Please check “A” for agree or “D” for disagree for the proposals below. If you have no opinion do not check a box.

**INLAND FISHING**

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**WILDLIFE MANAGEMENT**

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**LAND AND WATER ACCESS**

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Additional comments can be written on the back of this form. Please tear off your form and place it in the comment box at the end of the hearing.
The N.C. Wildlife Resources Commission appreciates the investment of your time and thanks you for attending this public hearing to show your concern for fish and wildlife programs in North Carolina. We welcome your opinions and suggestions about these conservation programs.

All state regulatory agencies must follow certain procedures that govern how rules are adopted under the Administrative Procedure Act. Public notice is required and proposed regulations are published in the North Carolina Register. A 60-day comment period follows, which includes public hearings. These procedures are designed to give the proposed regulations wide public exposure and to offer the public opportunities to respond with support, opposition, or suggestions.

For fish, wildlife, and game land regulations, this process begins at the previous year’s hearings and continues throughout the year. We consider all suggestions presented during the past year as starting points for these proposed regulations. The proposals in this document reflect public, staff, and Commissioner input. The Commissioners approved these proposals for publication in the North Carolina Register and for presentation at these public hearings.

In February 2023, after considering comments from the public and consulting with staff, the Commission will make final decisions on these proposed regulations. The rules that are adopted will then be available in the N.C. Inland Fishing, Hunting and Trapping Regulations Digest for 2023–2024. The digest will be available on August 1, 2023 from your licensing agent and on eregulations.com/northcarolina.

We appreciate your participation and look forward to hearing your comments. With your help, we will provide the best possible fish and wildlife programs for your enjoyment today and in the future.

Sincerely,

Monty R. Crump, Chairman
N.C. Wildlife Resources Commission
THE RULE-MAKING PROCESS

Step 1: PROPOSALS
The public, Commission staff, Commissioners, conservation partners, and other stakeholders propose new or amended fishing, hunting, trapping, land management, and other regulations.

Step 2: PROPOSALS VETTED
Staff analyze and present proposals to the Executive Director for consideration.

Step 3: COMMISSION VOTES ON PROPOSALS
Proposals are presented to and reviewed by the Commission who then votes on the proposals to be noticed for public comment and presented at public hearings.

Step 4: PUBLIC COMMENTS ON PROPOSALS
The public submits comments on proposals online (ncwildlife.org), by e-mail (regulations@ncwildlife.org), letter, or in-person at public hearings.

Step 5: COMMISSIONERS REVIEW THE COMMENTS AND VOTE ON THE PROPOSALS.
All comments submitted during the comment period are reviewed and the Commissioners vote to adopt proposals as presented, adopt in a modified form, or reject the proposal.

Step 6: RULES ARE FILED
Adopted rules are filed with the Office of Administrative Hearings for approval. The Rules Review Commission approves or disapproves the rules as written.

Step 7: APPROVED RULES PUBLISHED
Approved rules are entered in the N.C. Administrative Code and added to the regulations digest.
Public Hearings

The Commission has been charged with managing North Carolina's wildlife resources since 1947. The General Assembly, through statute, declares which matters of fish, wildlife, and land management the N.C. Wildlife Resources Commission can regulate through rule. Rules are one means of managing resources to serve the recreational and economic interests of the state's citizens. We rely on the public's cooperation and assistance in this endeavor. Thus, we urge you to participate by commenting at a public hearing or submitting your comments in writing.

Hearing Procedures

Please review the proposals in this booklet when you arrive and complete the record form on the back if you wish to comment. During the hearing, a Commission official will ask for your comments, opinions, or suggestions. Your comments are welcome, and each will be considered. In the interest of time and fairness to others who want to speak, please be concise when commenting.

After the proposed changes in this booklet are presented, time will be allotted to comment on other matters of interest that you may want to present to the Commission for consideration. We earnestly solicit your input and ideas to improve regulations. We also ask you to remember that changing regulations in the N.C. Administrative Code can be a lengthy process that often takes more than one year to accomplish. These public hearings are, however, the proper starting point for your suggestions.

What Happens Next?

You are encouraged to speak at the public hearings or to write to the Commission, if you have recommendations. We will accept public input about proposed changes to the regulations until the close of the public comment period on Jan. 30, 2023.

A written record of all public comments will be compiled and reviewed by staff and the Commissioners. Your recommendations; biological information from field surveys; harvest records; changes in habitat, fish, and wildlife populations; breeding stocks; game lands use; and other conditions that affect wildlife, will all be considered.

Schedule for the 2023 Fishing, Hunting, and Trapping Public Hearings

Before you make final plans to attend, check the Commission's website (ncwildlife.org) for updates, including weather-related rescheduling.

Hearing Time: 7 p.m.

<table>
<thead>
<tr>
<th>Date</th>
<th>Region</th>
<th>City</th>
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<tbody>
<tr>
<td>Tues., Jan. 10</td>
<td>Coastal</td>
<td>New Bern</td>
<td>Craven Co. Courthouse District Courtroom #4</td>
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<td>Piedmont</td>
<td>Asheboro</td>
<td>Old Asheboro Courthouse</td>
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<td>Tues., Jan. 17</td>
<td>Mountains</td>
<td>Marion</td>
<td>McDowell Technical Community College, Cedar Building</td>
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<td>Thu., Jan. 19</td>
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<td>Virtual — Register online at ncrestumed.org/proposed-regulations</td>
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Limits to the N.C. Wildlife Resources Commission Rule-making Process

Some aspects of wildlife and fish management, hunting, fishing, trapping, and human/wildlife interaction are legislated directly. The N.C. Wildlife Resources Commission appreciates the interest of North Carolina’s sportsmen and sportswomen in the state’s wildlife resources and respectfully considers all suggestions.

Subscribe for N.C. Wildlife Resources Commission email updates on proposed rules and regulations at ncrestumed.org/subscribe.
Proposed Changes to Inland Fishing Regulations for 2023–2024

The following changes to the statewide inland fishing regulations are proposed by the N.C. Wildlife Resources Commission and are offered for your comments, opinions, or suggestions.

**Trout**

F1. Clarify that Grogan Creek, Cedar Rock Creek, and John Rock Branch in Transylvania County are closed to fishing. This proposal will not remove any water from Public Mountain Trout Waters.

**Justification:** The Bobby N. Setzer State Fish Hatchery has a water intake on Grogan Creek and fishing is prohibited in the Grogan Creek watershed to minimize human activity and reduce fine sediment input in the water supply. However, there are stream name discrepancies in this watershed on published maps. Some USGS topography maps refer to Grogan Creek as ‘Cedar Rock Creek’ or fail to clearly label the lower reaches before its confluence with the Davidson River. This proposal will include all local stream names in the rule to clarify that the entire watershed is closed to fishing.

F2. Reclassify the upper portion (approximately 1.25 miles) of Hatchery Supported Trout Waters on Dutch Creek in Watauga County to Wild Trout Waters. This proposal will not remove any water from Public Mountain Trout Waters (PMTW).

**Justification:** One of the primary landowners that provides public access to Dutch Creek has requested this section of stream be reclassified from Hatchery Supported to Wild Trout Waters as a condition to continue their participation in PMTW. NCWRC staff surveyed the stream and determined Wild Trout regulations would be appropriate. This change encourages continued participation by the landowner and improves management of the resource.

F3. Modify the upper boundary of Hatchery Supported Trout Waters on Peak Creek in Ashe County. The proposed reach will be from the upstream property boundary of NCDA-NCSU Upper Mountain Research Station to Trout Lake. This change will remove approximately 4.0 miles of water from Public Mountain Trout Waters.

**Justification:** The current designated reach of Hatchery Supported Trout Waters on Peak Creek includes several miles in the headwaters that are not stocked and are inaccessible. This section also includes an exempted portion on the Blue Ridge Parkway. Additionally, NCWRC staff assessed angler usage in this area and found it to be very limited. The proposed change will reduce angler confusion by fully eliminating the Blue Ridge Parkway exception, better reflect the areas that provide fishing opportunities, and protect wild Brook Trout in the upper watershed. Although the total distance of water that will be lost from the PMTW program is around 4.0 miles, less than half of that was accessible to be stocked.

The NCWRC established **NC Turn-In-Poachers (TIP)** program as a silent witness, anti-poaching program that encourages the public to report any suspicious activity or knowledge about poaching violations. The multi-optioned reporting system is available 24 hours a day, seven days a week, 365 days a year.

You can report a violation online at ncwildlife.org or by text. To submit an anonymous tip through text messaging, type WILDTIP and your message, then send it to 274637 (CRIMES on most cell phones). Message and data rates may apply. Texting WILDTIP removes all identifying information from a text so tips are completely anonymous unless senders want to identify themselves to claim a reward. Tipsters can also call 855-WILDTIP.

**NOTE:** This phone number is only for specific violations. For all other wildlife violations, questions, and concerns please call 800-662-7137.
F4. Reclassify following waters from Wild Trout/Natural Bait Waters to Wild Trout Waters:
- Hurricane Creek in Haywood County;
- the game land portion of Scotsman Creek in Jackson County;
- the game land portion of Tellico Creek in Macon County;
- the game land portion of Turtle Pond Creek in Macon County; and
- the game land portion of Big Creek in Madison County.

This proposal will not remove any water from Public Mountain Trout Waters.

Justification: The listed streams and their tributaries on game lands are currently classified as Wild Trout/Natural Bait. The Wild Trout/Natural Bait classification is similar to the game land default Wild Trout rules, except anglers are allowed to use natural bait. The natural bait exception is intended to diversify angler opportunity and experience; however, the listed streams are rarely used by anglers fishing with natural bait. Therefore, the Wild Trout/Natural Bait classification on these streams is unnecessarily adding complexity to Public Mountain Trout Waters regulations without enhancing the management of the resource.

Crappie

F5. Reduce the minimum size limit for crappie on B. Everett Jordan Reservoir from ten inches to eight inches.

Justification: The stock assessment in 2003 indicated that the crappie population in B. Everett Jordan Reservoir lacked older mature fish; therefore, a 10-inch minimum size limit was implemented to increase the number of older, mature fish in the population. Recent surveys have indicated that older, mature fish have reestablished throughout the population. These data indicate that the 10-inch minimum size limit is no longer warranted for the population. The reduction of the size limit will allow anglers to harvest fish at a smaller size which may slightly increase harvest though the daily creel limit of 20 fish per angler will remain.

Striped Bass

F6. Establish an 18-inch minimum size limit and 2-fish daily creel limit for Striped Bass in the Cape Fear River and its tributaries upstream of Lock and Dam 1 to Buckhorn Dam. The harvest season will be March 1 to April 30.

Justification: Despite a harvest moratorium since 2008, the Cape Fear River Striped Bass population remains completely hatchery supported with limited natural reproduction. For Amendment 2 to the NC Estuarine Striped Bass Fishery Management Plan, the NCWRC-preferred management option was to allow limited harvest throughout the Cape Fear River. The Division of Marine Fisheries and Marine Fisheries Commission have recommended maintaining the harvest moratorium in joint or coastal fishing waters. Therefore, a limited harvest season in the inland fishing waters is proposed to allow increased angling opportunity for this hatchery-supported fishery.

F7. Modify the size limit of Striped Bass on the Roanoke River and its tributaries by prohibiting the possession of fish larger than 22 inches. The minimum size limit will remain 18 inches.

Justification: The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is occurring. While cooperating with the Division of Marine Fisheries on Amendment 2 to the NC Estuarine Striped Bass Fisheries Management Plan, both agencies determined that rebuilding the population and expanding the age structure to include larger and older fish was critical. The proposed regulation change will provide protection to older, larger fish. Striped Bass creel data from the Roanoke River show limited harvest of fish greater than 27 inches compared to smaller sizes.

Manner of Take

F8. Require the use of barbless circle hooks when using live or natural bait in the inland fishing waters of the Roanoke River upstream of U.S. 258 bridge from April 1 to June 30. With all other tackle, only a single barbless hook may be used.

Justification: The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is occurring. In cooperation with Division of Marine Fisheries and the Fisheries Management Plan development team, fisheries staff has identified the reduction of catch and release mortality as management tool for the rebuilding of the stock. The use of barbless circle hooks will reduce the number of dead discards when anglers are using live or natural bait. In 2018, creel clerks on the Roanoke River asked anglers that were fishing in inland waters if “they supported a rule that would require the use of circle hooks when using live or cut bait”. Support for the use of circle hooks was 79% (162 of 206), while 21% (N=44) opposed.

Trotlines, Jug Hooks, and Set Hooks

F9. Prohibit the use of trotlines, jug hooks, and set hooks in inland fishing waters of the Roanoke River from April 1 to June 30.

Justification: The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is occurring. In cooperation with Division of Marine Fisheries and the Fisheries Management Plan development team, fisheries staff has identified the reduction of catch and release mortality as management tool for the rebuilding of the stock. The use of barbless circle hooks when anglers are using live or natural bait or only single barbless hooks on all other tackle from April 1–June 30 will reduce the number of dead discards. The prohibition of trotlines, set hooks, and jug hooks during this time will also help reduce mortality and will be consistent with the circle hook and single barbless hook restrictions.
Proposed Changes to Wildlife Management Regulations for 2023–2024

The following changes to the statewide wildlife management regulations are proposed by the N.C. Wildlife Resources Commission and are offered for your comments, opinions, or suggestions.

Trapping

H1. Define conibear® and conibear®-type trap, box trap, bodygrip, and cage trap. Clarify that a weather-resistant permanent tag must be attached on Collarum™-type traps, snares, boxes, and cage traps, as is required for foothold and body-gripping traps. Repeal 10B .0110 and adopt 10B .0306 to keep all trapping regulations together in the Code.

Justification: These changes are necessary to reduce regulatory complexity and confusion among trappers. Requiring traps to have identifying tags will aid in enforcement. These changes will not impact furbearer populations.

H2. Change the start date of the statewide regulated trapping season from November 1 to October 1.

Justification: Adding an additional month to the regulated trapping season will allow more opportunities to trap furbearers and non-game (armadillo, coyote, groundhog) species on both private lands and Game Lands. Fur can be in prime condition in October, allowing the pelt to be used. These populations are abundant and additional trapping is sustainable.

Deer & Elk

H3. Require authorization from the Commission to possess or transport elk that are killed accidentally or found dead.

Justification: It is important that the Commission sample elk killed by accident or found dead for disease surveillance and population monitoring, while providing opportunity for possession by the public when appropriate. Given the size of elk, the proximity to traffic, and the possibility of elk having anesthesia drugs in their system it is generally inappropriate for the public to retrieve dead elk and possibly consume them without contacting Agency staff.

H4. Increase either-sex seasons on private lands in the following counties in the Western and Northwestern Zones:
- Madison county will increase from a 1-day “introductory” to a 6-day “conservative” season (opening day through 1st Sat.)
- Burke, Yancey, Mitchell, Avery, and Caldwell counties will increase from a 6-day “conservative” to a 13-day “moderate” season (opening day through 2nd Sat.)
- Polk, Rutherford, and Cleveland counties will increase from a 2-week “moderate” to a 4-week season (opening day through 4th Saturday)

Justification: The harvest objective of at least 1.0 antlered buck / square mile is being met on private lands in these counties and continued herd growth is expected. Additional antlerless harvest is sustainable and will provide hunters with additional opportunity as well as help balance the buck to doe ratio.

Quail

H5. Allow landowners to remove raccoons, striped skunks, opossums, and armadillos throughout the entire nesting season on Wild Quail Management Areas.

Justification: Quail are a Species of Greatest Conservation Need in the NCWRC Wildlife Action Plan. Research has shown that in areas with excellent habitat, as is required for Wild Quail Management Areas, quail populations can increase by removing these nest predators throughout the nesting season. Currently, landowners on Wild Quail Management Areas are only allowed to remove nest predators during the early portion of the nesting season, with no provision to remove armadillos at that time.

Alligator Control Agents

H6. Amend Alligator Control Agent (ACA) Eligibility and Requirements rule to prohibit the use of equipment used in captive facilities or on captive alligators in ACA operations.

Justification: This change will better protect native alligators from diseases that may be unintentionally introduced by equipment or handling of captive alligators. Disease mortality can be significant, and these diseases have been documented in other states in both wild and captive alligators.

Wildlife Conservation Areas

H7. Define terms used throughout Wildlife Conservation Area rules.

Justification: Currently, rule language references terms that are defined only in Subchapter 10D where they apply only to specific subsections.

H8. Change the dates of restricted access on portions of Wildlife Conservation Areas that are posted as Waterbird Nesting Areas from April 1 through August 31, to March 1 through September 15. Prohibit open fires on Wildlife Conservation Areas and reformat the rule for clarity.

Justification: Data from the NCWRC and partners show that disturbance to waterbirds during territory establishment, nesting, incubating, and chick-rear- ing occurs earlier and later than the current restricted access period. These breeding activities have been documented from late February through mid-September. Several waterbirds and herpetofauna using Wildlife Conservation Areas for nesting are state listed endangered, threatened, or special concern species; therefore, it is imperative that their populations are protected during this critical time. In addition, restricting open fires was extended to all Wildlife Conservation Areas for resource protection and safety.
Proposed Changes to Land and Water Access Regulations for 2023–2024

The following changes to land and water access regulations are proposed by the N.C. Wildlife Resources Commission and are offered for your comments, opinions, or suggestions.

General Regulations for Game Lands

G1. Expand the number of running days on the J. Robert Gordon Field Trial Area from 16 to 20 days per month. Expand the maximum consecutive running days from 4 to 5 if the total running days for the month do not exceed 20 days. Increase fees for use of the Field Trial facilities.

**Justification:** The number of running dates on the Field Trial grounds were historically limited by the North Carolina Field Trial Association (NCFTA) to reduce pressure on wild quail. Since the NCFTA uses exclusively pen raised quail, they are requesting additional available running dates with minimal anticipated increase in bird pressure. Fee increases are proposed to better reflect costs associated with planting, mowing, grading, and other management activities in the field trial area.

G2. Restrict the number of consecutive night stays in posted camping areas where WRC is the primary custodian to 14 in a 30-day period. Also require a game lands use license for all campers 16 years of age and older.

**Justification:** All Wildlife Resources Commission designated camping areas are primitive, relatively small, and can only accommodate a small number of campers at a time. These camping areas are designed for short term use by hunters. They are not meant for long term use or use as a residence. The 14-day limit and the restricted time frame detailed in the individual game lands would alleviate potential misuse or overuse of these camping areas.

G3. Allow for the use of all-terrain wheelchairs, including track chairs on game lands by disabled license holders and access program permittees.

**Justification:** The current rule does not allow use of motorized track chairs on game lands. By allowing all-terrain wheelchairs, disabled users will have additional options for greater access and use of game lands.

G4. Clarify that falconry is allowed on Sundays on six-day a week game lands.

**Justification:** A technical omission was made when seven-day per week and four-day per week game lands were added.

G5. Allow hunting on Labor Day, Veterans Day, Christmas, New Years, and Martin Luther King Day on four days per week game lands and on three days per week game lands when these holidays do not fall on a Sunday.

**Justification:** The omission of these holidays on closed days on three and four days per week game lands was a technical error when these definitions were added.

G6. Add the definition of “either-sex” to mean antlered or antlerless.

**Justification:** Harvest is not regulated based on sex or gender, but instead on whether a deer is antlered or not. Current language is antiquated and inconsistent with deer management terminology in the southeast. This change makes rules consistent with the terminology used on the Big Game Harvest Report Card and in the regulations digest.

G7. Add “youth” to special permit hunt opportunities that may be designated by the Commission.

**Justification:** Currently the NCWRC permits three specific youth hunts during the archery season which allow the use of firearms. This amendment will clarify the Commission’s ability to create hunt opportunities during closed days, or closed season on specific game lands and in turn allows more opportunity for youth hunters.

G8. Clarify what materials can be removed from game lands and when written permission is required for removal. Include definition of archeological resources and require written permission from the Commission and a permit from the Department of Natural and Cultural Resources to collect and possess what would be considered an archeological resource. The rule has also been reformatted for clarity.

**Justification:** The current rule does not define archeological resources and when they can be collected. The Department of Natural and Cultural Resources has regulations in place and the WRC rule needs to reflect that. This clearly lays out for law enforcement when they can charge someone for taking archaeological resources from game lands.

Individual Game Lands

G9. Remove the restriction on centerfire rifle hunting in that portion of Anson and Richmond counties North of US-74.

**Justification:** Aligns regulations with rest of the Pee Dee River GL.


**Justification:** Opportunities currently exist for target shooting at alternative sites appropriately constructed and monitored to provide a safe environment for participants. Rocky Run Game Land is within 31 miles of the Holly Shelter shooting range. Additionally, there are two private ranges within 20 miles and the Camp Lejeune recreational shooting facility is within 20 miles. This change is consistent with other game lands where target shooting is prohibited within an acceptable radius of shooting ranges. The game land has one access road and one parking area. Target shooting at this site routinely occurs at or near this parking area, which increases potential conflict between hunters and target shooters.

G11. Align hunting dates and horseback riding dates on the J. Robert Gordon Field Trial Area to changes proposed in 15A NCAC 10D .0102.

**Justification:** The NCFTA requested changes to the hunting and horseback riding dates on the J. Robert Gordon Field Trial Area. This change aligns with proposal 1. Moving to the floating start date should allow additional hunting dates on the game land.
### Deer Seasons

**Locations**

**Type of Season and Dates**

<table>
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<th>Blackpowder:</th>
<th>Gun:</th>
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<td>Sept. 4 – Nov. 17, 2023</td>
<td>Nov. 18, 2023 – Jan. 1, 2024</td>
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**Gun: Either-Sex Seasons**

- **1-Day “Introductory” Season:** First open Saturday of the applicable gun season.
- **6-Day “Conservative” Season:** First 6 open days of the applicable gun season.
- **2-Week “Moderate” Season:** First 14 open days of the applicable gun season.
- **Maximum Season:** All open days of the applicable gun season.

**Blackpowder: Either-Sex Seasons**

- **No Either-Sex Gun Season:** No either-sex gun season.
- **1-Day “Introductory” Season:** Opening day through first Saturday thereafter of the applicable blackpowder season.
- **6-Day “Conservative” Season:** First 6 open days of the applicable blackpowder season.
- **2-Week “Moderate” Season:** All open days of the applicable blackpowder season.
- **Maximum Season:** All open days of the applicable blackpowder season.

**Urban Deer Season**

(open in participating cities only; see regulations digest for list and contact information)  

- **Archery Only:**  
  Jan. 13 – Feb. 18, 2024
Preserve Your Life

Don’t be a statistic.
ALWAYS WEAR YOUR LIFE JACKET.

For more information on life jacket safety, visit ncwildlife.org/PreserveYourLife

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North Carolina Wildlife Resources Commission
1701 Mail Service Center, Raleigh, NC 27699-1701

Inland Fisheries Division 919-707-0220
Wildlife Management Division 919-707-0050
Land and Water Access Division 919-707-0150
N.C. Wildlife Helpline 866-318-2401
Report Wildlife Violations 800-662-7137
Turn In Poachers (NCWILDTIP) 855-945-3847

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COVER PHOTO BY MELISSA MCGOW/NCWRC
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