

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0502

DEADLINE FOR RECEIPT: November 13, 2025

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Rule name and Line 4, spell out "CWD" and add "(CWD)" either in the Rule name or the first time it's used in the body of the Rule.

Line 11, add "of this Subchapter" after ".0503".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10B .0502 is adopted as published in 40:02 NCR 229 as follows:

2
3 **15A NCAC 10B .0502 CWD SURVEILLANCE AREAS ~~DEFINED~~ MANAGEMENT AREAS**

4 (a) The following counties are CWD Management Areas:

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

11 (b) Prohibitions specified in Rule .0503 apply to the counties identified in Paragraph (a) of this Rule.

12 (c) Open seasons for hunting deer are as follows:

- 13 (1) Special Early Season. Deer with antlers or spikes protruding through the skin, as distinguished
14 from knobs or buttons covered by skin, may be taken on the fourth Saturday in August and the
15 Sunday immediately following with a lawful weapon, including on game lands unless otherwise
16 specified in the rules of 15A NCAC 10D .0200.
17 (2) All Lawful Weapons.
18 (A) Antlered or Antlerless deer may be taken in Forsyth, Stokes, Surry, Wilkes, and Yadkin
19 counties two Saturdays before Thanksgiving Day through January 1, including on game
20 lands unless otherwise specified in the rules of 15A NCAC 10D .0200.
21 (B) Antlered or Antlerless deer may be taken in Cumberland County the Saturday on or
22 nearest October 15 through January 1, including on game lands unless otherwise
23 specified in the rules of 15A NCAC 10D .0200.
24 (3) Archery Seasons. Antlered or Antlerless deer may be taken with archery equipment as authorized
25 in 15A NCAC 10B .0116 on the Saturday on or nearest September 10 through the day
26 immediately preceding the first open day of the Blackpowder Firearms Season described in
27 Subparagraph (c)(4) of this Rule.
28 (4) Blackpowder Firearms Seasons. Antlered or Antlerless deer may be taken with archery equipment
29 as authorized in 15A NCAC 10B .0116, and blackpowder firearms as defined in 15A NCAC 10B
30 .0203(c)(3), from two Saturdays preceding the first day of the All Lawful Weapons Season
31 described in Subparagraph (c)(2) of this Rule through the second Friday thereafter, including on
32 game lands unless otherwise specified in the rules of 15A NCAC 10D .0200.

33 (d) Seasons, bag limits, and programs specified in paragraphs (d) through (g) of Rule 10B .0203 of this Subchapter
34 shall apply in the counties identified in Paragraph (a) of this Rule.

35
36 *History Note:* *Authority G.S. 113-134; 113-306;*
37 *Temporary Adoption Eff. July 1, 2022;*

1 *Temporary Adoption Eff. July 1, 2023;*
2 *Temporary Adoption Expired Eff. April 12, ~~2024~~, 2024;*
3 *Eff. August 1, 2026.*
4

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0503

DEADLINE FOR RECEIPT: November 13, 2025

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Page 1, Line 4 and elsewhere: Should "surveillance area" be capitalized as one done on lines 6 and 13? Is "surveillance area" defined? If so, please cite where it's defined.

Line 11: Replace "may be" with "is".

Line 28: Make "fluid" plural and make "purposes" singular.

Page 2, Line 4: What is an "independent laboratory"? Consider replacing "may help" with "is designed". Also, what are "prions" and where is it defined? Are "prions" generally understood by the regulated community?

Line 5: Where can the public find "a federally approved CWD herd certification program and any federal CWD protocols" be found? Which agency or entity "federally approves" the programs and protocols?

Lines 7-8: How does the WRC decide if "additional management requirements" are necessary?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10B .0503 is amended as published in 40:02 NCR 229 as follows:

2
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 inside a Surveillance Area, except that:

- 7 (1) bird feeders specifically designed for nongame birds shall be allowed;
8 (2) placement of bait, food, or food products to hunt during the urban archery season shall be allowed
9 within the established season in participating municipalities; and
10 (3) the placement of food specifically permitted by the Commission for scientific research, population
11 management, and wildlife control may be allowed.

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

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

15 ~~(d) No cervid carcass or carcass parts originating from inside a Primary Surveillance Area (PSA) or Secondary~~
16 ~~Surveillance Area (SSA) shall be transported outside of the county of origin, except:~~

- 17 ~~(1) meat that has been boned out 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;~~
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 county may be transported into contiguous PSA~~
24 ~~counties; and~~
25 ~~(8) carcass or carcass parts originating inside a SSA county may be transported into contiguous SSA or~~
26 ~~PSA counties.~~

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

- 31 (1) products labeled as containing synthetic analogs of cervid excretions;
32 (2) natural substances labeled as being collected from facilities within North Carolina that have a valid
33 Farmed Cervid License from the North Carolina Department of Agriculture and Services;
34 (3) natural deer urine products labeled as containing excretions from facilities within North Carolina
35 that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and
36 Consumer Services; and

- 1 (4) natural deer urine products labeled as containing excretions from facilities that meet all the
2 following requirements:
- 3 (A) determined to be free of Chronic Wasting Disease (CWD) based on testing by an
4 independent laboratory using a method that may help detect the presence of CWD prions;
- 5 (B) complies with a federally approved CWD herd certification program and any federal CWD
6 protocols; and
- 7 (C) participates in additional herd management requirements as specified by the Wildlife
8 Resources Commission.
9

10 *History Note: Authority G.S. 113-134; 113-306;*
11 *Temporary Adoption Eff. July 1, 2022;*
12 *Emergency Adoption Eff. September 1, 2022;*
13 *Temporary Adoption Eff. November 29, 2022;*
14 *Temporary Adoption Eff. July 1, 2023;*
15 *Eff. January 1, ~~2024~~. 2024;*
16 *Amended Eff. August 1, 2026.*
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18

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0504

DEADLINE FOR RECEIPT: November 13, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 6: What is "lined landfill" and where is it defined? Is "lined landfill" generally understood by the regulated community?

Line 8: What does "lawfully left on the ground" mean? Please cite the applicable rule(s) or law(s).

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10B .0504 is adopted as published in 40:02 NCR 230 as follows:

2
3 **15A NCAC 10B .0504 ~~PRIMARY SURVEILLANCE AREA~~ DISPOSAL OF CERVID CARCASSES**

4 (a) The final disposition of non-edible portions of cervid carcasses and carcass parts originating from North Carolina
5 shall be:

6 (1) in a lined landfill;

7 (2) buried 3 feet below ground and 300 feet from a waterbody; or

8 (3) lawfully left on the ground within the county of origin.

9 (b) This section shall not apply to cervid carcass parts that are lawful to possess pursuant to Rule .0124 of this

10 Subchapter.

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

13 *Temporary Adoption Eff. July 2, 2022;*

14 *Temporary Adoption Eff. July 1, 2023;*

15 *Temporary Adoption Expired Eff. April 12, ~~2024~~, 2024;*

16 *Eff. August 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0205

DEADLINE FOR RECEIPT: November 13, 2025

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Line 4: What are “manners of take” and where is it defined? Are “manners of take” generally understood by the regulated community?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10C .0205 is amended as published in 40:02 NCR 230 as follows:

2
3 **15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS**

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

- 5 (1) "Natural bait" means a living or dead plant or animal, or parts thereof, or prepared substances
6 designed to attract fish by the sense of taste or smell.
7 (2) "Single hook" means a fish hook with only one point.
8 (3) "Artificial lure" means a fishing lure that neither contains nor has been treated by a substance that
9 attracts fish by the sense of taste or smell.
10 (4) "Artificial fly" means one single hook dressed with feathers, hair, thread, tinsel, rubber, or a similar
11 material to which no additional hook, spinner, spoon, or similar device is added.
12 ~~(5) "Youth anglers" are individuals under 16 years of age.~~

13 (b) For purposes of this Rule, 15A NCAC 10C .0316, and 15A NCAC 10D .0104, the following classifications and
14 restrictions apply:

- 15 (1) "Public Mountain Trout Waters" are the waters included in Paragraph (d) of this Rule and those
16 designated in 15A NCAC 10D .0104.
17 (2) "Catch and Release Artificial Flies and Lures Only Trout Waters" are Public Mountain Trout Waters
18 where only artificial flies and lures having one single hook may be used. ~~No trout may be possessed~~
19 ~~or harvested while fishing these streams.~~ Waters with this designation include tributaries unless
20 otherwise noted.
21 (3) "Delayed Harvest Trout Waters" are Public Mountain Trout Waters where between October 1 and
22 one-half hour after sunset on the Friday before the first Saturday of the following June, it is unlawful
23 to possess natural ~~bait, bait or~~ use more than one single hook on an artificial lure. ~~lure, or harvest or~~
24 ~~possess trout while fishing. From 6:00 a.m. until noon on the first Saturday in June, only youth~~
25 ~~anglers may fish and these waters have no bait or lure restrictions. From noon on the first Saturday~~
26 ~~in June until September 30, October 1,~~ anglers may fish these waters with no bait or lure restrictions.
27 Waters with this designation do not include tributaries unless otherwise noted.
28 (4) "Hatchery Supported Trout Waters" are Public Mountain Trout Waters that have no bait or lure
29 restrictions. Waters with this designation do not include tributaries unless otherwise noted. Fishing
30 is prohibited from March 1 until 7 a.m. on the first Saturday in April, except in the impounded
31 waters of the following reservoirs:

- 32 (A) Bear Creek Lake;
33 (B) Buckeye Creek Reservoir;
34 (C) Calderwood Reservoir;
35 (D) Cedar Cliff Lake;
36 (E) Cheoah Reservoir;
37 (F) Cliffside Lake;

- (G) Cullowhee Dam Impoundment, from the S.R. 1731 bridge downstream to the Cullowhee Dam;
- (H) Tanassee Creek Lake;
- (I) Queens Creek Lake; and
- (J) Wolf Lake.
- (5) "Special Regulation Trout Waters" are Public Mountain Trout Waters where watercourse-specific regulations apply. Waters with this designation do not include tributaries unless otherwise noted.
- (6) "Wild Trout Waters" are Public Mountain Trout Waters identified 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 with this designation do not include tributaries unless otherwise noted.
- (7) "Undesignated Waters" are the 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 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 designated in 15A NCAC 10D .0104, unless otherwise indicated in this Paragraph. The other waters are classified as Undesignated Waters.
- (1) Alleghany
- (A) Hatchery Supported Trout Waters are as follows:
- Big Pine Creek
- Bledsoe Creek
- Brush Creek from the N.C. 21 bridge to the confluence with the Little River, except where posted against trespassing
- Cranberry Creek
- Glade Creek
- Little River from 400 yards upstream of the S.R. 1128 bridge, marked by a sign on each bank, to McCann Dam
- Meadow Fork
- Pine Swamp Creek
- Piney Fork
- Prathers Creek
- (B) Wild Trout Waters are as follows:
- The 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 from the Virginia state line to Mud Creek at S.R. 1363, excluding tributaries

- (B) Delayed Harvest Trout Waters are as follows:
- Big Horse Creek from the S.R. 1324 bridge to the North Fork New River
 - Helton Creek from 900 yards upstream of the S.R. 1372 bridge, marked by a sign on both banks to a point adjacent to intersection of N.C. 16 and S.R. 1536
 - South Fork New River from the upstream end of Todd Island to the S.R. 1351 bridge
 - Trout Lake
- (C) Hatchery Supported Trout Waters are as follows:
- Beaver Creek from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek
 - Big Horse Creek from Mud Creek at S.R. 1363 to the S.R. 1324 bridge
 - Big Laurel Creek from the S.R. 1315 bridge to the confluence with the North Fork New River
 - Buffalo Creek from the S.R. 1133 bridge to the N.C. 194-88 bridge
 - Cranberry Creek from the Alleghany Co. line to the South Fork New River
 - Nathans Creek
 - North Fork New River from the Watauga Co. line to Sharp Dam
 - Old Fields Creek from N.C. 221 to the South Fork New River
 - Peak Creek from the upper boundary of the NCDA-NCSU Upper Mountain Research Station to Trout 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, the portion on Lees-McRae College property, excluding the millpond
 - Lost Cove Creek, the game land portion, excluding Gragg Prong and Rockhouse Creek
 - Wilson Creek, the game land portion
- (B) Hatchery Supported Trout Waters are as follows:
- Boyde Coffey Lake
 - Elk River from the S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state line
 - Linville River from S.R. 1504 to the Blue Ridge Parkway boundary line, except where posted against trespassing
 - Milltimber Creek
 - North Toe River from Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park, except where posted against trespassing
 - North Toe River from S.R. 1164 to Mitchell Co. line, except where posted against trespassing
 - Squirrel Creek

- 1 Wildcat Lake
- 2 (C) Wild Trout Waters are as follows:
- 3 Birchfield Creek
- 4 Cow Camp Creek
- 5 Cranberry Creek from the headwaters to the U.S. 19E, N.C. 194, bridge
- 6 Gragg Prong
- 7 Horse Creek
- 8 Kentucky Creek
- 9 North Harper Creek
- 10 Plumtree Creek
- 11 Roaring Creek
- 12 Rockhouse Creek
- 13 Shawneehaw Creek, the portion adjacent to Banner Elk Greenway
- 14 South Harper Creek
- 15 Webb Prong
- 16 (4) Buncombe County
- 17 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 18 Carter Creek, the game land portion
- 19 (B) Hatchery Supported Trout Waters are as follows:
- 20 Bent Creek from ~~the headwaters~~ Rich Branch to the N.C. Arboretum boundary line
- 21 Cane Creek from ~~the headwaters~~ S.R. 2785 bridge to the S.R. 3138 bridge
- 22 ~~Corner Rock Creek from Little Andy Creek to the confluence with Walker Branch~~
- 23 Dillingham Creek from Corner Rock Creek to Ivy Creek
- 24 Ivy Creek from Dillingham Creek to the U.S. 19-23 bridge
- 25 Lake Powhatan
- 26 Reems Creek from Sugar Camp Fork to the U.S. 19-23 bridge, except where posted against
- 27 trespassing
- 28 ~~Rich Branch from downstream of the confluence with Rocky Branch~~
- 29 Stony Creek from the confluence of Carter Creek and Mineral Creek downstream to
- 30 Dillingham Creek
- 31 Swannanoa from ~~the S.R. 2702 bridge near Ridgecrest~~ River Walk Park in Black Mountain
- 32 to the Wood Avenue bridge, at the intersection of N.C. 81 and U.S. 74A in Asheville,
- 33 except where posted against trespassing
- 34 (5) Burke County
- 35 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 36 Henry Fork, the portion on South Mountains State Park
- 37 (B) Delayed Harvest Trout Waters are as follows:

- 1 Jacob Fork from Shinny Creek to the lower South Mountains State Park boundary
- 2 (C) Hatchery Supported Trout Waters are as follows:
- 3 Carroll Creek, the game land portion above S.R. 1405
- 4 ~~Henry Fork from the lower South Mountain State Park line to S.R. 1919 at Ivy Creek~~
- 5 Linville River, ~~the portion within Linville Gorge Wilderness area and~~ the portion below
- 6 Lake James powerhouse from the upstream bridge on S.R. 1223 to Muddy Creek
- 7 (D) Special Regulation Trout Waters are as follows:
- 8 Catawba River from Muddy Creek to the City of Morganton water intake dam
- 9 (E) Wild Trout Waters are as follows:
- 10 The waters located on South Mountains State Park, except those waters identified in Parts
- 11 (A) and (B) of this Subparagraph
- 12 (6) Caldwell County
- 13 (A) Delayed Harvest Trout Waters are as follows:
- 14 Wilson Creek, the game land portion below Lost Cove Creek to Philips Branch
- 15 (B) Hatchery Supported Trout Waters are as follows:
- 16 Boone Fork Pond
- 17 Buffalo Creek from the mouth of Joes Creek to McCloud Branch
- 18 Joes Creek from the first falls upstream of S.R. 1574 to the confluence with Buffalo Creek
- 19 Wilson Creek from Phillips Branch to Brown Mountain Beach Dam, except where posted
- 20 against trespassing
- 21 Yadkin River from the Happy Valley Ruritan Community Park to S.R. 1515
- 22 (C) Wild Trout Waters are as follows:
- 23 Buffalo Creek from the Watauga Co. line to Long Ridge Branch including game land
- 24 tributaries
- 25 Joes Creek from the Watauga Co. line to the first falls upstream of the end of S.R. 1574
- 26 Rockhouse Creek
- 27 (7) Cherokee County
- 28 (A) Hatchery Supported Trout Waters are as follows:
- 29 Davis Creek from the confluence of Bald Creek and Dockery Creek to Hanging Dog Creek
- 30 Hyatt Creek from Big Dam Branch to the Valley River
- 31 Junaluska Creek from Ashturn Creek to the Valley River
- 32 Shuler Creek from the Joe Brown Hwy, S.R. 1325 bridge, to the Tennessee state line
- 33 Valley River from S.R. 1359 to the U.S. 19 Business bridge in Murphy
- 34 (B) Special Regulation Trout Waters are as follows:
- 35 Apalachia Reservoir
- 36 (8) Clay County
- 37 (A) Delayed Harvest Trout Waters are as follows:

- 1 Fires Creek from Rockhouse Creek to the foot bridge in the USFS Fires Creek Picnic Area
- 2 (B) Hatchery Supported Trout Waters are as follows:
- 3 Buck Creek, the game land portion downstream of the U.S. 64 bridge
- 4 Fires Creek from the foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300
- 5 Tusquitee Creek from Compass Creek to the lower S.R. 1300 bridge
- 6 (9) Graham County
- 7 (A) Delayed Harvest Trout Waters are as follows:
- 8 Snowbird Creek from the USFS footbridge at the old railroad junction to USFS Rd. 2579
- 9 (B) Hatchery Supported Trout Waters are as follows:
- 10 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
- 11 Cheoah Reservoir
- 12 Panther Creek from the confluence of Stand Creek and Rock Creek to Lake Fontana
- 13 Santeetlah Creek from Johns Branch to Lake Santeetlah
- 14 Snowbird Creek from USFS Rd. 2579 to the S.R. 1127 bridge
- 15 Stecoah Creek from the upper game land boundary to Lake Fontana
- 16 Tulula Creek from S.R. 1201 to the lower bridge on S.R. 1275
- 17 West Buffalo Creek from the confluence of Squally Creek and Little Buffalo Creek
- 18 downstream to Lake Santeetlah
- 19 Yellow Creek from Lake Santeetlah hydropower pipeline to the Cheoah River
- 20 (C) Wild Trout Waters are as follows:
- 21 Little Buffalo Creek
- 22 South Fork Squally Creek
- 23 Squally Creek
- 24 (10) Haywood County
- 25 (A) Delayed Harvest Trout Waters are as follows:
- 26 West Fork Pigeon River from Queen Creek to the first game land boundary upstream of
- 27 Lake Logan
- 28 (B) Hatchery Supported Trout Waters are as follows:
- 29 Cold Springs Creek from Fall Branch to the Pigeon River
- 30 Jonathan Creek from upstream of the S.R. 1302 bridge to the Pigeon River, except where
- 31 posted against trespassing
- 32 Pigeon River from Stamey Cove Branch to the upstream U.S. 19-23 bridge
- 33 Richland Creek from the Russ Avenue, U.S. 276, bridge to the U.S. 19 bridge
- 34 West Fork Pigeon River from Tom Creek to Queen Creek
- 35 (11) Henderson County
- 36 (A) Delayed Harvest Trout Waters are as follows:
- 37 North Fork Mills River, the game land portion below the Hendersonville watershed dam

- 1 (B) Hatchery Supported Trout Waters are as follows:
2 Broad River from the end of S.R. 1611 to the Rutherford Co. line
3 Cane Creek from the railroad bridge upstream of the S.R. 1551 bridge to the U.S. 25 bridge
4 Clear Creek from Laurel Fork to S.R. 1582
5 Green River from the Lake Summit powerhouse to the game land boundary
6 Hungry River from ~~S.R. 1885~~ Little Hungry River to the Green River
- 7 (12) Jackson County
- 8 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
9 Flat Creek
10 Tuckasegee River, the game land portion upstream of Tanasee Creek Lake, including the
11 Duke Energy powerline corridor
12 Tuckasegee River the portion upstream from the Clark property
- 13 (B) Delayed Harvest Trout Waters are as follows:
14 Tuckasegee River from downstream of the N.C. 107 bridge to the falls located 275 yards
15 upstream of the U.S. 23-441 bridge, marked by a sign on both banks
- 16 (C) Hatchery Supported Trout Waters are as follows:
17 Balsam Lake
18 Bear Creek Lake
19 Cedar Cliff Lake
20 Cullowhee Creek from Tilley Creek to the Tuckasegee River
21 Dark Ridge Creek from Jones Creek to Scott Creek
22 Greens Creek from Greens Creek Baptist Church on S.R. 1370 to Savannah Creek
23 Savannah Creek from Shell Branch to Cagle Branch
24 Scott Creek from Dark Ridge Creek to the Tuckasegee River, except where posted against
25 trespassing
26 Tanasee Creek Lake
27 Tuckasegee River from John Brown Branch to the downstream N.C. 107 bridge
28 Tuckasegee River from the falls located 275 yards upstream of the U.S. 23-441 bridge,
29 marked by a sign on both banks, to the S.R. 1534 bridge at Wilmont
30 Wolf Creek Lake
- 31 (D) Wild Trout Waters are as follows:
32 Gage Creek
33 North Fork Scott Creek
34 Tanasee Creek
35 Whitewater River from Silver Run Creek to the South Carolina state line
36 Wolf Creek except Balsam Lake and Wolf Creek Lake
- 37 (13) Macon County

- 1 (A) Delayed Harvest Trout Waters are as follows:
2 Nantahala River from Whiteoak Creek to the Nantahala hydropower discharge canal
- 3 (B) Hatchery Supported Trout Waters are as follows:
4 Burningtown Creek from Left Prong to the Little Tennessee River
5 Cartoogechaye Creek from downstream of the U.S. 64 bridge to the Little Tennessee River
6 Cliffside Lake
7 Cullasaja River from Sequoyah Dam to the U.S. 64 bridge near the junction of S.R. 1672
8 Nantahala River from Dicks Creek to Whiteoak Creek
9 Nantahala River from the Nantahala hydropower discharge canal to the Swain Co. line
10 Queens Creek Lake
- 11 (14) Madison County
- 12 (A) Delayed Harvest Trout Waters are as follows:
13 Big Laurel Creek from the N.C. 208 bridge to the U.S. 25-70 bridge
14 Shelton Laurel Creek from the N.C. 208 bridge at Belva to the confluence with Big Laurel
15 Creek
16 Spring Creek from the N.C. 209 bridge at the Hot Springs city limits to the iron bridge at
17 end of Andrews Ave.
- 18 (B) Hatchery Supported Trout Waters are as follows:
19 Big Laurel Creek from Puncheon Fork to the S.R. 1318, Big Laurel Rd., bridge downstream
20 of Bearpen Branch
21 Big Pine Creek from the S.R. 1151 bridge to the French Broad River
22 Little Ivy Creek from the confluence of Middle Fork and Paint Fork at Beech Glen to the
23 confluence with Ivy Creek at Forks of Ivy
24 Max Patch Pond
25 Meadow Fork Creek from Meadow Fork Campground to Spring Creek
26 Puncheon Fork from Wolf Laurel Branch to Big Laurel Creek
27 Roaring Fork from Fall Branch to Meadow Fork
28 Shelton Laurel Creek from the confluence of Big Creek and Mill Creek to the N.C. 208
29 bridge at Belva
30 Shut-in Creek from the confluence of East Fork Shut-in Creek and West Fork Shut-in
31 Creek to the French Broad River
32 Spillcorn Creek from Baker Creek to the S.R. 1330 bridge
33 Spring Creek from the junction of N.C. 209 and N.C. 63 to the confluence with Meadow
34 Fork
35 West Fork Shut-in Creek from the lower game land boundary to the confluence with East
36 Fork Shut-in Creek
- 37 (15) McDowell County

- 1 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
2 Newberry Creek, the game land portion
- 3 (B) Delayed Harvest Trout Waters are as follows:
4 Catawba River, the portion adjacent to the Marion Greenway
5 Curtis Creek, the game land portion downstream of the USFS boundary at Deep Branch
6 Mill Creek from the U.S. 70 bridge to the I-40 bridge
- 7 (C) Hatchery Supported Trout Waters are as follows:
8 Armstrong Creek from the Cato Holler line downstream to the upper Greenlee line
9 Catawba River from the Catawba Falls Campground to the Old Fort Recreation Park
10 Little Buck Creek, the game land portion
11 North Fork Catawba River from the headwaters to North Cove School at the S.R. 1569
12 bridge
- 13 (16) Mitchell County
- 14 (A) Delayed Harvest Trout Waters are as follows:
15 Cane Creek from the N.C. 226 bridge to the S.R. 1189 bridge
16 North Toe River from the U.S. 19E bridge to the N.C. 226 bridge
- 17 (B) Hatchery Supported Trout Waters are as follows:
18 Big Rock Creek from the headwaters to ~~the N.C. 226 bridge at the S.R. 1307 intersection~~
19 the S.R. 1325 bridge
20 Cane Creek from S.R. 1219 to the N.C. 226 bridge
21 East Fork Grassy Creek
22 Grassy Creek from East Fork Grassy Creek to the mouth
23 ~~Little Rock Creek from the Green Creek bridge to Big Rock Creek, except where posted~~
24 ~~against trespassing~~
25 North Toe River from the Avery Co. line to the S.R. 1121 bridge
- 26 (C) Wild Trout Waters are as follows:
27 Green Creek from the headwaters to the Green Creek bridge, except where posted against
28 trespassing
29 Little Rock Creek the portion upstream of the Green Creek bridge, including the tributaries,
30 except where posted against trespassing
31 Wiles Creek from the game land boundary to the mouth
- 32 (17) Polk County
- 33 (A) Delayed Harvest Trout Waters are as follows:
34 Green River from the Fishtop Falls Access Area to the confluence with Cove Creek
- 35 (B) Hatchery Supported Trout Waters are as follows:
36 Green River from the mouth of Cove Creek to the natural gas pipeline crossing
37 North Pacolet River from Joels Creek to the N.C. 108 bridge

- 1 (18) Rutherford County
- 2 (A) Hatchery Supported Trout Waters are as follows:
- 3 Broad River from the Henderson Co. line to the U.S. 64/74 bridge, except where posted
- 4 against trespassing
- 5 (19) Stokes County
- 6 (A) Hatchery Supported Trout Waters are as follows:
- 7 Dan River from the Virginia state line downstream to a point 200 yards below the end of
- 8 S.R. 1421
- 9 (20) Surry County
- 10 (A) Delayed Harvest Trout Waters are as follows:
- 11 Ararat River, the portion adjacent to the Ararat River Greenway downstream of the N.C.
- 12 103 bridge
- 13 Mitchell River from 0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge
- 14 on S.R. 1330
- 15 (B) Hatchery Supported Trout Waters are as follows:
- 16 Ararat ~~River from the S.R. 1727 bridge to~~ River, the portion adjacent to the Ararat River
- 17 Greenway upstream of the N.C. 103 bridge
- 18 Big Elkin Creek from the dam 440 yards upstream of the N.C. 268 bridge to a point 265
- 19 yards downstream of N.C. 268, marked by a sign on both banks
- 20 Fisher River from the Virginia state line to the I-77 bridge
- 21 Little Fisher River from the Virginia state line to the N.C. 89 bridge
- 22 Lovills Creek from the U.S. 52 Business bridge to the Ararat River
- 23 Pauls Creek from the Virginia state line to 0.3 miles below the S.R. 1625 bridge
- 24 (21) Swain County
- 25 (A) Delayed Harvest Waters Trout Waters are as follows:
- 26 Tuckasegee River from the U.S. 19 bridge to the Slope Street bridge
- 27 (B) Hatchery Supported Trout Waters are as follows:
- 28 Alarka Creek from the game land boundary to Fontana Reservoir
- 29 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
- 30 Cheoah Reservoir
- 31 Connelly Creek from Camp Branch to the Tuckasegee River
- 32 Deep Creek from the Great Smoky Mountains National Park Boundary line to the
- 33 Tuckasegee River
- 34 Nantahala River from the Macon Co. line to the existing Fontana Lake water level
- 35 (22) Transylvania County
- 36 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:

- Davidson River from the headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek, Grogan Creek, Cedar Rock Creek and John Rock Branch
- (B) Delayed Harvest Trout Waters are as follows:
- East Fork French Broad River from East Fork Baptist Church to ~~the~~ 350 yards downstream ~~S.R. 1107 of Whitmire Falls, marked by a sign on both banks~~ bridge
- Little River from the confluence of Lake Dense to 100 yards downstream of Hooker Falls
- (C) Hatchery Supported Trout Waters are as follows:
- Davidson River from Avery Creek to the lower USFS boundary
- French Broad River from the confluence of the 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 from upstream of the U.S. 178 bridge to the French Broad River
- West Fork French Broad River from S.R. 1312 to confluence with North Fork French Broad River
- (D) Wild Trout Waters are as follows:
- The waters located on Gorges State Park
- Whitewater River from Silver Run Creek to the South Carolina state line
- (23) Watauga County
- (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- Laurel Creek from the confluence of North Fork Laurel Creek and South Fork Laurel Creek to Elk Creek, excluding tributaries
- Pond Creek from the headwaters to the Locust Ridge Rd. bridge, excluding the pond adjacent to Coffee Lake
- (B) Delayed Harvest Trout Waters are as follows:
- Lake Coffey
- Watauga River from the S.R. 1114 bridge to the Valle Crucis Community Park lower boundary
- Watauga River from the S.R. 1103 bridge to the confluence with Laurel Creek
- (C) Hatchery Supported Trout Waters are as follows:
- Beaverdam Creek from the 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 from Buckeye Creek Reservoir dam to Grassy Gap Creek
- Buckeye Creek Reservoir
- Cove Creek from the S.R. 1233 bridge at Zionville to the S.R. 1214 bridge at Sherwood
- Dutch Creek from the second S.R. 1136 bridge to the mouth

1 Elk Creek from the S.R. 1510 bridge at Triplett to the Wilkes Co. line, except where posted
2 against trespassing

3 Laurel Creek from the S.R. 1123 bridge at the S.R. 1157 intersection to the Watauga River

4 Meat Camp Creek from the S.R. 1340 bridge at the S.R. 1384 intersection to N.C. 194

5 Middle Fork New River from adjacent to the intersection of S.R. 1539 and U.S. 321 to the
6 South Fork New River

7 Norris Fork Creek

8 South Fork New River from the canoe launch 70 yards upstream of U.S. 421 bridge to the
9 lower boundary of Brookshire Park

10 Stony Fork from the S.R. 1500 bridge at the S.R. 1505 intersection to the Wilkes Co. line

11 (D) Wild Trout Waters are as follows:

12 Dutch Creek from the headwaters to the second S.R. 1136 bridge

13 Howard Creek

14 Maine Branch from the headwaters to the North Fork New River

15 North Fork New River from the confluence with Maine Branch and Mine Branch to the
16 Ashe Co. line

17 Winkler Creek from the lower bridge on S.R. 1549 to the confluence with the South Fork
18 New River

19 (24) Wilkes County

20 (A) Delayed Harvest Trout Waters are as follows:

21 East Prong Roaring River from Bullhead Creek to the Stone Mountain State Park lower
22 boundary

23 Elk Creek from the Watauga Co. line to the lower boundary of the Blue Ridge Mountain
24 Club

25 Elk Creek, the portion on Leatherwood Mountains development

26 Reddies River from the Town of North Wilkesboro water intake dam to the confluence
27 with the Yadkin River

28 Stone Mountain Creek from the falls at the Alleghany Co. line to the confluence with the
29 East Prong Roaring River and Bullhead Creek

30 (B) Hatchery Supported Trout Waters are as follows:

31 Basin Creek from the S.R. 1730 bridge to the confluence with Lovelace Creek

32 Bell Branch Pond

33 Boundary Line Pond

34 Cub Creek from 0.5 miles upstream of the S.R. 2460 bridge to the S.R. 1001 bridge

35 Darnell Creek from the downstream ford on S.R. 1569 to the confluence with the North
36 Fork Reddies River

1 East Prong Roaring River from the Stone Mountain State Park lower boundary to the Low
2 Meadows Lane bridge
3 Fall Creek from the S.R. 1300 bridge to the confluence with South Prong Lewis Fork,
4 except where posted against trespassing
5 Middle Fork Reddies River from the headwaters to the bridge on S.R. 1580
6 Middle Prong Roaring River from the headwaters to the second bridge on S.R. 1736
7 North Fork Reddies River from the headwaters to the Union School bridge on S.R. 1559
8 Pike Creek
9 Pike Creek Pond
10 South Fork Reddies River from the S.R. 1355 bridge to the confluence with the Middle
11 Fork Reddies River
12 South Prong Lewis Fork from Fall Creek to the U.S. 421 bridge adjacent to the S.R. 1155
13 intersection

14 (C) Wild Trout Waters are as follows:

15 The waters located on Stone Mountain State Park, except East Prong Roaring River from
16 Bullhead Creek to the Stone Mountain State Park lower boundary where Delayed Harvest
17 Trout Waters regulations apply, and Stone Mountain Creek from the falls at the Alleghany
18 Co. line to the confluence with the East Prong Roaring River and Bullhead Creek in Stone
19 Mountain State Park where Delayed Harvest Trout Waters regulations apply

20 (25) Yancey County

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

22 South Toe River from the headwaters to Upper Creek
23 Upper Creek

24 (B) Delayed Harvest Trout Waters are as follows:

25 Cane River from Blackberry Ridge Rd. to the downstream boundary of Cane River County
26 Park

27 (C) Hatchery Supported Trout Waters are as follows:

28 Bald Mountain Creek, except where posted against trespassing
29 Cane River from Bee Branch, S.R. 1110, to Bowlens Creek
30 Price Creek from the junction of S.R. 1120 and S.R. 1121 to Indian Creek
31 South Toe River from Clear Creek to the lower boundary line of Yancey Co. Recreation
32 Park, except where posted against trespassing

33 (D) Wild Trout Waters are as follows:

34 Cattail Creek from the bridge at Mountain Farm Community Rd. to the N.C. 197 bridge
35 Lickskillet Creek
36 Middle Creek from the game land boundary to the mouth
37

1 *History Note: Authority G.S. 113-272; 113-292;*
2 *Eff. February 1, 1976;*
3 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
4 *October 1, 1992;*
5 *Temporary Amendment Eff. July 1, 1999;*
6 *Amended Eff. July 1, 2000;*
7 *Temporary Amendment Eff. July 1, 2001;*
8 *Temporary Amendment Eff. July 1, 2002;*
9 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*
10 *Temporary Amendment Eff. June 1, 2003;*
11 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
12 *2003);*
13 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*
14 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
15 *1, 2007; May 1, 2006; June 1, 2005;*
16 *Readopted Eff. August 1, 2019;*
17 *Amended Eff. August 1, 2026; August 1, 2025; August 1, 2024; August 1, 2023; August 1, 2022;*
18 *August 1, 2021; August 1, 2020.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0211

DEADLINE FOR RECEIPT: November 13, 2025

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Page 2, (b), line 12, who decides if the carp is “certified to be triploid or sterile” and? How will the regulated community know if the carp has been “certified”?

Line 13, how does the regulated community obtain a “permit”? Where can the application be located?

Line 14, what standards or criterial are used when conducting the “evaluation”?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10C .0211 is amended as published in 40:02 NCR 438 as follows:

3 **15A NCAC 10C .0211 POSSESSION OF CERTAIN FISHES**

4 (a) It shall be unlawful to transport, purchase, possess, sell, or stock in the public or private waters of North Carolina
5 any live individuals of:

- 6 (1) African longfin eel (*Anguilla mossambica*);
- 7 (2) amur sleeper (*Percottus glenii*);
- 8 (3) applesnail (any species of the genus *Pomacea*);
- 9 (4) Asian pond mussel (any species of the genus *Sinanodonta*)
- 10 ~~(4)(5)~~ Asian swamp eel, swamp or rice eel (*Monopterus albus*);
- 11 ~~(5)(6)~~ Australian red claw crayfish or red claw (*Cherax quadricarinatus*, or other species in the genus
12 *Cherax*);
- 13 ~~(6)(7)~~ bigclaw crayfish (*Faxonius placidus*);
- 14 ~~(7)(8)~~ bighead carp (*Hypophthalmichthys nobilis*);
- 15 ~~(8)(9)~~ black carp (*Mylopharyngodon piceus*);
- 16 ~~(9)(10)~~ brown hoplo (*Hoplosternum littorale*);
- 17 ~~(10)(11)~~ Chinese mysterysnail (*Cipangopaludina chinensis*);
- 18 ~~(11)(12)~~ Creole painted crayfish (*Faxonius palmeri creolanus*);
- 19 ~~(12)(13)~~ Crucian Carp (*Carassius carassius*);
- 20 ~~(13)(14)~~ European eel (*Anguilla anguilla*);
- 21 ~~(14)(15)~~ European minnow (*Phoxinus phoxinus*);
- 22 ~~(15)(16)~~ European perch (*Perca fluviatilis*);
- 23 (17) golden mussel (any species of the genus *Limnoperna*);
- 24 ~~(16)(18)~~ Japanese mysterysnail (*Cipangopaludina japonica*);
- 25 ~~(17)(19)~~ marbled Crayfish or Marmorkrebs (*Procambarus virginalis* or *Procambarus fallax f. virginalis*);
- 26 ~~(18)(20)~~ olive mysterysnail (*Viviparus subpurpureus*);
- 27 ~~(19)(21)~~ Oriental weatherfish (*Misgurnus anguillicaudatus*);
- 28 ~~(20)(22)~~ piranha (any species of the genera *Pristobrycon*, *Pygocentrus*, *Pygopristis*, or *Serrasalmus*);
- 29 ~~(21)(23)~~ Prussian Carp (*Carassius gibelio*);
- 30 ~~(22)(24)~~ quagga mussel (*Dreissena rostriformis bugensis*) or any mussel in the family *Dreissenidae*;
- 31 ~~(23)(25)~~ red shiner (*Cyprinella lutrensis*);
- 32 ~~(24)(26)~~ red-rim melania (*Melanoides tuberculatus* or *Melanoides tuberculata*);
- 33 ~~(25)(27)~~ redbtail catfish (*Phractocephalus hemioliopterus*);
- 34 ~~(26)(28)~~ round goby (*Neogobius melanostomus*);
- 35 ~~(27)(29)~~ rudd (*Scardinius erythrophthalmus* or *Scardinius erythrophthalmus*);
- 36 ~~(28)(30)~~ ruffe (*Gymnocephalus cernuus* or *Gymnocephalus cernua*);
- 37 ~~(29)(31)~~ rusty crayfish (*Faxonius rusticus*);

1 ~~(30)~~(32) shortfin eel (*Anguilla australis*);
2 ~~(31)~~(33) silver carp (*Hypophthalmichthys molitrix*);
3 ~~(32)~~(34) snakehead fish (from the Family Channidae, formerly Ophiocephalidae);
4 ~~(33)~~(35) tubenose goby (*Proterorhinus marmoratus*, *Proterorhinus semilunaris*, and *Proterorhinus*
5 *semipellucidus*);
6 ~~(34)~~(36) virile crayfish (*Faxonius virilis*);
7 ~~(35)~~(37) walking catfish (any member of the genus *Batrachus*);
8 ~~(36)~~(38) white amur or grass carp (*Ctenopharyngodon idella*), except for triploid individuals as permitted in
9 Paragraph (b) of this Rule;
10 ~~(37)~~(39) yellow bass (*Morone mississippiensis*); or
11 ~~(38)~~(40) zebra mussel (*Dreissena polymorpha*).

12 (b) A person may buy, possess, or stock grass carp that have been certified to be triploid or sterile, only for the purpose
13 of controlling aquatic vegetation under a permit issued by the Executive Director or his or her designee based on an
14 evaluation of the potential for escapement and threat to sensitive aquatic habitats.

15 (c) It shall be unlawful to transport, possess, or release live river herring, also known as alewife or blueback herring,
16 in the waters of the Little Tennessee River in and upstream of Lake Santeetlah and Cedar Cliff Lake, including all the
17 tributaries and impoundments thereof, and on adjacent shorelines, docks, access ramps, and bridge crossings.

18
19 *History Note: Authority G.S. 113-134; 113-274(c)(1c); 113-292;*
20 *Eff. February 1, 1976;*
21 *Amended Eff. September 1, 1984;*
22 *Temporary Amendment Eff. July 1, 2001;*
23 *Amended Eff. July 18, 2002;*
24 *Temporary Amendment Eff. September 1, 2002;*
25 *Amended Eff. August 1, 2013; August 1, 2011; June 1, 2009, June 1, 2005; August 1, 2004;*
26 *Readopted Eff. August 1, 2019;*
27 *Amended Eff. August 1, 2026; August 1, 2021; August 1, 2020.*
28
29

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0102

DEADLINE FOR RECEIPT: November 13, 2025

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Page 2, (d), line 14, replace "Rule" with "15A NCAC".

Page 3, line 35, please specify which "Rules of this Subchapter" are being referred to?

Page 5, line 2, make "Rules" lowercase.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10D .0102 is amended as published in 40:02 NCR 241 as follows:

2
3 **15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE**

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

- 5 (1) "Permanent Hunting Blind" means a structure that is used for hunter concealment, constructed from
6 manmade or natural materials, and that is not disassembled and removed at the end of the day's hunt.
7 (2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping, or
8 self-defense.
9 (3) "Youth" means individuals under 16 years of age.

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

- 13 (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to archery
14 equipment and falconry. During the open deer seasons for these areas, antlered and antlerless deer
15 may be taken.
16 (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person
17 shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on a
18 game land. Falconry is exempt from this provision.
19 (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use
20 of centerfire rifles is prohibited.
21 (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to use by the public,
22 and entry on these areas is prohibited without written approval from the Wildlife Resources
23 Commission. The Commission may authorize entry when the primary purpose for the Restricted
24 Zone shall not be compromised and the persons requesting entry demonstrate a valid need, or official
25 business of the Commission is being conducted by a contractor or agent of the Commission. Valid
26 needs may include access to private property, scientific investigations, surveys, or other access to
27 conduct activities in the public interest.
28 (5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are
29 closed to use by the public, and entry is prohibited without written approval from the Wildlife
30 Resources Commission. An area of a game land shall be declared a Temporary Restricted Zone
31 when there is a danger to the health or welfare of the public.
32 (6) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge
33 of firearms or bow and arrow is prohibited.
34 (7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting
35 Zones" the use of dogs for taking deer is prohibited, except as allowed by permit as provided in G.S.
36 113-264(d).

1 (8) Day Use Only Zone. On portions of game lands posted as "Day Use Only Zones" the use by the
2 public shall be prohibited from sunset to sunrise.

3 (9) Sensitive Habitat Zone. Portions of game lands posted as "Sensitive Habitat Zones" are closed to
4 use by the public during the dates specified on the sign, and entry is prohibited without written
5 approval from the Wildlife Resources Commission by calling 919-707-0150 and requesting a
6 permit.

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

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

14 (d) Use of weapons. ~~No~~ Except for archery equipment, as defined in Rule 10B .0116, no person shall discharge:
15 discharge a weapon within 150 yards of:

16 (1) ~~a weapon within 150 yards of~~ a game land building or designated game land camping area, except
17 where posted otherwise; or

18 (2) ~~a weapon within 150 yards of~~ a residence located on or adjacent to game lands. ~~lands, except on~~
19 ~~Butner Falls of Neuse and Jordan game lands; and~~

20 (3) ~~a firearm within 150 yards of a residence located on or adjacent to Butner Falls of Neuse and Jordan~~
21 ~~Game Lands.~~

22 No person shall hunt with or have in possession a shotgun shell containing lead or toxic shot while hunting on a posted
23 waterfowl impoundment on a game land, except shotgun shells containing lead buckshot may be used while deer
24 hunting. Individuals carrying a concealed handgun shall adhere to the requirements set forth in G.S. 14-415.11, even
25 if the state issuing the concealed handgun permit is not North Carolina. On Butner-Falls of Neuse, Jordan, Kerr Scott,
26 and Vance game lands, no person shall possess loaded firearms, ammunition, bows and arrows, crossbows, or other
27 weapons except as provided in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13, which is
28 incorporated by reference, including subsequent amendments and editions. This document may be accessed at
29 www.ecfr.gov at no cost. On Buckhorn, Chatham, Harris, Hyco, Lee, Mayo, and Sutton Lake game lands; Pee Dee
30 River Game Land north of U.S. 74; and that portion of R. Wayne Bailey- Caswell Game Land that is located north of
31 U.S. 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days
32 for game birds or game animals, except under the following conditions:

33 (1) the firearm is a .22 caliber pistol with a barrel not greater than seven and one-half inches in length
34 and shooting only short, long, or long rifle ammunition carried as a side arm;

35 (2) the firearm is cased or not immediately available for use;

36 (3) the firearm is used by persons participating in field trials on field trial areas; or

37 (4) the firearm is possessed in designated camping areas for defense of persons and property.

1 (e) Game Lands License: Hunting and Trapping

2 (1) Except as provided in Subparagraph (4) of this Paragraph, a person entering a game land to hunt,
3 trap, run dogs, or train dogs using wildlife shall have in his or her possession a valid North Carolina
4 hunting or trapping license.

5 (2) For Commission-sanctioned field trials, active participants, as defined in 15A NCAC 10B .0114, in
6 a field trial using wildlife shall possess a North Carolina hunting license, except non-residents may
7 substitute hunting licenses from their state(s) of residence.

8 (3) For other field trials using wildlife occurring on game lands, judges and active participants shall
9 possess a North Carolina hunting license.

10 (4) Exceptions:

11 (A) a person under 16 years of age may hunt on game lands on the license of his parent or legal
12 guardian;

13 (B) on the game lands described in Rule .0103 (j)(1) of this Section, the game lands license is
14 required for hunting doves; other activities are subject to the control of the landowners.

15 (f) Field Trials and Training Dogs. An individual or organization sponsoring a field trial on the Sandhills Field Trial
16 area shall file an application with the Commission to use the area with the facility use fee computed at the rate of three
17 hundred dollars (\$300.00) for each scheduled day of the trial. The total facility use fee shall cover the period from
18 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
19 day of the trial. The facility use fee shall be paid for all intermediate days on which trials are not run but the building
20 or facilities are used or occupied. A fee of one hundred dollars (\$100.00) per day shall be charged to sporting,
21 educational, or scouting groups for scheduled events utilizing the club house only. No person or group of persons or
22 other entity shall enter or use the physical facilities located on the Sandhills Field Trial area or the Laurinburg Fox
23 Trial facility without written approval from an authorized agent of the Wildlife Resources Commission, and no entry
24 or use of a facility shall exceed the scope of or continue beyond the approved use. The Sandhills Field Trial facilities
25 shall be used only for field trials scheduled with the approval of the Wildlife Resources Commission. No more than
26 20 days of field trials may be scheduled for occurrence on the Sandhills facilities during a calendar month, and no
27 more than five days may be scheduled during a calendar week. A field trial requiring more than five days may be
28 scheduled during one week with reduction of the maximum number of days allowable during some other week so that
29 the monthly maximum of 20 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial
30 Association or other organization desiring use of the Sandhills facilities between the Wednesday on or nearest October
31 18 and the second Friday before Thanksgiving and between the first Monday following Thanksgiving and March 31
32 shall submit its proposed schedule of use to the Wildlife Resources Commission for consideration and approval. ~~The~~
33 ~~use of the Sandhills Field Trial facilities by individuals for training dogs is prohibited; elsewhere on the Sandhills~~
34 ~~Game Lands dogs may be trained only on Mondays, Wednesdays, and Saturdays from October 1 through April 1.~~
35 Training dogs is prohibited at the Sandhills Field Trial facilities. Unless otherwise specified in Rules of this Subchapter
36 and except when participating in field trials sanctioned by the Wildlife Resources Commission, Dogs may dogs shall
37 not be trained or permitted to run unleashed from April 1 through August 15 on game lands located west of I-95, or 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 game lands located east of I-95, ~~except when participating in field trials sanctioned by the Wildlife Resources Commission. I-95.~~ 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 the field trial does not conflict with other planned activities on the game land or field trial facilities, and the applying organization demonstrates 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 .0300, trapping of furbearing animals, armadillos, coyotes, and groundhogs is permitted on game lands during the open trapping seasons for those areas, established by rule. Foxes may be trapped on game lands from October 1 through the end of February in a county with an open fox trapping season that falls between 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 a fox trapping season that occurs outside the dates of 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 a 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 DuPont State Forest Game Lands; and
- (5) from April 1 through September 31.

At a 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 3 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 a game land except on roads constructed, maintained, and opened for vehicular travel and on trails posted for vehicular travel, unless the 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 (l) of this Rule or holds a Disabled Access Program Permit as described in Paragraph (l) of this Rule and is abiding by the rules described in Paragraph (k).

(i) Camping.

- (1) No person shall camp on a game land except on an area posted by the landowner for camping.

(2) Camping on posted camping areas is allowed from September 1 through the last day of February and from March 31 through May 31 unless otherwise specified in Rules of this Subchapter.

(3) 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 a designated camping area is 14 days within any 30-day period, unless otherwise specified in rules of this Subchapter. After 14 consecutive days of camping, personal belongings shall be removed from the game land.

~~(3)~~(4) 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) 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 written authorization. It is unlawful to move wild fish from one stream to another on game lands without written authorization. Written authorization shall be given when release of animals is determined by a Wildlife Resources Commission biologist not to be harmful to native wildlife in the area and is in the public interest or advance the programs and goals of the Wildlife Resources Commission.

(k) 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 (l) of this Rule and people who have obtained a Disabled Access Program permit are exempt from this restriction 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 wheelchairs on areas where foot travel is allowed. Off road vehicles including ATVs, UTVs, and ebikes are not permitted.

(l) Disabled Access Program. Disabled individuals who meet the requirements of G.S. 113-296 may obtain a Disabled Access Permit and Disabled Sportsman Hunt Certification online at ncwildlife.org. The Disabled Access Permit allows individuals to 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 that 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 constantly in visual or verbal contact with the disabled person. The companion may participate in lawful activities while assisting a disabled person, provided license requirements are met. A vehicle used by a qualified disabled person for access to game lands under this provision shall have the Disabled Access Permit available for inspection by wildlife enforcement officers upon request. Hunters who qualify under the Disabled Sportsman Program and their companions

1 may access special hunting blinds for people with disabilities during regularly scheduled, non-permit hunting days on
2 a first come basis, except for those blinds located on the Restricted Area of Caswell Game Land. It is unlawful for
3 anyone other than disabled persons holding a Disabled Access Permit, during waterfowl season, to hunt within 100
4 yards of a waterfowl blind designated by the Wildlife Resources Commission as a Disabled Sportsman's hunting blind.
5 The Disabled Sportsman Hunt Certification allows individuals to apply for available Disabled sportsman permit
6 hunting opportunities as prescribed in G.S. 113-296.

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

11 (n) Shooting Ranges. On public shooting ranges managed by the Commission, no person shall use designated shooting
12 ranges for purposes other than for firearm or bow and arrow marksmanship, development of shooting skills, or for
13 other safe uses of firearms and archery equipment. Other uses, including camping, building fires, operating
14 concessions or other activities not directly involved with recreational or competitive shooting are prohibited, unless
15 written authorization is obtained from the Commission. No person, when using any shooting range, shall deposit
16 debris or refuse on the grounds of the range. This includes items used as targets, except that clay targets broken on the
17 range, by the shooter, may be left on the grounds where they fall. No person shall shoot items made of glass on the
18 grounds of the range. No person may leave a vehicle or other obstruction in a location or position that it will prevent,
19 impede, or inconvenience the use by other persons of any shooting range. No person shall leave a vehicle or other
20 object parked in a place on the shooting range other than the place or zone that is designated and posted or marked as
21 an authorized parking zone. No person shall handle firearms or bow and arrow on a shooting range in a careless or
22 reckless manner. No person shall intentionally shoot into any target holder, post, or other permanent fixture or structure
23 while using a shooting range. No person shall shoot a firearm in a manner that would cause rifled or smoothbore
24 projectiles to travel off of the range, except that shotgun shot, size No. 4 or smaller may be allowed to travel from the
25 range if it presents no risk of harm or injury to a person. Persons using a shooting range shall obey posted range safety
26 rules and those persons who violate range safety rules or create a public safety hazard shall leave the shooting range
27 if directed to by law enforcement officers or to leave by Commission employees. No person shall handle firearms on
28 a shooting range while under the influence of an impairing substance. The consumption of alcohol or alcoholic
29 beverages on a shooting range is prohibited. Open days and hours of operation shall be designated on signs and at
30 least one sign shall be posted at the entrance to each shooting range. No person, when using a shooting range, shall do
31 an act that is prohibited or neglect to do an act that is required by signs or markings placed on the area under authority
32 of this Rule for regulating the use of the area.

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

36 (p) No person shall attempt to obscure the sex or age of a bird or animal taken by severing the head or any other part
37 thereof, or possess a bird or animal that has been so mutilated.

1 (q) Baiting. Except as provided in Paragraph (g) of this Rule, no person shall place, or cause to be placed on a game
2 land, salt, grain, fruit, or other foods without written authorization from an agent of the Commission. Written
3 authorization may be provided for Commission authorized projects or Commission contractors to meet specific
4 objectives. Except as authorized by rule, no person shall take or attempt to take wild birds or wild animals attracted to
5 these foods.

6
7 *History Note: Authority G.S. 113-129; 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306;*
8 *143-318.10;*
9 *Eff. February 1, 1976;*
10 *Amended Eff. July 1, 1993; April 1, 1992;*
11 *Temporary Amendment Eff. October 11, 1993;*
12 *Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994;*
13 *Temporary Amendment Eff. July 1, 1999;*
14 *Amended Eff. July 1, 2000;*
15 *Temporary Amendment Eff. August 31, 2001;*
16 *Amended Eff. August 1, 2002;*
17 *Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July 17,*
18 *2003);*
19 *Amended Eff. January 1, 2013; January 1, 2012; June 1, 2011; August 1, 2010; May 1, 2009; May*
20 *1, 2008; May 1, 2007; May 1, 2006; November 1, 2005;*
21 *Temporary Amendment Eff. July 1, 2014;*
22 *Amended Eff. February 1, 2023; August 1, 2022; August 1, 2021; August 1, 2020; August 1, 2017;*
23 *August 1, 2016; May 1, 2015; August 1, 2014;*
24 *Readopted Eff. August 1, 2023;*
25 *Amended Eff. August 1, 2026; June 1 2025; November 1, 2023.*
26
27

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0205

DEADLINE FOR RECEIPT: November 13, 2025

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Line 5, make "Permit" lowercase unless this is referring to one specific permit.

Line 5, "Upper and Lower" and "Game Lane are" was not published in the Register. Why are these not substantial changes under G.S. 150B-21.2(g)?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10D .0205 is amended as published in 40:02 NCR 245 as follows:

2
3 **15A NCAC 10D .0205 BLADEN LAKES STATE FOREST GAME LAND IN BLADEN COUNTY**

4
5 Bladen Lakes State Forest ~~game land~~ Game Land is a Three Days per Week Area, in which the following applies:

- 6 (1) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers
7 Season.
- 8 (2) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.
- 9 (3) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.
- 10 (4) Wild turkey hunting on the Singletary Lake Tract is by permit only.
- 11 (5) Camping is ~~restricted to September 1 through the last day of February and March 31 through May~~
12 ~~14 in~~ allowed on areas ~~both designated and posted as for camping areas; as specified in Rule .0102~~
13 of this Subchapter.
- 14 (6) The use of dogs for pursuing or taking foxes shall be prohibited from February 15 through August
15 1.

16
17 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*

18 *Eff. November 1, ~~2022~~ 2022;*

19 *Amended Eff. August 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10H .1401

DEADLINE FOR RECEIPT: November 13, 2025

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Page 2, lines 6-13 and part of line 33 were not published in the Register. Why are these not substantial changes under G.S. 150B-21.2(g)?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609

Travis C. Wiggs
Rules Review Commission Counsel
Submitted to Agency: October 29, 2025

1 15A NCAC 10H .1401 is amended with changes as published in 40:01 NCR 13 as follows:

2
3 **15A NCAC 10H .1401 DEFINITIONS AND GENERAL REQUIREMENTS FOR CAPTIVITY LICENSES**

4 (a) The rules in this Section apply to all captivity licenses issued by the Wildlife Resources ~~Commission, Commission.~~
5 ~~including those applicable to non-farmed cervids in accordance with G.S. 106-549.97.~~

6 (b) The possession of ~~any species of~~ native wild animal ~~animals~~ or wild birds ~~bird and any member of the family~~
7 ~~Cervidae~~ is unlawful, unless the individual ~~in possession~~ obtains a captivity license from the Commission as provided
8 by this Rule. This Rule shall not apply to ~~any endangered, threatened, or special concern species as defined by 15A~~
9 ~~NCAC 10I.0100~~ or farmed cervids as defined by G.S. 106-549.97.

10 (c) Captivity licenses may be issued by the Commission to ~~qualified~~ individuals meeting the requirements ~~for~~
11 ~~rehabilitation and captivity licenses~~ detailed in this Section for holding ~~of~~ wild animals or wild birds alive in captivity
12 for ~~scientific, educational, exhibition, or other purposes, as~~ purposes specified in G.S. 113-272.5.

13 (d) The following definitions shall apply to ~~all rules~~ the Rules in this Section:

14 (1) "Apprentice" means an individual applying for a captivity license for rehabilitation that has not held
15 this license in North Carolina or a similar license in another state.

16 ~~(1)(2)~~ "Animal" means a wild animal and wild bird, as defined in this Rule.

17 ~~(2)(3)~~ "Category" means a designation on a captivity license for rehabilitation that defines a species or
18 subset of species.

19 ~~(3)(4)~~ "Educational institution" or "scientific research institution" means any public or private school,
20 facility, organization, or institution of vocational, professional, or higher education that uses live
21 animals as part of a course of training, or for research, or other experiments, and is at least 50 percent
22 funded by grants, awards, loans, or contracts from a department, agency, or instrumentality of
23 federal, State, or local government. These terms do not include elementary or secondary schools.

24 ~~(4)(5)~~ "Education" or "educational purposes" means providing instruction or information to the public
25 about wild animals or wild birds.

26 ~~(5)(6)~~ "Enclosure" means a structure housing captive wild animals or wild birds that prevents escape,
27 protects the animal from injury, and is equipped with structural barriers to prevent any physical
28 contact between the animal and the public.

29 ~~(6)(7)~~ "Exhibition" means any display of wild animals or wild birds for the public, whether for-profit or
30 not-for-profit.

31 ~~(7)(8)~~ "Facility" means a designated location in North Carolina where wild animals or wild birds are held
32 for rehabilitation or holding purposes. This includes enclosures, rooms, and buildings.

33 ~~(8)(9)~~ "Farmed cervid" means the term as defined in G.S. 106-549.97.

34 ~~(9)(10)~~ "Foster" or "surrogate" means a wild animal, or a wild bird held under a U.S. Fish and Wildlife
35 Service federal migratory bird rehabilitation ~~permit~~ permit, used to rear wild animals or wild birds
36 being held under a captivity license for rehabilitation.

(10)(11) "Habituation" means causing a wild animal or wild bird to temporarily lose fear of humans, pets, or objects that impacts its ability to survive in the wild unassisted.

(11)(12) "Imprinting" means causing a wild animal or wild bird to permanently lose fear of humans, pets, or objects that impacts its ability to survive in the wild unassisted, and is a non-reversible condition.

(12)(13) "Migratory birds" means the term as defined in G.S. 113-129.

(13)(14) "Native" means a wild animal or wild bird that currently maintains, or historically maintained, populations naturally in North Carolina and whose range expansion was not solely dependent on human introduction. ~~occurs or historically occurred in the wild in North Carolina.~~

(14)(15) "Nest box" or "den" means a structure that provides a retreat area that is within, attached to, or adjacent to an enclosure.

(15)(16) "Non-farmed cervid" means the term as defined in G.S. 106-549.97.

(16)(17) ~~"Non native" means a wild animal or wild bird that~~ [does not occur and] has not historically occurred in the wild in North Carolina.

(17)(18) "Pet" means ~~any~~ an animal kept or used for amusement or companionship.

(18)(19) "Publicly operated zoo" means a park or facility where living animals are kept and exhibited to the public, and that is operated by a federal, State, or local government agency.

(19)(20) "Rabies species" are raccoon, skunk, fox, bat, bobcat, ~~or~~ and coyote.

(20)(21) "Residence" means a private home, dwelling unit in a multiple family structure, hotel, motel, camp, manufactured home, or any other place where people reside.

(21)(22) "Shelter" means a structure or feature that protects captive wild animals or wild birds from direct sunlight and precipitation.

(22)(23) "Scientific use" and "scientific purpose" means the use of wild animals or wild birds for application of the scientific method to investigate any relationships amongst natural phenomena or to solve a biological or medical problem. This definition applies only to educational or scientific research institutions unless otherwise approved by the Commission.

(23)(24) "Unfit" means wild animals or wild birds that are:

- (A) incapacitated by injury or other means to the extent that they cannot feed or care for themselves without human assistance;
- (B) rendered imprinted by proximity to humans, pets, or objects; or
- (C) a non-native species.

(24)(25) "Wild animal" means game animals, fur-bearing animals, and all other wild mammals except feral swine or marine mammals found in coastal fishing waters.

(25)(26) "Wild bird" means the term as defined in G.S. 113-129.(15a), excluding the species listed in 15A NCAC 10B .0121.

(e) Individuals interested in obtaining a captivity license for rehabilitation or a captivity license for holding shall apply for the license by completing and submitting the appropriate forms set forth in Rule .1406 of this Section.

(f) Applicants for either license shall meet the following requirements:

1 (1) ~~Be~~ be 18 years of age ~~or older~~ at the time of application;

2
3 (2) have no convictions for violations of the Rules of this Section in the previous three years;

4 ~~(2)(3)~~ ~~Have~~ have no criminal convictions under G.S. 113-294 or G.S. 14, Article 47 ~~of the North Carolina~~
5 ~~General Statutes~~ within 10 years of the date of application; and

6 ~~(3)(4)~~ ~~Have~~ have no criminal convictions under the federal Animal Welfare Act within 10 years of the date
7 of application.

8 (g) ~~No~~ A captivity license shall not be transferable either by license holder or by site of a holding facility.

9 (h) Captivity licenses are annual licenses and shall terminate no later than December 31 of the year the license is
10 issued.

11 (i) Except as otherwise provided in this Section, ~~no~~ a transportation permit ~~shall be~~ is not required to move wild
12 animals or wild birds held under a captivity license within the State. ~~Any~~ A person transporting an animal ~~that is~~ held
13 under a captivity license shall have the captivity license or a copy of the license in ~~his or her~~ their possession. ~~An~~
14 ~~exportation or importation permit as defined in G.S. 113-274(c)(3) is required to transport wild animals or wild birds~~
15 ~~into or out of the State.~~

16 (j) An exportation or importation permit as defined in G.S. 113-274(c)(3) is required to transport wild animals or wild
17 birds into or out of the State.

18 ~~(j)(k)~~ Individuals holding a captivity license shall comply with North Carolina Department of Agriculture and
19 Consumer Services requirements for disclosing reportable diseases. A list of current reportable diseases as determined
20 by the North Carolina Department of Agriculture and Consumer Services is available at no cost at www.ncagr.gov,
21 and is incorporated by reference, including subsequent amendments and editions.

22
23 *History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-274;*

24 *Eff. January 1, ~~2020~~. 2020;*

25 *Amended Eff. January 1, 2026.*