

1 Note: The Wildlife Resources Commission requests the addition of a new section to Subchapter 10B of Chapter 10 of
2 Title 15A of the Administrative Code to be titled as follows: Section .0500 Chronic Wasting Disease Management.

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4 15A NCAC 10B .0501 is adopted under temporary procedures as follows:

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6 **15A NCAC 10B .0501 DEFINITIONS AND GENERAL REQUIREMENTS**

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

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

- 10 (1) "Cervid" means ~~all~~ ~~the~~ animals in the Family Cervidae not otherwise regulated by the NC
11 Department of Agriculture and Consumer Services.
- 12 (2) "Cervid Health Cooperator" means an individual authorized to collect CWD samples on behalf
13 of the Commission.
- 14 (3) "Chronic Wasting Disease" or "CWD" means the transmissible spongiform encephalopathy prion
15 disease affecting species within the deer (Cervidae) Family.
- 16 (4) "CWD Management Area" means the area delineated by the Commission where CWD has been
17 determined to be endemic and the rules of this Section apply.
- 18 (5) "Primary Surveillance Area" or "PSA" means a county delineated by the Commission for
19 CWD surveillance where a confirmed CWD positive cervid has been found.
- 20 (6) "Sample" means the cervid head and ~~at least~~ ~~no less than~~ three inches of the neck.
- 21 (7) "Secondary Surveillance Area" or "SSA" means a county adjacent to or near a PSA delineated
22 by the Commission for CWD surveillance.
- 23 (8) "Submit" means to deliver a sample to a cervid health cooperator or qualified Commission
24 employee or deposit in a Commission CWD Testing Drop-off Station.
- 25 (9) "Surveillance Area" means the PSA and SSA collectively.

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27 History Note: Authority G.S. 113-134; 113-306;
28 Temporary Adoption Eff. July 1, 2023.

1 15A NCAC 10B .0502 is adopted under temporary procedures as follows:
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3 **15A NCAC 10B .0502 CWD SURVEILLANCE AREAS DEFINED**

4 (a) The following Counties are Primary Surveillance Areas:

- 5 (1) Cumberland County;
- 6 (2) Stokes County;
- 7 (3) Surry County;
- 8 (4) Wilkes County; and
- 9 (5) Yadkin County.

10 (b) The following Counties are Secondary Surveillance Areas:

- 11 (1) Alexander County;
- 12 (2) Alleghany County;
- 13 (3) Ashe County;
- 14 (4) Bladen County;
- 15 (5) Davie County;
- 16 (6) Forsyth County;
- 17 (7) Guilford County;
- 18 (8) Harnett County;
- 19 (9) Hoke County;
- 20 (10) Iredell County;
- 21 (11) Robeson County;
- 22 (12) Rockingham County; and
- 23 (13) Sampson County.

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25 History Note: Authority G.S. 113-134; 113-306;
26 Temporary Adoption Eff. July 1, 2023.
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1 15A NCAC 10B .0503 is amended under temporary procedures as follows:

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3 **15A NCAC 10B .0503 SURVEILLANCE AREA**

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

10 (b) White-tailed deer fawn rehabilitation is prohibited in a Surveillance Area.

11 (c) White-tailed deer fawns originating from within a Surveillance Area shall not be transported outside the
12 Surveillance Area.

13 (d) No cervid carcass or carcass parts originating from inside a Primary Surveillance Area or Secondary
14 Surveillance Area shall be transported outside of the county of origin, except:

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

- 17 (1) meat that has been boned out [such] so that no pieces or fragments of bone remain;
- 18 (2) caped hides with no part of the skull or spinal column attached;
- 19 (3) antlers, antlers attached to cleaned skull plates, or skulls free from meat or brain tissue;
- 20 (4) cleaned lower jawbones with teeth or cleaned teeth;
- 21 (5) finished taxidermy products and tanned hides; and
- 22 (6) carcass or carcass parts permitted by the Commission for disposal outside of the Surveillance Area.
- 23 (7) carcass or carcass parts originating inside a PSA may be transported into contiguous PSA(s) or
24 outside of the PSA as specified in Subparagraphs (d)(1) through (6) of this Rule; and
- 25 (8) carcass or carcass parts originating inside a SSA may be transported into contiguous SSA(s) or
26 PSA(s) or outside of the SSA as specified in Subparagraphs (d)(1) through (6) of this Rule.

27 (e) White tailed deer fawn rehabilitation is prohibited in a Surveillance Area.

28 (d) White tailed deer fawns originating from within a Surveillance Area shall not be transported outside the
29 Surveillance area.

30 (e) No person shall possess or use [any] a substance or material that contains or is labeled as containing any excretion
31 collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid for the purposes of taking or
32 attempting to take, attracting, or scouting wildlife inside a surveillance area. This prohibition shall not apply to the
33 following substances:

- 34 (1) products labeled as containing synthetic analogs of cervid [excretions and labeled as such];
35 excretions;

- 1 (2) natural substances ~~labeled as being~~ collected from facilities within North Carolina that have a valid
2 Farmed Cervid License from the North Carolina Department of Agriculture and Consumer ~~Services~~
3 ~~and are labeled as such;~~ Services;
- 4 (3) natural deer urine products ~~labeled as~~ containing excretions from facilities within North Carolina
5 that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and
6 Consumer ~~Services and are labeled as such;~~ Services; and
- 7 (4) natural deer urine products ~~labeled as~~ containing excretions from facilities that meet all the
8 following ~~requirements and are labeled as such;~~ requirements:
- 9 (A) determined to be free of chronic wasting disease (CWD) based on testing by an
10 independent laboratory using a method that may help detect the presence of CWD prions;
- 11 (B) complies with a federally approved CWD herd certification program and any federal CWD
12 protocols; and
- 13 (C) participates in additional herd management requirements as specified by the Wildlife
14 Resources Commission.

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16 *History Note:* Authority G.S. 113-134; 113-306;
17 Temporary Adoption Eff. July 1, 2023.

1 15A NCAC 10B .0504 is adopted under temporary procedures as follows:

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3 **15A NCAC 10B .0504 PRIMARY SURVEILLANCE AREA**

4 (a) [Any] A hunter who harvests a cervid from the Saturday prior to Thanksgiving through the 3rd Sunday
5 thereafter in PSA counties listed in Rule 10B .0203(a)(1)(C) or (E) of this Subchapter shall submit a sample from
6 that cervid [no] not later than [2] two weeks following the harvest for CWD testing.

7 (b) [Any] A hunter who harvests a cervid from the Saturday 12 days prior to Thanksgiving Day through the 3rd
8 Sunday thereafter in PSA counties listed in Rule 10B .0203(a)(1)(A) or (B) of this Subchapter shall submit a
9 sample from that cervid [no] not later than [2] two weeks following the harvest for CWD testing.

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

12 *Temporary Adoption Eff. July 1, 2023.*

1 15A NCAC 10B .0505 is adopted under temporary procedures as follows:

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3 **15A NCAC 10B .0505 SECONDARY SURVEILLANCE AREA**

4 (a) [Any] A hunter who harvests a cervid from the Saturday prior to Thanksgiving through the 3rd Sunday
5 thereafter in SSA counties listed in Rule 10B .0203(a)(1)(C) or (E) of this Subchapter shall submit a sample from
6 that cervid [no] not later than [2] two weeks following the harvest for CWD testing.

7 (b) [Any] A hunter who harvests a cervid from the Saturday 12 days prior to Thanksgiving Day through the 3rd
8 Sunday thereafter in SSA counties listed in Rule 10B .0203(a)(1)(A) or (B) of this Subchapter shall submit a
9 sample from that cervid [no] not later than [2] two weeks following the harvest for CWD testing.

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

12 *Temporary Adoption Eff. July 1, 2023.*