules, general ~~statutes~~ statutes, or federal law. Collection of animal parts, and plant parts not removed from live ~~plants~~ plants, ~~and other materials~~ for commercial use or sale is prohibited. For purposes of this Subparagraph, "minimal amounts," are quantities that fit within a cubic foot of space, except for firewood to be used at ~~designated posted game land campgrounds~~ camping areas. Minimal amounts of firewood are quantities sufficient to build and maintain a fire for the duration of the game land user's stay at the campground.
 - (6) Litter and road kill animals may be removed without written permission, except in violation of 15A NCAC 10B .0106.
 - (7) A collection license as described in 15A NCAC 10B .0119 does not qualify as written permission to collect or remove any wildlife resources from Commission lands. Written permission must be specific to the Commission land.
- (c) On all other lands enrolled in the game land ~~program~~ program:
- (1) All game, fur-bearing animals, fisheries resources, and nongame animals or birds ~~for which the Commission has established an open season~~, legally taken under a valid hunting, trapping, fishing, ~~or falconry~~ falconry, or collection license may be possessed on and removed from game lands.
 - (2) Possession and removal of all other wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, and plant ~~materials~~ materials, ~~or other materials~~ is subject to the rules of the Commission and is at the discretion of the landowner, except where the landowner has ceded authority to the Commission. When the landowner has ceded authority to the Commission, the permissions and restrictions in Paragraph (b) of this Rule apply.
- (d) ~~Any individual who has written permission, or a hunting, trapping, fishing or falconry license required in order to possess or remove wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or other materials from Commission lands and all other lands enrolled in the game land program shall have that written permission or license on his person. This requirement extends to any individual operating in conjunction with another's written permission.~~
- (e) Except as referenced in Subparagraph (b)(5) of this Rule, other materials may be possessed or removed from Commission lands and all other lands enrolled in the game land program with written permission from the Commission, except for archeological resources. To possess or remove archeological resources from Commission land or other lands enrolled in the game land program, an individual shall obtain and have on his or her person, written permission from the Commission and a permit issued by the Department of Natural and Cultural Resources as specified in G.S 70-12.

*History Note: Authority G.S. 113-134; 113-264; 113-291; 113-291.2; 113-305; 113-333;
 Eff. August 1, 2012;
 Amended Eff. August 1, 2020;
 Readopted Eff. August 1, 2023.*

SECTION .0200 - USE OF GAME LANDS

15A NCAC 10D .0211 BUTNER-FALLS OF NEUSE GAME LAND IN DURHAM, GRANVILLE, AND WAKE COUNTIES
 Butner-Falls of Neuse game land is a Six Days per Week Area, in which the following applies:

- (1) Antlered or antlerless deer ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (2) Waterfowl shall be taken only on:
 - (A)(a) the opening and closing days of the applicable waterfowl seasons;
 - ~~(B)(b)~~ Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
 - ~~(C)(c)~~ 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.
- (3) Horseback riding is prohibited.
- (4) Target shooting is prohibited.
- (5) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- (6) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.
- (7) 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.
- (8) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.
- (9) 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.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
 Eff. November 1, 2022;
Amended Eff. August 1, 2023.

15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY

R. Wayne Bailey-Caswell is a Three Days per Week Area, in which the following applies:

- (1) Antlered or antlerless deer ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (2) Horseback riding, including all equine species, is allowed seven days per week from May 16 through August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed only on roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian use. People age 16 or older horseback riding on this game land shall possess a Game Lands license as required by G.S. 270.3(b)(3).
- (3) The area encompassed by the following roads is permit-only for all quail and woodcock hunting and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.
- (4) On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.
- (5) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.
- (6) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
 Eff. October 1, 2022.
Amended Eff. August 1, 2023.

15A NCAC 10D .0239 JOHNS RIVER GAME LAND IN BURKE COUNTY

Johns River game land is hunting by permit only. The following shall apply:

- (1) During permitted deer hunts, antlered or antlerless deer ~~of either sex~~ may be taken by permit holders.
- (2) The construction of permanent hunting blinds is prohibited.
- (3) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas is limited~~ is restricted to August 31 through the last day of February and March 31 through May 14.
- (4) Target shooting is prohibited.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
 Eff. October 1, 2022;
Amended Eff. August 1, 2023.

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

Jordan game land is a Six Days per Week Area, in which the following applies:

- (1) Antlered or antlerless deer may be taken on all the open days of the applicable Deer With Visible Antlers Season.
- (2) Waterfowl may be taken only on:
 - (a) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
 - (b) Thanksgiving, Christmas, and New Year's Days; and

- (c) the opening and closing days of the applicable waterfowl seasons.
- (3) Horseback riding, including all equine species, is allowed only 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 seven days per week from May 16 through August 31, and on Sundays only from September 1 through May 15. People age 16 or older shall obtain a game land license prior to engaging in horseback riding on any area other than the American Tobacco Trail.
- (4) Target shooting is prohibited.
- (5) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- (6) 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.
- (7) Camping is restricted to September 1 through the last day of February and March 31 through May 14. The maximum period of consecutive overnight camping at any posted camping area is 14 days within any 30-day period.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
Temporary Adoption Eff. October 1, 2022;
Eff. August 1, 2023.

15A NCAC 10D .0258 PEE DEE RIVER GAME LAND IN ANSON, MONTGOMERY, RICHMOND, AND STANLY COUNTIES

Pee Dee River game land is a Seven Days per Week Area, in which the following applies:

- (1) Antlered or antlerless deer Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (2) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US 74.
- (3)(2) Target shooting is prohibited.
- (4)(3) Horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only September 1 through May 15 only on roads opened to vehicular traffic and gated roads and trails posted for equestrian use.
- (5)(4) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be prohibited on that portion south of US-74.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
Eff. October 1, 2022;
Amended Eff. August 1, 2023.

15A NCAC 10D .0269 ROCKY RUN GAME LAND IN ONSLOW COUNTY

(a) Rocky Run game land is hunting by permit only.

(b) Target shooting is prohibited.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
Eff. November 1, 2022;
Amended August 1, 2023.

15A NCAC 10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES

Sandhills game land is a Three Days per Week Area, in which the following applies:

- (1) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from ~~October 22~~ the Wednesday on or nearest October 18 through March 31 except as follows:
- (a) Antlered or antlerless deer Deer of either sex may be taken with archery equipment on all the open days of the archery season through the fourth Friday before Thanksgiving Day; with blackpowder firearms and archery equipment all the open days of the blackpowder firearms season through the third Wednesday before Thanksgiving Day; and only deer with visible antlers may be taken with all legal weapons from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (b) dove may be taken all open days from the opening day of the dove season through the third Saturday thereafter;
- (c) gray and fox squirrel may be taken all the open days from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (d) rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;
- (e) waterfowl may be taken on open days during any waterfowl season;
- (f) wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and
- (g) raccoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.
- (2) 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.
- (3) 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. ~~Antlered or antlerless deer Deer of either sex~~ may be taken with archery equipment on all open hunting days during the archery season, by permit during the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.
- (4) 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. ~~Antlered or antlerless deer Deer of either sex~~ may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and by permit during the Deer With Visible Antlers season. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.
 - (5) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.
 - (6) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.
 - (7) Wild turkey hunting is by permit only.
 - (8) Horseback riding on field trial grounds from ~~October 22~~ the Wednesday on or nearest October 18 through March 31 is prohibited unless participating in authorized field trials. Horseback riding is allowed on the remainder of the Sandhills Game Land seven days per week on roads that are open to vehicular traffic and gated roads and trails posted for equestrian use.
 - (9) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.
 - (10) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
 - (11) Swimming is prohibited in the lakes.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
 Eff. October 1, 2022;
Amended Eff. August 1, 2023.

SUBCHAPTER 10H – REGULATED ACTIVITIES

SECTION .1500 – WILDLIFE AND ALLIGATOR CONTROL AGENTS

15A NCAC 10H .1506 ALLIGATOR CONTROL AGENT CERTIFICATION ELIGIBILITY AND REQUIREMENTS

- (a) The following definitions shall apply in this Section:
 - (1) "Alligator control agent" or "ACA" means a licensed Wildlife Control Agent that holds a current and valid alligator control agent certification issued by the Commission.
 - (2) "Alligator control agent certification" or "ACA certification" means a certification issued by the Commission that authorizes a Wildlife Control Agent to engage in alligator damage control or alligator removal activities by means of a Commission-issued depredation permit.
- (b) It shall be unlawful to engage in alligator damage control or alligator removal activities for compensation without first obtaining an alligator control agent (ACA) certification from the Commission.
- (c) Only individuals with a valid WCA license shall be eligible for ACA certification.
- (d) WCAs meeting the following requirements shall qualify for ACA certification:
 - (1) completion of a Commission-approved ACA training course that reviews the following:
 - (A) alligator rules;
 - (B) procedures for alligator data collection activities; and
 - (C) safe, humane alligator capture, handling, and transporting techniques.
 - (2) a passing score on the ACA written examination as specified in Paragraph ~~(d)~~(f) of this Rule.
 - (3) demonstration to the Commission of necessary equipment to safely and humanely capture and relocate alligators, including ropes, cables, snares, poles, passive integrated transponder (PIT) tag reader, and an alligator transport device.
- (e) WCAs may register for a Commission-approved ACA training course at www.ncwildlife.org/wca
- (f) WCAs scoring at least an 80 percent on the ACA examination provided by the Commission shall be deemed to have received a passing score. WCAs failing to obtain a passing score on the examination shall receive one opportunity to re-take the examination and receive a passing score without being required to retake the ACA training course.
- (g) An ACA certification shall not be transferable between individuals.
- (h) All equipment used in captive facilitates or on captive alligators shall not be used for ACA operations.

History Note: Authority G.S. 113-134; 113-273; 113-274;
 Eff. May 1, 2021;
Amended Eff. August 1, 2023.

SUBCHAPTER 10J - WILDLIFE CONSERVATION AREA REGULATIONS

15A NCAC 10J .0101 DESIGNATION OF WILDLIFE CONSERVATION AREAS

~~For the purposes of these regulations, wildlife conservation areas are defined as any lands owned, leased, controlled, or cooperatively managed by the Wildlife Resources Commission primarily for the conservation of nongame wildlife resources including those areas designated and posted as Wildlife Conservation Areas and those designated and posted as Colonial Waterbird Nesting Areas.~~

~~(a) For purposes of this Subchapter, the following definitions shall apply:~~

- ~~(1) "Wildlife Conservation Area" means any lands owned, leased, controlled, or cooperatively managed by the Wildlife Resources Commission primarily for the conservation of nongame wildlife resources including those areas designated and posted as Wildlife Conservation Areas and those designated and posted as Waterbird Nesting Areas.~~
- ~~(2) "Other materials" means: all metals, minerals, rocks, soil, organic debris, buildings, fences, archeological resources as defined in G.S. 70-12, and water.~~

~~(b) The Wildlife Resources Commission has identified and posted the following areas on Wildlife Conservation Areas that have additional restrictions on entry or usage:~~

- ~~(1) On portions of Wildlife Conservation Areas posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or archery equipment as defined in 15A NCAC 10B .0116 within, into, or across a posted safety zone on any Wildlife Conservation Area. Falconry is exempt from this provision.~~
- ~~(2) Portions of Wildlife Conservation Areas posted as "Restricted Zones" are closed to all use by the public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person or persons requesting entry are able to demonstrate a valid need or such person is a contractor or agent of the Commission conducting official business. Valid needs may include access to private property, scientific investigations, surveys, or other activities in the public interest.~~

*History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-305; 113-306;
Eff. February 1, 1990;
Readopted Eff. August 1, 2023.*

15A NCAC 10J .0102 GENERAL REGULATIONS REGARDING USE OF CONSERVATION AREAS

~~(a) Trespass.~~ Entry on areas posted as Wildlife Conservation Areas for purposes other than wildlife observation, hunting, trapping or fishing shall be as authorized by the landowner. ~~On those areas designated and posted as Colonial Waterbird Nesting Areas, entry is prohibited during the period of April 1 through August 31 of each year, except by written permission of the landowner. Entry into Colonial Waterbird Nesting Areas during the period of September 1 through March 31 is as authorized by the landowner.~~

~~(b) Entry is prohibited above the high tide waterline from March 1 through September 15 of each year on areas designated and posted as Waterbird Nesting Areas.~~

~~(b)(c) Littering.~~ No person shall deposit any litter, trash, garbage, or other refuse at any place on any ~~wildlife conservation area~~ Wildlife Conservation Area, ~~except in receptacles provided for disposal of such refuse.~~ No garbage dumps or sanitary landfills shall be established on any ~~wildlife conservation area~~ Wildlife Conservation Area by any person, firm, corporation, county or municipality, except as permitted by the landowner.

~~(e)(d) Use and possession of weapons.~~ No person shall discharge:

- ~~(1) any weapon from a vehicle;~~
- ~~(2) any weapon within 200 yards of any building or designated camping areas;~~
- ~~(3) any weapons within, into, or across a posted "safety zone;" or~~
- ~~(4) a firearm any weapons within, into, or across a posted "restricted zone."~~

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting waterfowl on any area designated as a ~~wildlife conservation area~~, Wildlife Conservation Area, except shotgun shells containing lead buckshot may be used while deer hunting. ~~Every individual carrying a concealed handgun must adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina.~~

~~(d)(c) License Requirements:~~ All applicable hunting, trapping, and fishing license requirements shall apply on Wildlife Conservation Areas.

~~(1) Hunting and Trapping:~~

- ~~(A) Requirement.~~ ~~Except as provided in Part (d)(1)(B) of this Rule, any person entering upon any designated wildlife conservation area for the purpose of hunting or trapping shall have in his possession a game lands use license in addition to the appropriate hunting or trapping licenses.~~
- ~~(B) Exception.~~ ~~A person under 16 years of age may hunt on designated wildlife conservation areas on the license of his parent or legal guardian.~~

~~(2) Trout Fishing.~~ Any person 16 years of age or over, including an individual fishing with natural bait in the county of his residence, entering a designated wildlife conservation area for the purpose of fishing in designated public mountain trout waters located thereon must have in his possession a regular fishing license and special trout license. ~~The resident and nonresident sportsman's licenses and short term comprehensive fishing licenses include trout fishing privileges on designated wildlife conservation areas.~~

~~(e)(f) Training Dogs.~~ ~~Dogs shall not be trained on designated wildlife conservation areas during open hunting seasons for game animals or game birds thereon. Dogs are shall not allowed to enter any wildlife conservation area~~ Wildlife Conservation Area ~~designated and posted as a colonial waterbird nesting area~~ Waterbird Nesting Area ~~during the period of April~~ from March 1 through August 31. ~~September 15 above the high tide waterline.~~

~~(f)(g) Trapping.~~ Subject to the restrictions contained in 15A NCAC 10B .0110, .0302, and .0303, and .0306 trapping of fur-bearing animals is permitted on any area designated and posted as a ~~wildlife conservation area~~ Wildlife Conservation Area during the applicable open seasons, except that trapping is prohibited:

- (1) on the Nona Pitt Hinson Cohen Wildlife Conservation Area in Richmond County; and
 - (2) in posted "safety zones" located on any Wildlife Conservation Area.
- (h) The following is prohibited on areas designated as Wildlife Conservation Areas or on their waters:
- (1) driving a motorized vehicle on any area posted against vehicular traffic;
 - (2) camping, unless designated by the landowner. On the coastal islands designated Wildlife Conservation Areas, camping is allowed except on those areas designated and posted as Waterbird Nesting Areas;
 - (3) swimming, except for the waters adjacent to coastal island Wildlife Conservation Areas;
 - (4) operating a vessel powered by internal combustion engine; and
 - (5) operating motorized land vehicles not licensed for highway use. Persons who have obtained a permit issued pursuant to G.S. 113-297 are exempt from this Rule but shall comply with permit conditions;
 - (6) open fires.

~~(g) Vehicular Traffic. No person shall drive a motorized vehicle on a road, trail or area posted against vehicular traffic or other than on roads maintained for vehicular use on any designated wildlife conservation area.~~

~~(h) Camping. No person shall camp on any designated wildlife conservation area except on an area designated by the landowner for camping. On the coastal islands designated wildlife conservation areas, camping is allowed except on those areas designated and posted as Colonial Waterbird Nesting Areas.~~

~~(i) Swimming. No person shall swim in the waters located on designated wildlife conservation areas, except that a person may swim in waters adjacent to coastal island wildlife conservation areas.~~

~~(j) Motorboats. No person shall operate any vessel powered by an internal combustion engine on the waters located on designated wildlife conservation areas.~~

~~(k) Non Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Wildlife Conservation Areas. Persons who have obtained a permit issued pursuant to G.S. 113-297 are exempt from this Rule but shall comply with permit conditions.~~

~~(l) It is unlawful to possess or consume any type of alcoholic beverage on public use areas of the Nona Pitt Hinson Cohen Wildlife Conservation Area.~~

~~(m)(i) It is unlawful to release animals or birds; domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes; and feral animals on conservation areas without prior written authorization of the Wildlife Resources Commission. Releasing animals or birds, domesticated animals, and feral animals on Wildlife Conservation Areas is prohibited except for:~~

- (1) hunting dogs and raptors when permitted for hunting and training purposes; or
- (2) with prior written authorization of the Wildlife Resources Commission.

~~(n)(j) Possession and removal. No living or dead nongame wildlife, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other materials may be possessed on or removed from ~~conservation~~ Wildlife Conservation areas Areas without written permission from the ~~Commission~~ Commission as specified in 15A NCAC 10J .0101. For purposes of this Rule, "other materials" includes all metals, minerals, rocks, soil, organic debris, buildings, fences, historic artifacts and water. Minimal amounts of animal parts, plant parts not removed from live plants, and other materials may be collected by hand and removed from Commission lands without written permission, except in violation of rules, general statutes, or federal law. Collection of animal parts, and plant parts not removed from live plants for commercial use or sale is prohibited. For purposes of this Subparagraph, "minimal amounts," are quantities that fit within a cubic foot of space, except for firewood to be used at posted camping areas. Minimal amounts of firewood are quantities sufficient to build and maintain a fire for the duration of the Wildlife Conservation Area user's stay at the campground.~~

History Note: Authority G.S. 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 113-296; 113-297; Eff. February 1, 1990; Amended Eff. January 1, 2013; January 1, 2012; August 1, 2010; May 1, 2007; May 1, 2006; June 1, 2005; Readopted Eff. August 1, 2023.