

1 15A NCAC 10B .0501 is adopted as published in 38:04 NCR 189 as follows:
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3 SECTION 10B .1500 – CHRONIC WASTING DISEASE MANAGEMENT
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5 **15A NCAC 10B .0501 DEFINITIONS AND GENERAL REQUIREMENTS**

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

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

- 9 (1) "Cervid" means the animals in the Family Cervidae not otherwise regulated by the North
10 Carolina Department of Agriculture and Consumer Services.
11 (2) "Cervid Health Cooperator" means an individual authorized to collect CWD samples on behalf
12 of the Commission.
13 (3) "Chronic Wasting Disease" or "CWD" means the transmissible spongiform encephalopathy prion
14 disease affecting species within the deer (Cervidae) Family.
15 (4) "CWD Management Area" means the area delineated by the Commission where CWD has been
16 determined to be endemic and the rules of this Section apply.
17 (5) "Primary Surveillance Area" or "PSA" means a county delineated by the Commission for
18 CWD surveillance where a confirmed CWD positive cervid has been found.
19 (6) "Sample" means the cervid head and no less than three inches of the neck.
20 (7) "Secondary Surveillance Area" or "SSA" means a county adjacent to or near a PSA delineated
21 by the Commission for CWD surveillance.
22 (8) "Submit" means to deliver a sample to a cervid health cooperator or qualified Commission
23 employee or deposit in a Commission CWD Testing Drop-off Station.
24 (9) "Surveillance Area" means the PSA and SSA collectively.
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26 *History Note: Authority G.S. 113-134; 113-306;*
27 *Temporary Adoption Eff. July 1, 2022;*
28 *Temporary Adoption Eff. July 1, 2023;*
29 *Eff. January 1, 2024.*
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1 15A NCAC 10B .0503 is adopted as published in 38:04 NCR 190 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 inside a Surveillance Area, except ~~that~~ that:

7 (1) bird feeders specifically designed for nongame birds ~~and other activities specifically permitted by~~
8 the Commission shall be ~~allowed~~ allowed;

9 (2) ~~Placement~~ placement of bait, food, or food products to hunt during the urban archery season shall
10 be allowed within the established season in participating ~~municipalities~~ municipalities; and

11 (3) the placement of food specifically permitted by the Commission for scientific research, population
12 management, and wildlife control may be allowed.

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

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

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

18 (1) meat that has been boned out so that no pieces or fragments of bone remain;

19 (2) caped hides with no part of the skull or spinal column attached;

20 (3) antlers, antlers attached to cleaned skull plates, or skulls free from meat or brain tissue;

21 (4) cleaned lower jawbones with teeth or cleaned teeth;

22 (5) finished taxidermy products and tanned hides;

23 (6) carcass or carcass parts permitted by the Commission for disposal outside of the Surveillance Area;

24 (7) carcass or carcass parts originating inside a PSA county may be transported into contiguous
25 PSA(s) counties; ~~or outside of the PSA as specified in Subparagraphs (d)(1) through (6) of this~~
26 Rule; and

27 (8) carcass or carcass parts originating inside a SSA county may be transported into contiguous
28 SSA(s) or PSA(s) counties; ~~or outside of the SSA as specified in Subparagraphs (d)(1) through~~
29 (6) of this Rule.

30 (e) No person shall possess or use 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;

35 (2) natural substances labeled as being collected from facilities within North Carolina that have a valid
36 Farmed Cervid License from the North Carolina Department of Agriculture and Services;

1 (3) natural deer urine products labeled as containing excretions from facilities within North Carolina
2 that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and
3 Consumer Services; and

4 (4) natural deer urine products labeled as containing excretions from facilities that meet all the
5 following requirements:

6 (A) determined to be free of Chronic Wasting Disease (CWD) based on testing by an
7 independent laboratory using a method that may help detect the presence of CWD prions;

8 (B) complies with a federally approved CWD herd certification program and any federal CWD
9 protocols; and

10 (C) participates in additional herd management requirements as specified by the Wildlife
11 Resources Commission.

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

1 15A NCAC 10F .0333 is amended with changes as published in 38:04 NCAC 191 as follows:

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3 **15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES**

4 (a) Regulated Areas. This Rule shall apply to the following waters of Lake Wylie in Mecklenburg and Gaston
5 ~~Counties:~~ counties:

- 6 (1) McDowell Park. The waters of the coves adjoining McDowell Park and the Southwest Nature
7 Preserve in Mecklenburg County shore to shore, east of the mouth of the cove at a line from a point
8 on the south shore at 35.10272 N, 81.03026 W to a point on the north shore at 35.10556 N, 80.02964
9 W;
- 10 (2) Gaston County Wildlife Club Cove. The waters of the cove west of the Gaston County Wildlife
11 Club on South Point Road in Belmont, north of a line at the mouth of the cove from a point on the
12 east shore at 35.15628 N, 81.01427 W to a point on the west shore at 35.15628 N, 81.01615 W;
- 13 (3) Buster Boyd Bridge. The waters from a point 250 feet east of the Buster Boyd Bridge on N.C.
14 Highway 49 in Mecklenburg County at 35.10293 N, 81.03932 W, to a point 150 feet west of the
15 Buster Boyd Bridge at 35.10242 N, 81.04089 W;
- 16 (4) N.C. Highway 27 ~~bridge.~~ Bridge. The waters shore to shore, from a point 50 yards north of the N.C.
17 Highway 27 bridge in Mecklenburg and Gaston counties at 35.29849 N, 81.00346 W to a point 190
18 yards south of the N.C. Highway 27 bridge at 35.29635 N, 81.00424 W;
- 19 (5) Brown's Cove. The area beginning at the mouth of Brown's Cove in Mecklenburg County shore to
20 shore, at a point at 35.16453 N, 81.00474 W, west to a point at 35.16480 N, 81.00309 W;
- 21 (6) Paradise Point Cove. The waters of Paradise Point Cove in Gaston County between Paradise Circle
22 and Lake Front Drive, west of a line from a point on the south shore at 35.18853 N, 81.04036 W to
23 a point on the north shore at 35.18991 N, 81.04136 W;
- 24 (7) Withers Cove. The waters of Withers Cove in Mecklenburg County, shore to shore, beginning at a
25 line north of the Mecklenburg Charlotte Fire Department and Police Department Boathouse from a
26 point on the west shore at 35.14632 N, 81.00383 W to a point on the east shore at 35.14713 N,
27 81.00173 W, and ending at a point 50 feet southeast of the Withers Bridge on ~~SR~~ S.R. 1116,
28 otherwise known as Shopton Road, at 35.14576 N, 81.00187 W;
- 29 (8) Sadler Island. The waters shore to shore beginning at a line from a point on the west shore of Lake
30 Wylie in Gaston County at 35.27481 N, 81.0138 W east to a point on the east shore of the Lake in
31 Mecklenburg County at 35.27423 N, 81.01111 W, extending south on the Lake west of Sadler Island
32 to a line from a point on the west shore of the Lake in Gaston County at 35.27079 N, 81.01525 W,
33 east to a point on the west side of Sadler Island in Mecklenburg County at 35.27051 N, 81.01396
34 W, and the waters shore to shore east of Sadler Island in Mecklenburg County from a point at
35 35.27441 N, 81.01185 W, south-southwest to a line from a point on the south shore of Sadler Island
36 at 35.26635 N, 81.01432 W, south to a point on the Lake shore at 35.26494 N, 81.01368 W;

- 1 (9) Other ~~bridges.~~ Bridges. The ~~areas~~ waters within 50 feet of a bridge in North Carolina that crosses
 2 the waters
 3 of Lake Wylie that is not otherwise specifically mentioned in this Paragraph; ~~and~~
 4 (10) Yachtsman on Lake Wylie Community. The waters within 50 yards of the community piers near the
 5 terminus of Waterside Drive in Mecklenburg County, and northward to include the waters east of
 6 the island that is west of Point Lookout Road, ending at a line from a point on the northern end of
 7 the island at 35.12226 N, 81.03306 W, east to a point on the shore at 35.12253 N, 81.03190 W; ~~and~~
 8 (11) Brown's Cove. The waters of Brown's Cove in Mecklenburg County, beginning at a line from a
 9 point on the east shore at 35.16892 N, 80.99702 W to a point on the west shore at 35.16948 N,
 10 80.99783 W, northeast to a line from a point on the south shore at 35.16913 N, 80.99556 W to a
 11 point on the north shore at 35.17043 N, ~~80.99684 W.~~ 80.99684 W;
 12 (12) South Point Boating Access Area. The waters within 50 yards of the South Point Boating Access
 13 Area in Gaston County, 199 Boat Launch Road in Belmont;
 14 (13) Other ~~[facilities.]~~ Facilities. The waters within 50 yards of a public boat launching ramp not
 15 otherwise specified in this Paragraph, public dock, public pier, public marina, public boat storage
 16 structure, or public boat service area; and
 17 (14) Marked ~~[swimming and mooring areas.]~~ Swimming and Mooring Areas. The waters within 50 yards
 18 of a marked swimming area or marked mooring area.

19 (b) ~~Speed Limit. Limit Near Ramps.~~ No person shall operate a vessel at greater than no-wake speed within 50 yards
 20 ~~of a public boat launching ramp, dock, pier, marina, boat storage structure, or boat service area.~~ the regulated areas
 21 described in Paragraph (a) of this Rule.

22 (c) ~~Speed Limit Near Marked Swimming or Mooring Areas.~~ No person shall operate a vessel at greater than no wake
 23 ~~speed within 50 yards of a marked mooring area or marked swimming area.~~

24 (c) ~~Restricted [area.] Area.~~ No person operating or responsible for the operation of a vessel shall allow it to enter the
 25 waters of the restricted area with swim beach at the South Point Access Area in Gaston County, at 199 Boat Launch
 26 Road in Belmont, north of the rope in the cove east of the South Point Boating Access Area.

27 (d) ~~Placement and Maintenance of Markers. The Lake Wylie Marine Commission shall be the designated agency for~~
 28 ~~placement and maintenance of markers implementing this Rule. The following agencies are the designated agencies~~
 29 for placement and maintenance of markers implementing this Rule:

- 30 (1) the Lake Wylie Marine Commission for the regulated areas designated in Subparagraphs (a)(1)
 31 through (11), (13) and (14);
 32 (2) the North Carolina Wildlife Resources Commission for the regulated area designated in
 33 Subparagraph (a)(12); and
 34 (3) Duke Energy Carolinas, LLC for the restricted area designated in Paragraph (c).

36 *History Note: Authority G.S. 75A-3; 75A-15;*
 37 *Eff. July 1, 1980;*

1 *Amended Eff. July 1, 1994; June 1, 1985; June 1, 1984; March 1, 1983;*
2 *Temporary Amendment Eff. January 1, 1998;*
3 *Amended Eff. July 1, 1998;*
4 *Temporary Amendment Eff. February 4, 2000;*
5 *Amended Eff. April 1, 2009; June 1, 2004; July 1, 2000;*
6 *Temporary Amendment Eff. May 1, 2015;*
7 *Amended Eff. October 1, 2015;*
8 *Readopted Eff. October 1, 2018;*
9 *Amended Eff. January 1, 2024; June 1, 2023; June 1, 2022; May 1, 2019.*
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