

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0113

DEADLINE FOR RECEIPT: April 9, 2020

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:

In (a)(1), line 9, please change "that" to "which."

In (a)(5), just to be clear, is the DMAP tag a special deer tag? Given the language in (h), does your regulated public know this?

In (a)(7), what is the "big game harvest reporting system?" Is it different than the "Big Game Harvest Report Card" and the "Electronic Big Game Reporting System?" Should it be capitalized?

In (a)(7), does your regulated public know which areas are considered "remote areas?"

In (g), by "except as otherwise provided by rule or law" are you referring to any specific rules or laws?

In (i), line 24, please change "NCGS" to "G.S."

In (j), line 28, please consider replacing "id" with either "ID" or "identification."

At line 29, Please refer to "Paragraphs (d) or (e) of this Rule."

At line 29, please consider whether "hunter" should be replaced with the defined term "successful hunter."

Were the changes made post-publication made in response to public comment?

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10B .0113 is readopted with changes as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10B .0113 BIG GAME ~~KILL~~ HARVEST REPORTS**

4 (a) ~~Upon killing a bear, deer, or wild turkey and before moving the animal from the site of kill, the successful hunter~~
5 ~~shall validate the Big Game Harvest Report Card furnished with the big game hunting license by cutting or punching~~
6 ~~out the validation box that correctly identifies the big game animal harvested. In lieu of the Big Game Harvest Report~~
7 ~~Card, antlerless deer may be recorded as outlined on the Bonus Antlerless Deer Harvest Report Card acquired from~~
8 ~~the Wildlife Resources Commission or a Wildlife Service Agent. Deer harvested under the Deer Management~~
9 ~~Assistance Program (DMAP) program, not validated with either a Big Game Harvest Report Card or Bonus Antlerless~~
10 ~~Deer Harvest Report Card, shall be validated by affixing a Commission issued DMAP tag to the deer as required by~~
11 ~~G.S. 113-291.2(e).~~

12 (b) ~~Before any harvested bear, deer, or wild turkey is skinned, dressed, or dismembered for consumption and within~~
13 ~~24 hours of the kill, the animal shall be registered through the Electronic Big Game Reporting System. The hunter~~
14 ~~may field dress the animal at the site of kill or before registering it by bleeding and removing the digestive, respiratory,~~
15 ~~and circulatory organs. However, the hunter may not further process the carcass in a manner that obscures its species~~
16 ~~identity, age, or sex before registering the animal. When the kill occurs in a remote area that prevents the animal from~~
17 ~~being transported as an entire carcass, the animal may be skinned and quartered before being registered. When a hunter~~
18 ~~harvests a big game animal in a remote area and plans to remain in the remote area for longer than a day, the 24 hour~~
19 ~~time limit to register the kill is extended until the hunter leaves the area. Upon leaving the remote area, the hunter shall~~
20 ~~register the kill within 24 hours.~~

21 (c) ~~When a hunter registers a kill, the Electronic Big Game Reporting System shall issue an authorization number to~~
22 ~~the big game hunter. The hunter shall record the authorization number obtained through the Electronic Big Game~~
23 ~~Reporting System in the space provided immediately adjacent to the validation box that has been cut or punched out~~
24 ~~on the Big Game Harvest Report Card or the Bonus Antlerless Deer Harvest Report Card. Any hunter validating a~~
25 ~~deer harvest with a Commission issued DMAP tag shall record and maintain the issued authorization number to serve~~
26 ~~as proof of registration. The authorization number shall thereafter constitute authorization for the continued possession~~
27 ~~of the carcass. Possession of a harvested bear, deer, or wild turkey without the validated Big Game Harvest Report~~
28 ~~Card or Bonus Antlerless Deer Harvest Report Card where applicable, including the authorization number obtained~~
29 ~~through the Electronic Big Game Reporting System, is unlawful.~~

30 (d) ~~Persons who kill a big game animal and leave it unattended shall identify the carcass with their name, their hunting~~
31 ~~license number, and the date of kill. Once an unattended animal is registered, the animal need only be identified with~~
32 ~~the authorization number received by registering the kill. It is unlawful for a person to possess a Big Game Harvest~~
33 ~~Report Card or Bonus Antlerless Deer Harvest Report Card on which the species validation box has been cut or~~
34 ~~punched out, but on which the authorization number received by registering the kill has not been recorded, or to~~
35 ~~possess a used or affixed Commission issued DMAP tag without a valid authorization number, unless the animal is~~
36 ~~in the person's possession or is identified as described in this Paragraph and not more than 24 hours have passed since~~
37 ~~the harvest.~~

~~(e) Persons who are by law exempt from the big game hunting license by G.S. 113-276 shall obtain a Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card for License Exempt Hunters from a Wildlife Service Agent or possess a valid Commission issued DMAP tag. Upon harvesting a bear, deer, or wild turkey, the exempt person shall validate and register the kill as provided by this Rule.~~

~~(f) Persons who use special tags issued pursuant to G.S. 113-291.2(e) to validate the harvest of a deer shall follow the tagging and reporting requirements set forth by statute and shall not take any action under this Rule.~~

(a) Definitions. The following definitions shall apply~~te~~in this Rule:

(1) "Authorization number" means the number or code issued by the Electronic Big Game Reporting System upon completion of big game harvest registration, that shall serve as proof of registration and allow continued possession of the carcass.

(2) "Big Game" means bear, wild turkey, and white-tailed deer, as defined in G.S. 113-129.

(3) "Big Game Harvest Report Card" means the reporting card supplied to the hunter by the Commission as part of the big game license, upon which the successful hunter validates and records the authorization number for a big game harvest.

(4) "Field Dress" means the bleeding or removal of the digestive, respiratory, and circulatory organs.

(5) "Validate" or "validation" means cutting or punching-out the day and month the harvest occurred on the appropriate line of the Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card or by affixing a Commission-issued Deer Management Assistance Program (DMAP) tag, as required by G.S. 113-291.2(e).

(6) "Register" or "Registration" means the process by which the harvest of big game is reported through the Electronic Big Game Reporting System and an authorization number is issued.

(7) "Remote Area" means an area where access to the big game harvest reporting system is unavailable.

(8) "Site of kill" or "site of harvest" means the location that a person takes possession of harvested big game.

(9) "Successful hunter" means a person that has lawfully taken and reduced to possession a big game animal.

(b) Validation. The successful hunter shall validate the Big Game Harvest Report Card or the Bonus Antlerless Deer Harvest Report Card before moving any big game from the site of kill. Deer harvested pursuant to the Deer Management Assistance Program (DMAP), that are not validated by the Big Game Harvest Report Card or the Bonus Antlerless Deer Harvest Report Card, shall be validated by affixing a Commission-issued DMAP tag.

(c) Field Dressing. Harvested big game may be field dressed at the site of kill or before registration. Further processing that obscures the identification of the harvested animal's species, age, or sex shall be prohibited without a valid authorization number.

(d) Registration. Harvested big game shall be registered via the Electronic Big Game Reporting System at www.ncwildlife.org or by calling 1-800-446-8663. Harvested big game shall be registered before the animal is:

(1) skinned; or

(2) dismembered; or

1 (3) left unattended by the successful hunter; or

2 (4) placed in the possession of another person.

3 Harvested big game animals that are not skinned, dismembered, left unattended by the successful hunter, or placed in
4 the possession of another person, shall be registered by 12pm noon the day following the harvest.

5 (e) Registration in Remote Areas. Big game harvested in remote areas shall be registered by 12pm noon, the day after
6 leaving the remote area. Notwithstanding the registration requirements in Paragraph (d) of this Rule, big game
7 harvested in remote areas ~~that cannot be transported as an intact carcass may be skinned and dismembered before~~
8 ~~registration.~~ may:

9 (1) be placed in the possession of another, provided that the person in possession of the big game has
10 the successful hunter's name and date of kill on their person; and

11 (2) be skinned and dismembered before registration, if the carcass cannot be transported intact.

12 (f) Authorization number. The authorization number shall be recorded in the space provided for the appropriate
13 harvested big game animal on the Big Game Harvest Report Card or on the Bonus Antlerless Deer Harvest Report
14 Card. Successful hunters validating a deer harvest by affixing a Commission-issued DMAP tag shall record and
15 maintain the authorization number upon registration.

16 (g) Unattended Harvests. ~~Successful~~ Except as otherwise provided by rule or law, successful hunters that leave a
17 harvested big game animal unattended or in the possession of ~~a~~ another person shall identify the carcass by attaching
18 the authorization number issued at the time of registration. Except as provided in Paragraph (e) of this Rule, a person
19 that takes possession of a big game animal from a successful hunter shall retain the authorization number of that
20 animal.

21 (h) Exceptions. Requirements of this Rule shall not be applicable to special deer tags issued pursuant to G.S. 113-
22 291.2(e).

23 (i) Any person hunting big game animals, including license exempt ~~individuals,~~ persons, shall have a valid Big Game
24 Harvest Report Card, valid Bonus Antlerless Deer Harvest Report Card, or special tag pursuant to NCGS 113-291.2
25 in their possession. The Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card is part of the
26 big game license and shall not be transferrable.

27 (j) Any persons who has requested a Big Game Harvest Report Card by phone or internet but has not yet received the
28 Big Game Harvest Report Card by mail, shall validate the kill by affixing the harvest id number provided by the
29 Commission to the carcass and shall register in accordance with parts (d) or (e) of this rule. The hunter shall retain
30 all authorization numbers from reported harvests and shall transcribe those authorization numbers to the Big Game
31 Harvest Report Card upon receipt of the card.

32
33 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291;*

34 *Eff. February 1, 1976;*

35 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1995; July 1, 1994; July 1, 1993; July 1, 1989;*

36 *Temporary Amendment Eff. July 1, 1999;*

1 *Amended Eff. August 1, 2017; August 1, 2012; August 1, 2010; June 1, 2009; May 1, 2007; May 1,*
2 *2004; July 1, 2000.*
3 *Readopted Eff. August 1, 2020*
4

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0201

DEADLINE FOR RECEIPT: April 9, 2020

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:

In (b)(3) and (c)(2), do you mean "may" or "shall?"

In (f), were the changes made post-publication made in response to public comment?

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10B .0201 is amended with changes as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10B .0201 PROHIBITED TAKING AND MANNER OF TAKE**

4 (a) It is unlawful for any person to take, or have in possession, any wild animal or wild bird listed in this Section
5 except during the open seasons and in accordance with the limits herein prescribed, or as prescribed by 15A NCAC
6 10B .0300 pertaining to trapping or 15A NCAC 10D applicable to game lands managed by the Wildlife Resources
7 Commission, unless otherwise permitted by law. Lawful seasons and bag limits for each species apply beginning with
8 the first day of the listed season and continue through the last day of the listed season, with all dates being included.
9 When any hunting season ends on a January 1 that falls on a Sunday, that season shall be extended to Monday, January
10 2.

11 (b) On Sundays, hunting on private lands shall be allowed under the following conditions:

- 12 (1) archery equipment as described in 15A NCAC 10B .0116, falconry, and dogs where and when
13 allowed the other days of the week are lawful methods of take, except as prohibited in G.S. 103-2;
14 (2) firearms are lawful methods of take when used as described in G.S. 103-2; and
15 (3) migratory game birds may not be taken.

16 (c) On Sundays, hunting on public lands is allowed with the following restrictions:

- 17 (1) only falconry and dogs used in conjunction with falconry are lawful methods of take; and
18 (2) migratory game birds may not be taken.

19 These restrictions do not apply to military installations under the exclusive jurisdiction of the federal government.

20 (d) Those animals not classified as game animals in G.S. 113-129(7c), and for which a season is set under this Section,
21 may be taken during the hours and methods authorized for taking game animals.

22 (e) Where local laws govern hunting, or are in conflict with this Subchapter, the local law shall prevail.

23 (f) No person shall possess or use any substance or material that contains or ~~purports to contain~~ is labeled as
24 containing any excretion collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid for the
25 purposes of taking or attempting to take, attracting, or scouting wildlife. This prohibition shall not apply to natural
26 substances collected by an individual from non-farmed cervids legally taken in North Carolina or synthetic products.

27
28 *History Note: Authority G.S. 103-2; 113-291.1(a); 113-134; 113-291.2; 113-291.3;*

29 *Eff. February 1, 1976;*

30 *Amended Eff. August 1, 2020; May 1, 2016; August 1, 2012; July 10, 2010; July 1, 1996; July 1,*
31 *1987.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0203

DEADLINE FOR RECEIPT: April 9, 2020

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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:

In (a)(1), why are the counties in (A) and (B) listed separately since they have the same season of "Saturday on or nearest October 15 through January 1?"

On page 3, lines 32-34, is this part of (2)(C) or should this be (2)(D)?

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10B .0203 is amended as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10B .0203 DEER (WHITE-TAILED)**

4 (a) Open Seasons (All Lawful Weapons) for hunting deer:

5 (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished
6 from knobs or buttons covered by skin or velvet, may be taken on all game lands except Buffalo
7 Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to
8 15A NCAC 10D .0103 for Deer With Visible Antlers seasons on these Game Lands), during the
9 following seasons:

10 (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bladen, Brunswick,
11 Carteret, Columbus*, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones,
12 Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson,
13 Scotland, Tyrrell, and Washington counties.

14 *Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline.

15 (B) Saturday on or nearest October 15 through January 1 in all of Bertie, Camden, Chowan,
16 Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin,
17 Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and
18 Wilson counties.

19 (C) Saturday before Thanksgiving Day through January 1 in all of Alexander, Alleghany, Ashe,
20 Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes,
21 Surry, Watauga, Wilkes, and Yadkin counties.

22 (D) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all
23 of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson,
24 Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, and Yancey
25 counties.

26 (E) Two Saturdays before Thanksgiving Day through January 1 in all of Alamance, Anson,
27 Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg,
28 Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union
29 counties.

30 (F) Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates,
31 and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those
32 parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National
33 Wildlife Refuge; in that part of Hyde county known as Lake Mattamuskeet National
34 Wildlife Refuge; in those parts of Dare and Hyde counties known as Alligator River
35 National Wildlife Refuge; in those parts of Anson and Richmond counties known as the
36 Pee Dee National Wildlife Refuge; and in that part of Currituck County known as the
37 Mackay Island National Wildlife Refuge.

- (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open seasons and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this Subparagraph (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game Lands). Deer of either sex may be taken during the open season identified in Part (H) of this Subparagraph.
- (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service during the period from the Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife Refuge.
- (B) The open either-sex deer hunting dates established by the appropriate military commands at each of the military installations listed in this Paragraph, during the period from Saturday on or nearest October 15 through January 1 in that part of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of Craven County known and marked as Cherry Point Marine Base, in that part of Onslow County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall Military Reservation.
- (C) Youth either-sex deer hunts. First Saturday in October for youth either-sex deer hunting by permit only on a portion of Belews Creek Steam Station in Stokes County designated by agents of the Commission; the third Saturday in October for youth either-sex deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties; and the second Saturday in November for youth either-sex deer hunting by permit only on apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated by agents of the Commission. A youth is defined as a person under 18 years of age.
- (D) The first open Saturday of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and Transylvania counties.
- *Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280
- (E) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the first Saturday thereafter in all of Avery, Burke, Caldwell, McDowell, Mitchell, and Yancey counties.
- (F) The first open day of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule through the second Friday thereafter in all of Cleveland, Polk, and Rutherford counties.

- (G) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and Gaston counties and in the following parts of counties: Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280; and Henderson; That part east of NC 191 and north and west of NC 280.
- (H) The fourth Saturday in September in all counties, subject to the following restriction: only persons under the age of 18 years may hunt.
- (b) Open Seasons (Archery) for hunting deer:
- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the following seasons:
- (A) Saturday on or nearest September 10 through the day immediately preceding the first open day of the Blackpowder Firearms and Archery Seasons described in Subparagraph (c)(1) of this Rule; and the Sunday immediately following the closing of blackpowder firearms and archery season identified in Part (c)(1)(B) of this Rule to the Sunday before Thanksgiving in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Archery seasons on these Game Lands).
- (B) Sunday immediately following the closing of the open season for Deer With Visible Antlers through January 1 in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.
- (2) Restrictions
- (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs may not be used for hunting deer during the archery season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
- (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer may be used during the archery deer hunting season.
- (C) Deer of either sex may be taken during archery seasons specified by Part (b)(1)(A) of this Rule.
- Only deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, shall be taken during the archery season specified by Part (b)(1)(B) of this Rule.
- (c) Open Seasons (Blackpowder Firearms and Archery) for hunting deer:
- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be taken only with blackpowder firearms and archery equipment during the following seasons:

- 1 (A) Two Saturdays preceding the first day of the Deer with Visible Antlers seasons described
2 in Parts (a)(1)(A), (B), (C), (E), and (F) of this Rule through the second Friday thereafter
3 except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South
4 Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Blackpowder Firearms and
5 Archery seasons on these Game Lands):
- 6 (B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and
7 parts of counties having the open seasons for Deer With Visible Antlers specified by Part
8 (a)(1)(D) of this Rule.
- 9 (2) Restrictions
- 10 (A) Deer of either sex may be taken during blackpowder firearms and archery season in any
11 county or county part set forth in Part (a)(2)(G) of this Rule that has either-sex days for all
12 lawful weapons and in and east of the following counties: Polk, Rutherford, McDowell,
13 Burke, Caldwell, ~~Watauga, and Ashe~~, and Cleveland. Deer of either sex may be taken on
14 the first Saturday day of this season only in all other counties.
- 15 (B) In the areas of the State where the Commission is authorized to regulate the use of dogs as
16 provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the blackpowder
17 firearms and archery seasons, except a single dog on a leash may be used to retrieve a dead
18 or wounded deer in accordance with G.S. 113-291.1(k).
- 19 (3) As used in this Rule, blackpowder firearms means "Any firearm - including any firearm with a
20 matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or before
21 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not
22 designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any
23 muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that
24 is designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the
25 muzzle or cylinder and that cannot use fixed ammunition."
- 26 (d) Open Season (Urban Season) for hunting deer:
- 27 (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag
28 limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow in
29 participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following
30 January 1 through the sixth Sunday thereafter. Deer shall not be taken on any game land or part
31 thereof that occurs within a city boundary.
- 32 (2) Participation. Cities that intend to participate in the urban season shall send a letter to that effect no
33 later than April 1 of the year prior to the start of the urban season to the Executive Director or his
34 designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map of
35 the city's boundaries within which the urban season shall apply.
- 36 (3) Restrictions:

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

(B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer shall be used during the urban season.

(e) Bag limits. The possession and season limit is six deer, two of which may be deer with visible antlers and four of which may be antlerless deer. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from spikes protruding through the skin. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report cards from the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional antlerless deer per card for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities, except on State-owned game lands. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the possession and season limit. The bag limits described above do not apply to deer harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e) for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with DMAP tags may only be harvested during the regularly established deer seasons subject to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report card.

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0224

DEADLINE FOR RECEIPT: April 9, 2020

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:

At line 7, do you mean "may" or "shall?"

At lines 16 and 18, please delete or define "immediately."

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10B .0224 is amended as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10B .0224 AMERICAN ALLIGATOR**

4 (a) The season for taking American alligators shall be September 1 to October 1.

5 (b) Take shall be by permit only.

6 (c) The bag limit shall be one per permit and the season limit is one.

7 (d) American alligators ~~shall be restrained before being killed. American alligators shall~~ may only be restrained using
8 one of the following methods in accordance with the provisions of the permit:

9 (1) a hand-held restraining line or catch pole;

10 (2) a snatch hook attached to a hand-held restraining line or rod and reel;

11 (3) a harpoon or gig attached to a hand-held restraining line;

12 (4) a baited wooden peg less than two inches in length attached to a hand-held restraining line; or

13 (5) archery equipment with an arrow-attached restraining line.

14 (e) If a minimum size limit is applicable to the county or municipality for which the permit is issued, the size limit
15 and method(s) of restraint shall be specified on the permit.

16 ~~(e)(f)~~ American alligators restrained by any method specified in Paragraph (d) of this Rule shall be killed immediately
17 upon ~~capture~~. capture except when a minimum size limit is specified on the permit. When a minimum size limit is
18 specified on the permit, animals not meeting the minimum size limit shall be released immediately at the site of
19 capture.

20 ~~(f)(g)~~ American alligators may be taken day or night and with the use of artificial lights.

21 ~~(g)(h)~~ The use of baited hooks is prohibited.

22
23 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2;*

24 *Eff. August 1, 2018.*

25 *Amended Eff. August 1, 2020.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0226

DEADLINE FOR RECEIPT: April 9, 2020

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:

In (a)(1), please capitalize "Subparagraph."

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10B .0226 is adopted as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10B .0226 BULLFROGS**

4 (a) The open seasons for taking of bullfrog, *Rana catesbeiana*, shall be as follows:

5 (1) Except as provided in subparagraph (a)(2) of this Rule, there shall be no closed season for taking
6 bullfrogs.

7 (2) On Wildlife Resources Commission Property, as defined in G.S. 113-129, bullfrogs may be taken
8 from April 1 to August 31 with a valid license that entitles the licensee to access and use Wildlife
9 Resources Commission Property.

10 (b) Bag Limit: It shall be unlawful to take more than 24 bullfrogs in a 24-hour period that runs from 12 noon to 12
11 noon.

12 (c) Artificial lights may be used to take bullfrogs.

13
14 History Note: Authority G.S. 113-134; 113-291.1;

15 Eff. August 1, 2020.

1 15A NCAC 10C .0205 is amended as published in 34:11 NCR 919 as follows:

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

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

5 (1) "Natural bait" means any living or dead organism (plant or animal), or parts thereof, or prepared
6 substances designed to attract fish by the sense of taste or smell.

7 (2) "Single hook" means a fish hook with only one point.

8 ~~(2)(3)~~ "Artificial lure" means a fishing lure that neither contains nor has been treated by any 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 any
11 similar material to which no additional hook, spinner, spoon or similar device is added.

12 ~~(3)(5)~~ "Youth anglers" are individuals under 18 years of age.

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

14 (1) "Public Mountain Trout Waters" are all waters included in this Rule and so designated in 15A NCAC
15 10D .0104.

16 (2) "Catch and Release/Artificial Flies Only Trout Waters" are Public Mountain Trout Waters where
17 only artificial flies having one single hook may be used. No trout may be possessed or harvested
18 while fishing these streams. Waters designated as such include tributaries unless otherwise noted.

19 (3) "Catch and Release/Artificial Lures Only Trout Waters" are Public Mountain Trout Waters where
20 only artificial lures having one single hook may be used. No trout may be possessed or harvested
21 while fishing these streams. Waters designated as such include tributaries unless otherwise noted.

22 (4) "Delayed Harvest Trout Waters" are Public Mountain Trout Waters where between October 1 and
23 one-half hour after sunset on the Friday before the first Saturday of the following June, it is unlawful
24 to possess natural bait, use more than one single hook on an artificial lure, or harvest or possess trout
25 while fishing. From 6:00 a.m. on the first Saturday in June until noon that same day, only youth
26 anglers may fish and these waters have no bait or lure restrictions. From noon on the first Saturday
27 in June until October 1, anglers of all ages may fish and these waters have no bait or lure restrictions.
28 Waters designated as such do not include tributaries unless otherwise noted.

29 (5) "Hatchery Supported Trout Waters" are Public Mountain Trout Waters that have no bait or lure
30 restrictions. Waters designated as such do not include tributaries unless otherwise noted.

31 (6) "Special Regulation Trout Waters" are Public Mountain Trout Waters where watercourse-specific
32 regulations apply. Waters designated as such do not include tributaries unless otherwise noted.

33 (7) "Wild Trout Waters" are Public Mountain Trout Waters which are identified as such in this Rule or
34 15A NCAC 10D .0104. Only artificial lures having only one single hook may be used. No person
35 shall possess natural bait while fishing these waters. Waters designated as such do not include
36 tributaries unless otherwise noted.

(8) "Wild Trout Waters/Natural Bait" are Public Mountain Trout Waters where all artificial lures and natural baits, except live fish, may be used provided they are fished using only one single hook. Waters designated as such include tributaries unless otherwise noted.

(9) "Undesignated Waters" are all other waters in the State. These waters have no bait or lure restrictions. Trout may not be possessed while fishing these waters from March 1 until 7:00 a.m. on the first Saturday in April.

(c) Seasons, creel, and size limits. Seasons, creel, and size limits for trout in all waters are listed in Rule .0316 of this Subchapter.

(d) Classifications. This Paragraph designates waters in each county that have a specific classification. Waters on game lands are so designated in 15A NCAC 10D .0104, unless otherwise indicated in this Paragraph. All other waters are classified as Undesignated Waters.

(1) Alleghany

(A) Delayed Harvest Trout Waters are as follows:

Little River (S.R. 1133 bridge to 275 yards downstream of the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank])

(B) Hatchery Supported Trout Waters are as follows:

Big Pine Creek

Bledsoe Creek

Brush Creek (N.C. 21 bridge to confluence with Little River, except where posted against trespassing)

Cranberry Creek

(Big) Glade Creek

Little River (275 yards downstream from the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank] to McCann Dam)

Meadow Fork

Pine Swamp Creek

Piney Fork

Prathers Creek

(C) Wild Trout Waters are as follows:

All waters located on Stone Mountain State Park

(2) Ashe County

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

Big Horse Creek (Virginia state line to Mud Creek at S.R. 1363, excluding tributaries)

(B) Delayed Harvest Trout Waters are as follows:

Big Horse Creek (S.R. 1324 bridge to North Fork New River)

Helton Creek (SR 1372 bridge to North Fork New River)

South Fork New River (upstream end of Todd Island to the SR 1351 bridge)

- 1 Trout Lake
- 2 (C) Hatchery Supported Trout Waters are as follows:
- 3 Beaver Creek (N.C. 221 to confluence of Beaver Creek and South Beaver Creek)
- 4 Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)
- 5 Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)
- 6 Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)
- 7 Cranberry Creek (Alleghany Co. line to South Fork New River)
- 8 Nathans Creek
- 9 North Fork New River (Watauga Co. line to Sharp Dam)
- 10 Old Fields Creek (N.C. 221 to South Fork New River)
- 11 Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)
- 12 Roan Creek
- 13 Three Top Creek
- 14 (3) Avery County
- 15 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
- 16 Elk River (portion on Lees-McRae College property, excluding the millpond)
- 17 Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)
- 18 (B) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 19 Wilson Creek (game land portion)
- 20 (C) Hatchery Supported Trout Waters are as follows:
- 21 Boyde Coffey Lake
- 22 Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state
- 23 line)
- 24 Linville River (Land Harbor line [below dam] to the Blue Ridge Parkway boundary line,
- 25 except where posted against trespassing)
- 26 Milltimber Creek
- 27 North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family
- 28 Recreational Park, except where posted against trespassing)
- 29 North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against
- 30 trespassing)
- 31 Squirrel Creek
- 32 Wildcat Lake
- 33 (D) Wild Trout Waters are as follows:
- 34 Birchfield Creek
- 35 Cow Camp Creek
- 36 Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)
- 37 Gragg Prong

- 1 Horse Creek
2 Kentucky Creek
3 North Harper Creek
4 Plumbtree Creek
5 Roaring Creek
6 Rockhouse Creek
7 Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
8 South Harper Creek
9 Webb Prong
- 10 (4) Buncombe County
- 11 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
12 Carter Creek (game land portion)
- 13 (B) Hatchery Supported Trout Waters are as follows:
14 Bent Creek (headwaters to N.C. Arboretum boundary line)
15 Cane Creek (headwaters to S.R. 3138 bridge)
16 Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)
17 Dillingham Creek (Corner Rock Creek to Ivy Creek)
18 Ivy Creek (Ivy River)(Dillingham Creek to U.S. 19-23 bridge)
19 Lake Powhatan
20 Reems Creek (Sugar Camp Fork to U.S. 19-23 bridge, except where posted against
21 trespassing)
22 Rich Branch (downstream from the confluence with Rocky Branch)
23 Stony Creek
24 Swannanoa (S.R. 2702 bridge near Ridgecrest to Wood Avenue bridge [intersection of
25 N.C. 81 and U.S. 74A in Asheville], except where posted against trespassing)
- 26 (5) Burke County
- 27 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
28 Henry Fork (portion on South Mountains State Park)
- 29 (B) Delayed Harvest Trout Waters are as follows:
30 Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)
- 31 (C) Hatchery Supported Trout Waters are as follows:
32 Carroll Creek (game land portion above S.R. 1405)
33 Henry Fork (lower South Mountain State Park line downstream to S.R. 1919 at Ivy Creek)
34 Linville River portion within Linville Gorge Wilderness area and portion below Lake
35 James powerhouse from upstream bridge on S.R. 1223 to Muddy Creek)
- 36 (D) Special Regulation Trout Waters are as follows:
37 Catawba River (Muddy Creek to City of Morganton water intake dam)

- 1 (E) Wild Trout Waters are as follows:
2 All waters located on South Mountains State Park, except those waters identified in Parts
3 A and B of this Subparagraph
- 4 (6) Caldwell County
- 5 (A) Delayed Harvest Trout Waters are as follows:
6 Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
- 7 (B) Hatchery Supported Trout Waters are as follows:
8 Boone Fork Pond
9 Buffalo Creek (mouth of Joes Creek to McCloud Branch)
10 Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)
11 Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted
12 against trespassing)
13 Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
- 14 (C) Wild Trout Waters are as follows:
15 Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)
16 Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)
17 Rockhouse Creek
- 18 (7) Cherokee County
- 19 (A) Hatchery Supported Trout Waters are as follows:
20 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
21 Hyatt Creek (Big Dam Branch to Valley River)
22 Junaluska Creek (Ashturn Creek to Valley River)
23 Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)
24 Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- 25 (B) Special Regulation Trout Waters are as follows:
26 Apalachia Reservoir
- 27 (C) Wild Trout Waters/Natural Bait are as follows:
28 Bald Creek (game land portion)
29 Dockery Creek (game land portion)
30 North Shoal Creek (game land portion)
- 31 (8) Clay County
- 32 (A) Delayed Harvest Trout Waters are as follows:
33 Fires Creek (USFS Rd. 340A to the foot bridge in the USFS Fires Creek
34 Picnic Area)
- 35 (B) Hatchery Supported Trout Waters are as follows:
36 Buck Creek (game land portion downstream of U.S. 64 bridge)
37 Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)

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

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

- 1 (E) Wild Trout Waters/Natural Bait are as follows:
2 Buff Creek
3 Chattooga River (S.R. 1100 bridge to the South Carolina state line)
4 Lower Fowler Creek (game land portion)
5 Scotsman Creek (game land portion)
- 6 (13) Macon County
- 7 (A) Delayed Harvest Trout Waters are as follows:
8 Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- 9 (B) Hatchery Supported Trout Waters are as follows:
10 Burningtown Creek (Left Prong to Little Tennessee River)
11 Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
12 Cliffside Lake
13 Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)
14 Nantahala River — upper (Dicks Creek to Whiteoak Creek)
15 Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
16 Queens Creek Lake
- 17 (C) Wild Trout Waters/Natural Bait are as follows:
18 Chattooga River (S.R. 1100 bridge to South Carolina state line)
19 Jarrett Creek (game land portion)
20 Kimsey Creek
21 Overflow Creek (game land portion)
22 Park Creek
23 Tellico Creek (game land portion)
24 Turtle Pond Creek (game land portion)
- 25 (14) Madison County
- 26 (A) Delayed Harvest Trout Waters are as follows:
27 Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)
28 Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)
29 Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews
30 Ave.)
- 31 (B) Hatchery Supported Trout Waters are as follows:
32 Big Laurel Creek (Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of
33 Bearpen Branch)
34 Big Pine Creek (S.R. 1151 bridge to French Broad River)
35 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence
36 with Ivy Creek at Forks of Ivy)
37 Max Patch Pond

- 1 Meadow Fork Creek (Meadow Fork Campground to Spring Creek)
- 2 Punccheon Fork (~~Hampton Creek~~ Wolf Laurel Branch to Big Laurel Creek)
- 3 Roaring Fork (Fall Branch to Meadow Fork)
- 4 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at Belva)
- 5 Shut-in Creek
- 6 Spillcorn Creek
- 7 Spring Creek (junction of N.C. 209 and N.C. 63 to USFS Rd. 223)
- 8 West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-
- 9 in Creek)
- 10 (C) Wild Trout Waters/Natural Bait are as follows:
- 11 Big Creek (headwaters to the lower game land boundary)
- 12 (15) McDowell County
- 13 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 14 Newberry Creek (game land portion)
- 15 (B) Delayed Harvest Trout Waters are as follows:
- 16 Catawba River (portion adjacent to Marion Greenway)
- 17 Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)
- 18 Mill Creek (U.S. 70 bridge to I-40 bridge)
- 19 (C) Hatchery Supported Trout Waters are as follows:
- 20 Armstrong Creek (Cato Holler line downstream to upper Greenlee line)
- 21 Catawba River (Catawba Falls Campground to Old Fort Recreation Park)
- 22 Little Buck Creek (game land portion)
- 23 Mill Creek (upper railroad bridge to U.S. 70 bridge, except where posted against
- 24 trespassing)
- 25 North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- 26 (16) Mitchell County
- 27 (A) Delayed Harvest Trout Waters are as follows:
- 28 Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)
- 29 North Toe River (U.S. 19E bridge to N.C. 226 bridge)
- 30 (B) Hatchery Supported Trout Waters are as follows:
- 31 Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)
- 32 Cane Creek (S.R. 1219 to N.C. 226 bridge)
- 33 East Fork Grassy Creek
- 34 Grassy Creek (East Fork Grassy Creek to mouth)
- 35 Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against
- 36 trespassing)
- 37 North Toe River (Avery Co. line to S.R. 1121 bridge)

- (C) Wild Trout Waters are as follows:
- Green Creek (headwaters to Green Creek bridge, except where posted against trespassing)
 - Little Rock Creek (above Green Creek bridge, including all tributaries, except where posted against trespassing)
 - Wiles Creek (game land boundary to mouth)
- (17) Polk County
- (A) Delayed Harvest Trout Waters are as follows:
 - Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
 - North Pacolet River (Joels Creek to N.C. 108 bridge)
- (18) Rutherford County
- (A) Hatchery Supported Trout Waters are as follows:
 - (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted against trespassing)
- (19) Stokes County
- (A) Hatchery Supported Trout Waters are as follows:
 - Dan River (Virginia state line downstream to a point 200 yards below the end of S.R. 1421)
- (20) Surry County
- (A) Delayed Harvest Trout Waters are as follows:
 - Ararat River (portion adjacent to the Ararat River Greenway)
 - Mitchell River (~~6 mile~~ 0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge on S.R. 1330 ~~bridge below Kapps Mill Dam~~)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)
 - Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards downstream of N.C. 268 [marked by a sign on each bank])
 - Fisher River (Cooper Creek)(Virginia state line to I-77 bridge)
 - Little Fisher River (Virginia state line to N.C. 89 bridge)
 - Lovills Creek (U.S. 52 Business bridge to Ararat River)
 - Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- (21) Swain County
- (A) Delayed Harvest Waters Trout Waters are as follows:
 - Tuckasegee River (U.S. 19 bridge to Slope Street bridge)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Alarka Creek (game land boundary to Fontana Reservoir)
 - Calderwood Reservoir (Cheoah Dam to Tennessee state line)

- 1 Cheoah Reservoir
- 2 Connelly Creek (Camp Branch to Tuckasegee River)
- 3 Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)
- 4 Nantahala River (Macon Co. line to existing Fontana Lake water level)
- 5 (22) Transylvania County
- 6 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
- 7 Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek
- 8 and Grogan Creek)
- 9 (B) Delayed Harvest Trout Waters are as follows:
- 10 East Fork French Broad River (East Fork Baptist Church to the downstream S.R. 1107
- 11 bridge)
- 12 Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)
- 13 (C) Hatchery Supported Trout Waters are as follows:
- 14 Davidson River (Avery Creek to lower USFS boundary)
- 15 French Broad River (confluence of North Fork French Broad River and West Fork) French
- 16 Broad River to the Island Ford Rd. [S.R. 1110] Access Area
- 17 Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)
- 18 West Fork French Broad River (~~Camp Cove Branch~~ S.R. 1312 to confluence with North
- 19 Fork French Broad River)
- 20 (D) Wild Trout Waters are as follows:
- 21 All waters located on Gorges State Park
- 22 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
- 23 (E) Wild Trout Waters/Natural Bait are as follows:
- 24 North Fork French Broad River (game land portion downstream of S.R. 1326)
- 25 Thompson River (S.R. 1152 to South Carolina state line, except where posted against
- 26 trespassing)
- 27 (23) Watauga County
- 28 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 29 Laurel Creek (confluence of North and South Fork Laurel creeks to Elk Creek, excluding
- 30 tributaries)
- 31 Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to Coffee
- 32 Lake)
- 33 (B) Delayed Harvest Trout Waters are as follows:
- 34 Lake Coffey
- 35 Watauga River (adjacent to intersection of S.R. 1557 and S.R. 1558 to N.C. 105 bridge and
- 36 S.R. 1114 bridge to the Valle Crucis Community Park lower boundary)
- 37 (C) Hatchery Supported Trout Waters are as follows:

1 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an
2 unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)
3 Beech Creek
4 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
5 Buckeye Creek Reservoir
6 Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1214 bridge at Sherwood)
7 Dutch Creek (second bridge on S.R. 1134 to mouth)
8 Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against
9 trespassing)
10 Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)
11 Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)
12 Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 to South Fork
13 New River)
14 Norris Fork Creek
15 South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower
16 boundary of Brookshire Park)
17 Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)
18 (D) Wild Trout Waters are as follows:
19 Dutch Creek (headwaters to second bridge on S.R. 1134)
20 Howard Creek
21 Maine Branch (headwaters to North Fork New River)
22 North Fork New River (from confluence with Maine and Mine branches to Ashe Co. line)
23 Watauga River (Avery Co. line to S.R. 1580 bridge)
24 Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)
25 (24) Wilkes County
26 (A) Delayed Harvest Trout Waters are as follows:
27 East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park
28 lower boundary)
29 Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain
30 Club)
31 Elk Creek — lower (portion on Leatherwood Mountains development)
32 Reddies River (Town of North Wilkesboro water intake dam to confluence with the Yadkin
33 River)
34 Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong
35 Roaring River and Bullhead Creek)
36 (B) Hatchery Supported Trout Waters are as follows:
37 Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)

1 Bell Branch Pond
 2 Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)
 3 Darnell Creek (North Prong Reddies River)(downstream ford on S.R. 1569 to confluence
 4 with North Fork Reddies River)
 5 East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)
 6 Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where
 7 posted against trespassing)
 8 Middle Fork Reddies River (Clear Prong)(headwaters to bridge on S.R. 1580)
 9 Middle Prong Roaring River (headwaters to bridge on S.R. 1736)
 10 North Fork Reddies River (Vannoy Creek)(headwaters to Union School bridge on S.R.
 11 1559)
 12 Pike Creek
 13 Pike Creek Pond
 14 South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies
 15 River)
 16 South Prong Lewis Fork (Fall Creek to U.S. 421 bridge adjacent to S.R. 1155-bridge
 17 intersection)

18 (C) Wild Trout Waters are as follows:

19 All waters located on Stone Mountain State Park, except East Prong Roaring River from
 20 Bullhead Creek downstream to the Stone Mountain State Park lower boundary where
 21 Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at
 22 Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek
 23 in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply

24 (25) Yancey County

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

26 South Toe River (headwaters to Upper Creek)
 27 Upper Creek

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

29 Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)

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

31 Bald Mountain Creek (except where posted against trespassing)
 32 Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)
 33 Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)
 34 South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park,
 35 except where posted against trespassing)

36 (D) Wild Trout Waters are as follows:

37 Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)

Licksillet Creek

Middle Creek (game land boundary to mouth)

History Note: Authority G.S. 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;
October 1, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2001;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,
2003);
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;
August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May
1, 2007; May 1, 2006; June 1, 2005;
Readopted Eff. August 1, ~~2019~~, 2019;
Amended Eff. August 1, 2020.

1 15A NCAC 10C .0209 is readopted as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10C .0209 TRANSPORTATION OF LIVE FISH**

4 (a) Fish Transport: It shall be unlawful for any person, firm, or corporation to transport live freshwater nongame
5 fishes, or live game fishes in excess of the possession limit, or fish eggs without having in possession a permit obtained
6 from the North Carolina Wildlife Resources Commission.

7 (b) Fish Stocking: It shall be unlawful for any person, firm, or corporation to stock any life stage of any species of
8 fish in the inland fishing waters of this State without having first procured a stocking permit from the North Carolina
9 Wildlife Resources Commission.

10 (c) Permits for stocking fish shall be issued as follows:

11 (1) Application for a stocking permit shall be made on a form provided by the Commission. The
12 applicant shall specify the purpose for the stocking, species to be stocked, the source of the stock,
13 the number of individual specimens to be released, and the location where release is desired.

14 (2) Before issuing a stocking permit, the Executive Director shall review the application and determine,
15 based on principles of wildlife management and biological science, that the proposed stocking will
16 not:

17 (A) threaten the introduction of epizootic disease or

18 (B) create a danger to or an imbalance in the environment inimical to the conservation of
19 wildlife resources.

20 (3) Based on the determination made in Subparagraph (2):

21 (A) If the Executive Director determines that either or both conditions cannot be met under any
22 circumstances, the application shall be denied.

23 (B) If the Executive Director determines that both conditions may be met only by the
24 introduction of fewer than the number requested, a permit only for the number that may be
25 safely released shall be issued.

26 (C) If the Executive Director determines that the number requested may be safely released, he
27 shall issue the permit.

28 (4) Any stocking permit issued by the Commission may impose the following conditions or restrictions:

29 (A) Location where the permitted number of fish may be stocked.

30 (B) Certification that fish are free of certifiable diseases by the vendor or a laboratory qualified
31 to make such determination.

32 (C) Documentation of the date, time and location of the release.

33 (D) Access by the Commission to the property where fish introductions occur to assess impacts
34 of the introduction.

35 (E) All conditions required shall be included in writing on the permit.

36 (5) Based on the criteria in Subparagraph (2), no permit shall be issued to stock any of the following
37 species in the areas indicated:

1	SPECIES	LOCATION
2	Salmonids except brown, brook, and rainbow trout	Statewide
3	Flathead catfish	Statewide
4	<u>Blue Catfish</u>	<u>Statewide</u>

(d) For purposes of this Rule, stocking is the introduction or attempted introduction of one or more individuals of a particular species of live fish into public waters for any purpose other than:

- (1) As bait affixed to a hook and line, or
- (2) A release incidental to "catch and release" fishing in an area within the same body of water where the fish was caught, or within an adjacent body of water not separated from that body by any natural or manmade obstruction to the passage of that species.

(e) The release of more than the daily creel limit, or if there is no established creel limit for the species, more than five individuals of the species, shall constitute prima facie evidence of an intentional release.

History Note: Authority G.S. 113-134; 113-135; 113-274; 113-292;
Eff. February 1, 1976;
Amended Eff. June 1, ~~2005~~, 2005;
Readopted Eff. August 1, 2020.

1 15A NCAC 10C .0211 is amended as published in 34:11 NCR 919 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) piranha;
- 7 (2) "walking catfish" (*Clarias batrachus*);
- 8 (3) snakehead fish (from the Family Channidae, formerly Ophiocephalidae);
- 9 (4) black carp (*Mylopharyngodon piceus*);
- 10 (5) bighead carp (*Hypophthalmichthys nobilis*);
- 11 (6) silver carp (*Hypophthalmichthys molitrix*);
- 12 (7) rudd (*Scardinius erythrophthalmus*);
- 13 (8) round goby (*Neogobius melanostomus*);
- 14 (9) tubenose goby (*Proterorhinus marmoratus*);
- 15 (10) ruffe (*Gymnocephalus cernuus*);
- 16 (11) Japanese mysterysnail (*Cipangopaludina japonica*);
- 17 (12) Chinese mysterysnail (*Cipangopaludina chinensis malleata*);
- 18 (13) red-rim melania (*Melanoides tuberculatus*);
- 19 (14) virile crayfish (*Orconectes (Gremicambarus) virilis*);
- 20 (15) rusty crayfish (*Orconectes (Procericambarus) rusticus*);
- 21 (16) Australian red claw crayfish or "red claw" (*Cherax quadricarinatus*, or other species of "giant"
22 crayfish species in the genus *Cherax*);
- 23 (17) white amur or "grass carp" (*Ctenopharyngodon idella*);
- 24 (18) swamp or "rice" eel (*Monopterus albus*);
- 25 (19) red shiner (*Cyprinella lutrensis*);
- 26 (20) zebra mussel (*Dreissena polymorpha*); ~~or~~
- 27 (21) quagga mussel (*Dreissena rostriformis bugensis*) or any mussel in the family ~~Dreissenidae~~.
28 Dreissenidae; or
- 29 (22) redtail catfish (*Phractocephalus hemioliopterus*).

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

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

36
37 *History Note: Authority G.S. 113-134; 113-274(c)(1c); 113-292;*

1 *Eff. February 1, 1976;*
2 *Amended Eff. September 1, 1984;*
3 *Temporary Amendment Eff. July 1, 2001;*
4 *Amended Eff. July 18, 2002;*
5 *Temporary Amendment Eff. September 1, 2002;*
6 *Amended Eff. August 1, 2013; August 1, 2011; June 1, 2009, June 1, 2005; August 1, 2004;*
7 *Readopted Eff. August 1, ~~2019~~ 2019;*
8 *Amended Eff. August 1, 2020.*
9

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0301

DEADLINE FOR RECEIPT: April 9, 2020

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:

In your history note, why is G.S. 113-129 listed?

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10C .0301 is readopted as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10C .0301 INLAND GAME FISHES DESIGNATED**

4 The following fishes are classified and designated as inland game fishes:

- 5 (1) mountain trout, all species including but not limited to rainbow, brown and brook trout;
- 6 (2) muskellunge, chain (jack) and redbfin pickerel;
- 7 (3) yellow perch, when found in inland waters, walleye and sauger;
- 8 (4) black bass, including Alabama, largemouth, smallmouth, spotted and redeye bass;
- 9 (5) black and white crappie;
- 10 (6) sunfish, including bluegill (bream), redbreast (robin), redear (shellcracker), pumpkinseed,
- 11 warmouth, rock bass, (redeye), flier, Roanoke bass, and all other species of the sunfish family
- 12 (Centrarchidae) not specifically listed in this Rule;
- 13 (7) spotted sea trout (speckled trout), when found in inland fishing waters;
- 14 (8) flounder, when found in inland fishing waters;
- 15 (9) red drum (channel bass, red fish, puppy drum), when found in inland fishing waters;
- 16 (10) striped bass, white bass, white perch and Morone hybrids (striped bass-white bass), when found in
- 17 inland fishing waters;
- 18 (11) American and hickory shad, when found in inland fishing waters;
- 19 (12) kokanee ~~salmon~~, ~~salmon~~; and
- 20 (13) black bullhead, brown bullhead, flat bullhead, snail bullhead, white catfish, and yellow bullhead,
- 21 when found in inland fishing waters.

22
23 *History Note: Authority G.S. 113-134; 113-129;*

24 *Eff. February 1, 1976;*

25 *Amended Eff. June 1, 2005; June 1, 2004; July 1, 1996; July 1, 1990; July 1, 1983; January 1, 1981;*

26 *January 1, ~~1980~~, 1980;*

27 *Readopted Eff. August 1, 2020.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0305

DEADLINE FOR RECEIPT: April 9, 2020

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:

In (j), if this Rule regulates Largemouth Bass, why are you placing limitations on Smallmouth Bass? Is it necessary to repeat the contents of .0321(d)?

In (j), if this Rule regulates Largemouth Bass, why are you placing limitations on Spotted Bass? Is it necessary to repeat the contents of .0322(c)?

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10C .0305 is amended with changes as published in 34:11 NCAC 919 as follows:

2
3 **15A NCAC 10C .0305 ~~BLACK~~ LARGEMOUTH BASS**

4 (a) The daily creel limit for ~~Largemouth, Smallmouth, and Spotted Bass collectively known as Black Bass~~
5 Largemouth Bass is five fish, except in waters identified in Paragraphs (b), (c), (d), and ~~(m)(l)~~ of this Rule. There is
6 no minimum size limit for ~~these fish, Largemouth Bass,~~ but only two of them may be less than 14 inches except in
7 waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (d), and ~~(m)~~ and (l) of this Rule. There is no
8 closed season, except for waters identified in Paragraph ~~(m)(l)~~ of this Rule.

9 (b) In Lake Cammack in Alamance County, and Lake Holt in Granville County the daily creel limit for Largemouth
10 Bass is 10 fish and no more than two fish greater than 14 inches may be possessed.

11 (c) In Lake Santeetlah in Graham County, there is no daily creel limit for ~~Black Bass-Largemouth Bass and~~
12 Smallmouth Bass less than 14 inches. The daily creel limit for ~~Black Bass-Largemouth Bass and Smallmouth Bass~~
13 greater than 14 inches is five ~~fish-fish~~ in aggregate.

14 (d) In Lake Chatuge in Clay County, the daily creel limit for ~~Black Bass-Largemouth Bass, Smallmouth Bass,~~
15 Alabama Bass, and Spotted Bass is 10 ~~fish, the fish in aggregate.~~ The minimum size limit for Largemouth Bass is 12
16 ~~inches, and there is no minimum size limit for Smallmouth Bass and Spotted Bass.~~ inches.

17 (e) The minimum size limit for ~~Black Bass-Largemouth Bass~~ is 14 inches in the following:

- 18 (1) Lake Raleigh in Wake County;
19 (2) Lake Sutton in New Hanover County;
20 (3) Pungo Lake in Washington and Hyde counties;
21 (4) New Lake in Hyde County; and
22 (5) Currituck, Roanoke, Croatan, Albemarle sounds, and all their tributaries including Roanoke River
23 downstream of Roanoke Rapids Dam, Chowan River, Meherrin River, Yeopim River, Pasquotank
24 River, Perquimans River, Little River, Big Flatty Creek, North River, Northwest River,
25 Scuppernong River, Alligator River (including the Alligator/Pungo Canal east of the NC Hwy
26 264/45 bridge, and all other associated tributaries and canals in these river systems.

27 (f) In Cane Creek Lake in Union County, and Buckhorn Reservoir in Wilson and Nash counties, the minimum size
28 limit for Largemouth Bass is 16 inches.

29 (g) In Lake Phelps in Tyrrell and Washington counties, the minimum size limit for Largemouth Bass is 14 inches,
30 and no fish between 16 and 20 inches may be possessed.

31 (h) In Shearon Harris Reservoir in Chatham and Wake counties and Lake Hampton in Yadkin County, there is no
32 minimum size limit for ~~Black Bass, Largemouth Bass,~~ but only two ~~Black Bass-Largemouth Bass~~ less than 14 inches
33 and no ~~Black Bass-Largemouth Bass~~ between 16 and 20 inches may be possessed.

34 ~~(i) In Randleman Reservoir, there is no minimum size limit for Largemouth Bass, but only two Largemouth Bass less~~
35 ~~than 14 inches and only one Largemouth Bass greater than 20 inches may be possessed.~~

36 ~~(j)(i)~~ In Lake Thom-A-Lex in Davidson County, the minimum size limit for ~~Black Bass-Largemouth Bass~~ is 18 inches.

(4)(j) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is no minimum size limit for ~~Black Bass, Largemouth Bass,~~ Smallmouth Bass, and Spotted Bass, but no fish between 14 and 22 inches in length may be possessed and only one ~~Black Bass [Largemouth Bass or Spotted Bass]~~ Largemouth Bass, Smallmouth Bass, or Spotted Bass greater than 22 inches may be possessed.

(4)(k) In Lake Mattamuskeet and associated canals in Hyde County, the minimum size limit for Largemouth Bass is 16 inches and only one Largemouth Bass greater than 20 inches may be possessed.

~~(m)~~(l) In Jean Guite Creek and associated canals within the Town of Southern Shores, Dare County, no ~~Black Bass~~ Largemouth Bass may be possessed.

~~(n) For purposes of this Rule, creel limits apply to Largemouth, Smallmouth, and Spotted Bass in aggregate unless otherwise specified.~~

History Note: Authority G.S. 113-134; 113-292;

Eff. February 1, 1976;

Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;

Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;

Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;

Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;

Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;

Temporary Amendment Eff. November 1, 1998;

Amended Eff. April 1, 1999;

Temporary Amendment Eff. July 1, 1999;

Amended Eff. July 1, 2000;

Temporary Amendment Eff. July 1, 2001;

Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent amendment effective July 1, 2002 and approved by RRC in May 2001];

Amended Eff. August 1, 2002 (approved by RRC in April 2002);

Temporary Amendment Eff. June 1, 2003;

Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);

Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012; March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;

Readopted Eff. August 1, ~~2019~~, 2019;

Amended Eff. August 1, 2020.

1 15A NCAC 10C .0306 is amended as published in 34:11 NCAC 919 as follows:

2
3 **15A NCAC 10C .0306 CRAPPIE**

4 (a) There is no daily creel limit for Crappie, except for waters identified in Paragraphs (b), (c), (d), (e), and (f) of this
5 Rule. There is no minimum size limit for these fish, except for waters identified in Paragraphs (d), (e), and (f). There
6 is no closed season.

7 (b) In Buckhorn Reservoir in Wilson and Nash counties, the daily creel limit is 20 fish.

8 (c) In Lake Chatuge in Clay County, the daily creel limit is 30 fish.

9 (d) In the following waters, the daily creel limit is 20 fish and the minimum size limit is 10 inches:

10 (1) B. Everett Jordan Reservoir;

11 (2) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

12 (3) Cashie River and its tributaries;

13 (4) Middle River and its tributaries;

14 (5) Eastmost River and its tributaries; and

15 (6) Lake Mattamuskeet and associated canals in Hyde County.

16 (e) In the following waters, the daily creel limit is 20 fish and the minimum size limit is eight inches:

17 ~~(1) Pee Dee River from Blewett Falls Dam to the South Carolina state line;~~

18 ~~(2) Badin Lake;~~

19 ~~(3) Falls Lake (Stanly and Montgomery counties);~~

20 ~~(4) Lake Tillery;~~

21 ~~(5) Blewett Falls Lake;~~

22 ~~(6)~~(1) Lake Norman;

23 ~~(7)~~(2) Lake Hyco;

24 ~~(8)~~(3) Lake Ramseur;

25 ~~(9)~~(4) Cane Creek Lake; Lake (Union County);

26 ~~(10)~~(5) Lake Hampton (Yadkin County);

27 ~~(11)~~(6) Tar River downstream of Tar River Reservoir Dam and all tributaries;

28 ~~(12)~~(7) Neuse River downstream of Falls Lake Dam and all tributaries;

29 ~~(13)~~(8) Haw River downstream of Jordan Lake Dam and all tributaries;

30 ~~(14)~~(9) Deep River downstream of Lockville Dam and all tributaries;

31 ~~(15)~~(10) Cape Fear River and all tributaries;

32 ~~(16)~~(11) Waccamaw River downstream of Lake Waccamaw Dam and all tributaries;

33 ~~(17)~~(12) Lumber River including Drowning Creek and all tributaries;

34 ~~(18)~~(13) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County,

35 Sutton Lake in New Hanover County, and waters listed in Paragraph (d) of this Rule; and

36 ~~(19)~~(14) all public waters west of Interstate 77, except Lake Chatuge.

37 (f) In John H. Kerr Reservoir, the daily creel limit is 25 fish and the minimum size limit is nine inches.

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History Note: *Authority G.S. 113-134; 113-292;*
 Eff. November 1, 2013;
 Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015;
 Readopted Eff. August 1, ~~2019~~ 2019;
 Amended Eff. August 1, 2020.

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1 15A NCAC 10C .0314 is amended as published in 34:11 NCAC 919 as follows:

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3 **15A NCAC 10C .0314 STRIPED BASS**

4 (a) The daily creel limit for Striped Bass and its hybrids is four fish in the aggregate, except in waters identified in
5 Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule. The minimum size limit for these fish is 20 inches, except in
6 waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule. There is no closed season, except
7 for waters identified in Paragraphs (g), (h), (i), (j), and (k) of this Rule.

8 (b) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA
9 and in John H. Kerr Reservoir, the daily creel limit on Striped Bass and its hybrids is two in the aggregate and the
10 minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel
11 limit on Striped Bass and its hybrids is four in the aggregate with no minimum size limit.

12 (c) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for Striped Bass and its hybrids is 20
13 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September
14 30.

15 (d) In Lake Norman, ~~Arrowhead Lake (Anson Co.), High Rock Pond (Caswell Co.), Hyco Lake,~~ Moss Lake, Mountain
16 Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for
17 Striped Bass and its hybrids is 16 inches.

18 (e) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, but
19 only two may be greater than 22 inches.

20 (f) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to the
21 South Carolina state line, the daily creel limit for Striped Bass and its hybrids is three fish in the aggregate, and the
22 minimum size limit is 18 inches.

23 (g) In the inland fishing waters of Neuse, Pungo, and Tar Pamlico rivers and their tributaries extending upstream to
24 the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of
25 Interstate 95 not specified in Paragraphs (f), (h), (i), and (j) of this Rule, the daily creel limit for Striped Bass and its
26 hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and
27 possessing Striped Bass is closed from May 1 through September 30.

28 (h) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam, the season
29 for taking and possessing Striped Bass is closed year-round.

30 (i) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in 15A
31 NCAC 03R .0201 and identified in 15A NCAC 10C .0110, which includes the Roanoke, Cashie, Middle, and Eastmost
32 rivers and their tributaries, the open season for taking and possessing Striped Bass and its hybrids is March 1 through
33 April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam.
34 During the open season, the daily creel limit for Striped Bass and its hybrids is two fish in the aggregate, and the
35 minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be possessed in the daily
36 creel limit. Only one fish larger than 27 inches may be possessed in the daily creel limit.

1 (j) In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck
2 Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and
3 their tributaries), the Striped Bass fishing season, size limits, and creel limits are the same as those established by rules
4 or proclamations of the Marine Fisheries Commission in adjacent joint or coastal fishing waters.

5 (k) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend, or extend the hook-and-
6 line season for Striped Bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate
7 the provisions of any proclamation issued under this authority.

8
9 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

10 *Eff. November 1, 2013;*

11 *Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*

12 *Readopted Eff. August 1, ~~2019~~ 2019;*

13 *Amended Eff. August 1, 2020.*

1 15A NCAC 10C .0316 is amended as published in 34:11 NCAC 919 as follows:

2
3 **15A NCAC 10C .0316 TROUT**

4 (a) The daily creel limit for trout in Hatchery-Supported Trout Waters is seven fish. There is no minimum size limit
5 for these fish. The open season is from 7 a.m. on the first Saturday in April until March 1, except for waters designated
6 in Paragraph (g) of this Rule.

7 (b) The daily creel limit for trout in Wild Trout Waters and Wild Trout/Natural Bait Trout Waters is four fish. The
8 minimum size limit for these fish is seven inches. There is no closed season.

9 (c) No trout may be harvested from Catch and Release/Artificial Lures Only Trout Waters or Catch and
10 Release/Artificial Flies Only Trout Waters. Trout may not be possessed while fishing these waters.

11 (d) The daily creel limit for trout in Delayed Harvest Trout Waters is seven fish. There is no minimum size limit for
12 these fish. The Youth-only Delayed Harvest Trout Water Season is from 6 a.m. on the first Saturday in June until 12
13 p.m. that same day. During this season only individuals under the age of 18 may fish. From 12 p.m. on the first
14 Saturday in June until September 30, the Delayed Harvest Trout Waters Season is open for all anglers. From October
15 1 to one-half hour after sunset on the Friday before the first Saturday in June, trout may not be harvested or possessed
16 while fishing these waters. Delayed Harvest Trout Waters are closed to all fishing from one-half hour after sunset on
17 the Friday before the first Saturday in June to 6 a.m. on the first Saturday in June.

18 (e) The daily creel limits, size limits, and seasons for trout in Special Regulation Trout Waters are as follows:

19 (1) Apalachia Reservoir (Cherokee County) the daily creel limit is three trout. There is no minimum
20 size limit, but only one may be greater than 14 inches. There is no closed season.

21 (2) Catawba River (Burke County) from Muddy Creek to the City of Morganton water intake dam the
22 daily creel limit is two fish. The minimum size limit is 14 inches. There is no closed season.

23 (f) The daily creel limit for trout in undesignated trout waters is seven fish. There is no minimum size limit for these
24 fish.

25 (g) There is no closed season on taking trout from Linville River within Linville Gorge Wilderness Area and the
26 impounded waters of the following power reservoirs and municipally-owned water supply reservoirs open to the
27 public for fishing.

28 (1) Bear Creek Lake;

29 (2) Buckeye Creek Reservoir;

30 (3) Calderwood Reservoir;

31 (4) Cedar Cliff Lake;

32 (5) Cheoah Reservoir;

33 (6) Cliffside Lake;

34 (7) Tanassee Creek Lake;

35 (8) Queens Creek Lake; and

36 (9) Wolf Lake.

1 (h) In designated Public Mountain Trout Waters the season for taking all species of fish is the same as the trout fishing
2 season.

3 (i) All trout water designations and manners of take are set forth in 15A NCAC 10C .0205.
4

5 *History Note: Authority G.S. 113-134; 113-292;*

6 *Eff. November 1, 2013;*

7 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2015;*

8 *Readopted Eff. August 1, ~~2019~~, 2019;*

9 *Amended Eff. August 1, 2020.*
10
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12

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0321

DEADLINE FOR RECEIPT: April 9, 2020

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:

If this Rule regulates Smallmouth Bass, why are you placing limitations on Largemouth Bass, Alabama Bass, and Spotted Bass? Please remember titles are not used when interpreting rules.

Please review the contents of this Rule, .0305, and .0322. Please avoid repeating the contents of other rules. Consider using cross-references if you think it would be helpful to your regulated public.

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10C .0321 is adopted with changes as published in 34:11 NCAC 919 as follows:

2
3 **15A NCAC 10C .0321 SMALLMOUTH BASS**

4 (a) The daily creel limit for Smallmouth Bass is five fish, except in waters identified in Paragraphs (b) and (c) of this
5 Rule. There is no minimum size limit for Smallmouth Bass, but only two of them may be less than 14 inches except
6 in waters identified in Paragraphs (b), (c), and (d) of this Rule. There is no closed season.

7 (b) In Lake Santeetlah in Graham County, there is no daily creel limit for Largemouth Bass and Smallmouth Bass
8 less than 14 inches. The daily creel limit for Largemouth Bass and Smallmouth Bass greater than 14 inches is five fish
9 in aggregate.

10 (c) In Lake Chatuge in Clay County, the daily creel limit for Largemouth Bass, Smallmouth Bass, Alabama Bass, and
11 Spotted Bass is 10 fish in aggregate. There is no minimum size limit for Smallmouth Bass.

12 (d) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is
13 no minimum size limit for Largemouth Bass, Smallmouth Bass, and Spotted Bass, but no fish between 14 and 22
14 inches in length may be possessed and only one [Largemouth Bass or Smallmouth Bass] Largemouth Bass,
15 Smallmouth Bass, or Spotted Bass greater than 22 inches may be possessed.

16
17 History Note: Authority G.S. 113-134; 113-292;

18 Eff. August 1, 2020.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0322

DEADLINE FOR RECEIPT: April 9, 2020

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:

If this Rule regulates Alabama Bass and Spotted Bass, why are you placing limitations on Largemouth Bass and Smallmouth Bass? Please remember titles are not used when interpreting rules.

Please review the contents of this Rule, .0305, and .0321. Please avoid repeating the contents of other rules. Consider using cross-references if you think it would be helpful to your regulated public.

Just to be clear, the contents of (c) were published in the NC Register as parts of Rules .0305 or .0321 of this Section, correct?

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10C .0322 is adopted with changes as published in 34:11 NCAC 919 as follows:

2
3 **15A NCAC 10C .0322 ALABAMA BASS AND SPOTTED BASS**

4 (a) There is no daily creel limit for Alabama Bass or Spotted Bass, except for waters identified in paragraph (b) of this
5 Rule. There is no minimum size limit or closed season.

6 (b) In Lake Chatuge in Clay County, the daily creel limit for Largemouth Bass, Smallmouth Bass, Alabama Bass, and
7 Spotted Bass is 10 fish in aggregate.

8 (c) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is no
9 minimum size limit for Largemouth Bass, Smallmouth Bass, and Spotted Bass, but no fish between 14 and 22 inches
10 in length may be possessed and only one Largemouth Bass, Smallmouth Bass, or Spotted Bass greater than 22 inches
11 may be possessed.

12
13 History Note: Authority G.S. 113-134; 113-292;

14 Eff. August 1, 2020.
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15A NCAC 10C .0324 is adopted as published in 34:11 NCAC 919 as follows:

15A NCAC 10C .0324 **CATFISH**

The daily creel limit for Black Bullhead, Brown Bullhead, Flat Bullhead, Snail Bullhead, White Catfish, and Yellow Bullhead is 10 fish in aggregate. There is no minimum size limit or closed season for Black Bullhead, Brown Bullhead, Flat Bullhead, Snail Bullhead, White Catfish, and Yellow Bullhead.

History Note: Authority G.S. 113-134; 113-292;
Eff. August 1, 2020.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0401

DEADLINE FOR RECEIPT: April 9, 2020

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:

At line 4, please capitalize "Rules."

At line 10, please refer to "Rule .0407 of this Section."

In (j), lines 36-37, please compare the post-publication changes to the text published in the Register and format accordingly: ". . . the daily creel limit for channel catfish is six [seven] seven. catfish in aggregate."

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10C .0401 is readopted with changes as published in 34:11 NCAC 919 as follows:

2
3 **15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES**

4 (a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing
5 waters of North Carolina in any manner other than with hook and line, grabbling, or special device with a special
6 device fishing license.

7 (b) Nongame fishes may be taken by hook and line, grabbling, or special device with a special device fishing license
8 at any time without restriction as to size limits or creel limits, except as designated in this Rule.

9 (c) Special devices may only be used to take nongame fishes with a special device fishing license in those counties
10 and waters with open season designated in 15A NCAC 10C .0407.

11 (d) Archery equipment may only be used for the take of catfish on Pee Dee River downstream of Blewett Falls Dam
12 to the South Carolina state line and all tributaries.

13 (e) Set hooks, jug hooks, and trotlines may be used to take nongame fishes as designated in 15A NCAC 10C .0206.

14 (f) The season for taking nongame fishes by hook and line in designated public mountain trout waters is the same as
15 the trout fishing season. Trout seasons are designated in 15A NCAC 10C .0316.

16 (g) Freshwater mussels, including the Asiatic clam (*Corbicula fluminea*), may be taken only from impounded waters,
17 except mussels shall not be taken in:

18 (1) Lake Waccamaw in Columbus County; and

19 (2) University Lake in Orange County.

20 The daily possession limit for freshwater mussels is 200 in the aggregate, except there is no daily possession limit for
21 the Asiatic clam (*Corbicula fluminea*).

22 (h) Blue crabs shall have a minimum carapace width of five inches (point to point) and it is unlawful to possess more
23 than 50 crabs per person per day or to exceed 100 crabs per vessel per day.

24 (i) While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and
25 blueback herring) that are greater than six inches in length, or possess such herring regardless of origin in:

26 (1) Roanoke River downstream of Roanoke Rapids Dam;

27 (2) Tar River downstream of Rocky Mount Mill Dam;

28 (3) Neuse River downstream of Falls Lake Dam;

29 (4) Cape Fear River downstream of Buckhorn Dam;

30 (5) Pee Dee River downstream of Blewett Falls Dam;

31 (6) Lumber River, including Drowning Creek;

32 (7) all the tributaries to the rivers listed above; and

33 (8) all other inland fishing waters east of I-95.

34 (j) In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property,
35 or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take
36 channel, white, or blue catfish by means other than hook and line; the daily creel limit for channel catfish is six catfish
37 in aggregate, seven. Waters where this creel limit applies shall be posted on-site with signs indicating the creel limit.

(k) The daily creel limit for blue catfish greater than 32 inches is one fish in the following reservoirs:

- (1) Lake Norman;
- (2) Mountain Island Lake;
- (3) Lake Wylie;
- (4) Badin Lake;
- (5) Lake Tillery;
- (6) John H. Kerr Reservoir (North Carolina portion);
- (7) Lake Gaston (North Carolina portion); and
- (8) Roanoke Rapids Reservoir.

(l) The daily creel limit is five catfish in aggregate on the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries.

(m) The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing in inland fishing waters is 25, and the minimum size limit is 9 inches.

(n) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Mountain Island Reservoir, and Lake Wylie, except that one fish per day may be taken with archery equipment.

(o) Grass carp shall not be taken or possessed on Lake Norman and the North Carolina portion of John H. Kerr Reservoir, except for scientific study by permit issued by the Wildlife Resources Commission.

(p) In inland fishing waters, gray trout (weakfish) recreational seasons, size limits, and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.

(q) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish specified in Paragraphs (h), (i), (k), (m), and (p) of this Rule having a size limit so as to render it impractical to measure its total original length. No person while fishing shall change the appearance of any nongame fish specified in Paragraphs (g), (h), (j), (k), (l), (m), (n), (o), and (p) of this Rule having a daily creel limit so as to obscure its identification or render it impractical to count the number of fish in possession.

(r) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license may be sold, with the following exceptions:

- (1) alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties);
- (2) blue crab; and
- (3) bowfin.

(s) Margined madtom and tadpole madtom shall not be taken or possessed from inland fishing waters.

History Note: Authority G.S. 113-134; 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;
Temporary Amendment Eff. December 1, 1994;

1 *Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;*
2 *Temporary Amendment Eff. July 1, 1999;*
3 *Amended Eff. July 1, 2000;*
4 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*
5 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
6 *Temporary Amendment Eff. June 1, 2003;*
7 *Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
8 *2003);*
9 *Amended Eff. August 1, 2019; August 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*
10 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
11 *1, 2007; May 1, 2006; June 1, ~~2005~~; 2005;*
12 *Readopted Eff. August 1, 2020.*
13

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0102

DEADLINE FOR RECEIPT: April 9, 2020

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:

In (b)(9), line 8, how does someone obtain written approval? Under what circumstances is written approval granted? Is this a permit process?

In (e)(2), line 11, please capitalize "Commission."

On page 4, line 27, please capitalize "State" if you are only referring to North Carolina.

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10D .0102 is amended as published in 34:11 NCR 919 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 any structure that is used for hunter concealment, constructed
6 from manmade or natural materials, and that is not disassembled and removed at the end of each
7 day's hunt.
8 (2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping, or
9 self-defense.
10 (3) "Youth" means individuals under 18 years of age.

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

- 14 (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and
15 arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open days
16 of any applicable deer season.
17 (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person
18 shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on
19 any game land. Falconry is exempt from this provision.
20 (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use
21 of centerfire rifles is prohibited.
22 (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the
23 general public, and entry upon such an area for any purpose is prohibited without first having
24 obtained written approval of such entry or use from an authorized agent of the Wildlife Resources
25 Commission. Entry shall be authorized only when such entry will not compromise the primary
26 purpose for establishing the Restricted Zone and the person or persons requesting entry are able to
27 demonstrate a valid need or such person is a contractor or agent of the Commission conducting
28 official business. "Valid need" includes issues of access to private property, scientific investigations,
29 surveys, or other access to conduct activities in the public interest.
30 (5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are
31 closed to all use by the general public, and entry upon such an area for any purpose is prohibited
32 without first having obtained written approval of such entry or use from an authorized agent of the
33 Wildlife Resources Commission. An area of a game land shall be declared a Temporary Restricted
34 Zone when there is a danger to the health or welfare of the public due to topographical features or
35 activities occurring on the area.
36 (6) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge
37 of firearms or bow and arrow is prohibited.

(7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting Zones" the use of dogs for taking deer is prohibited, except as allowed by permit as provided in G.S. 113-264(d).

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

(9) Sensitive Habitat Zone. Portions of game lands posted as "Sensitive Habitat Zones" are closed to all use by the general public during the dates specified on the sign, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission.

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

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

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

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

(2) any weapon within 150 yards of any residence located on or adjacent to game lands, except on Butner-Falls of Neuse and Jordan game lands; and

(3) any firearm within 150 yards of any residence located on or adjacent to Butner-Falls of Neuse and Jordan Game Lands.

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any posted waterfowl impoundment on any game land, except shotgun shells containing lead buckshot may be used while deer hunting. Every individual carrying a concealed handgun shall adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. On Butner-Falls of Neuse, Jordan, Kerr Scott, and Vance game lands, no person shall possess loaded firearms, ammunition, bows and arrows, crossbows, or other weapons except as provided in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13, which is incorporated by reference, including subsequent amendments and editions, free of charge, at: http://www.ecfr.gov/cgi-bin/text-idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327_113&rgn=div8. On Buckhorn, Chatham, Harris, Hyco, Lee, Mayo, and Sutton Lake game lands; Pee Dee River Game Land north of U.S. 74; and that portion of R. Wayne Bailey- Caswell Game Land that is located north of U.S. 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days for game birds or game animals, except under the following conditions:

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

(e) Game Lands License: Hunting and Trapping

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

(f) Field Trials and Training Dogs. Any individual or organization sponsoring a field trial on the Sandhills Field Trial area or the Laurinburg Fox Trial facility, shall file with the Commission an application to use the area and facility accompanied by the facility use fee computed at the rate of two hundred dollars (\$200.00) for each scheduled day of the trial. The total facility use fee shall cover the period from 12:00 noon of the day preceding the first scheduled day of the trial to 10:00 a.m. of the day following the last scheduled day of the trial. The facility use fee shall be paid for all intermediate days on which for any reason trials are not run but the building or facilities are used or occupied. A fee of seventy-five dollars (\$75.00) per day shall be charged to sporting, educational, or scouting groups for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or use in any manner any of the physical facilities located on the Sandhills Field Trial area or the Laurinburg Fox Trial facility without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission, and no such entry or use of any such facility shall exceed the scope of or continue beyond the approved use. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the approval of the Wildlife Resources Commission. No more than 16 days of field trials may be scheduled for occurrence on the Sandhills facilities during any calendar month, and no more than four days may be scheduled during any calendar week; provided, that a field

trial requiring more than four days may be scheduled during one week upon reduction of the maximum number of days allowable during some other week so that the monthly maximum of 16 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or other organization desiring use of the Sandhills facilities between October 22 and November 18 and between December 3 and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays, and Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1 through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Dogs may not be trained or permitted to run unleashed from March 15 through June 15 on any game land located east of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for sportsmen participating in the Disabled Sportsman Program, dogs may not be trained or allowed to run unleashed during legal big game hunting hours on the dates of the special hunts. A field trial shall be authorized when such field trial does not conflict with other planned activities on the Game Land or field trial facilities, and the applying organization can demonstrate their experience and expertise in conducting genuine field trial activities. Entry to physical facilities, other than by field trial organizations under permit, shall be granted when they do not conflict with other planned activities previously approved by the Commission and they do not conflict with the mission of the agency.

(g) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302, and .0303, trapping of furbearing animals is permitted on game lands during the applicable open seasons, except that trapping is prohibited:

- (1) on the field trial course of the Sandhills Game Land;
- (2) in posted "safety zones" located on any game land;
- (3) by the use of bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south, US 276 on the north and east, and NC 215 on the west;
- (4) on the John's River Waterfowl Refuge in Burke County; and
- (5) on the DuPont State Forest Game Lands.

On those areas of state-owned land known collectively as the Roanoke River Wetlands, controlled trapping is allowed under a permit system.

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

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

(i) Camping.

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

(2) On game lands owned by the State of North Carolina, where the North Carolina Wildlife Resources Commission is the primary custodian, the maximum period of consecutive overnight camping at any designated camping area is 14 days within any 30-day period from May 1 through August 31.

After 14 consecutive days of camping, all personal belongings shall be removed from the game land.

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

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

(1) missing 50 percent or more of one or more limbs, whether by amputation or natural causes;

(2) paralysis of one or more limbs;

(3) dysfunction of one or more limbs rendering the person unable to perform the task of grasping and lifting with the hands and arms or unable to walk without mechanical assistance, other than a cane;

(4) disease, injury, or defect confining the person to a wheelchair, walker, or crutches; or

(5) deafness.

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

(1) on ungated or open-gated roads normally closed to vehicular traffic; and

(2) on any Commission-maintained road open for vehicular travel and those trails posted for vehicular travel.

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

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

(m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k) of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but shall comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans

1 with Disabilities Act (42 U.S.C. 126) may use wheelchairs or other mobility devices designed for indoor pedestrian
2 use on any area where foot travel is allowed.

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

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

24 (p) Shooting Ranges. On public shooting ranges managed by the Commission, no person shall use designated shooting
25 ranges for any purpose other than for firearm or bow and arrow marksmanship, development of shooting skills, or for
26 other safe uses of firearms and archery equipment. All other uses, including camping, building fires, operating
27 concessions or other activities not directly involved with recreational or competitive shooting are prohibited, except
28 for activities that have been approved by the Commission and for which a permit has been issued may be conducted,
29 provided that the permit authorizing such activity is available for inspection by wildlife enforcement officers at the
30 time the activity is taking place. No person, when using any shooting range, shall deposit any debris or refuse on the
31 grounds of the range. This includes any items used as targets, except that clay targets broken on the range, by the
32 shooter, may be left on the grounds where they fall. No person shall shoot any items made of glass on the grounds of
33 the range. No person may leave any vehicle or other obstruction in such a location or position that it will prevent,
34 impede, or inconvenience the use by other persons of any shooting range. No person shall leave parked any vehicle
35 or other object at any place on the shooting range other than such a place or zone as is designated as an authorized
36 parking zone and posted or marked as such. No person shall handle any firearms or bow and arrow on a shooting
37 range in a careless or reckless manner. No person shall intentionally shoot into any target holder, post, or other

1 permanent fixture or structure while using a shooting range. No person shall shoot a firearm in a manner that would
2 cause any rifled or smoothbore projectiles to travel off of the range, except that shotgun shot, size No. 4 or smaller
3 may be allowed to travel from the range if it presents no risk of harm or injury to any person(s). Persons using a
4 shooting range shall obey posted range safety rules and those persons who violate range safety rules or create a public
5 safety hazard shall leave the shooting range if directed to by law enforcement officers or to leave by Commission
6 employees. No person shall handle any firearms on a shooting range while under the influence of an impairing
7 substance. The consumption of alcohol or alcoholic beverages on a shooting range is prohibited. Open days and hours
8 of operation shall be designated on signs and at least one such sign shall be posted at the entrance to each shooting
9 range. No person, when using any shooting range, shall do any act that is prohibited or neglect to do any act that is
10 required by signs or markings placed on such area under authority of this Rule for the purpose of regulating the use
11 of the area.

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

15
16 *History Note:* Authority G.S. 113-129; 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306;
17 143-318.10;
18 Eff. February 1, 1976;
19 Amended Eff. July 1, 1993; April 1, 1992;
20 Temporary Amendment Eff. October 11, 1993;
21 Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994;
22 Temporary Amendment Eff. July 1, 1999;
23 Amended Eff. July 1, 2000;
24 Temporary Amendment Eff. August 31, 2001;
25 Amended Eff. August 1, 2002;
26 Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July 17,
27 2003);
28 Amended Eff. January 1, 2013; January 1, 2012; June 1, 2011; August 1, 2010; May 1, 2009; May
29 1, 2008; May 1, 2007; May 1, 2006; November 1, 2005;
30 Temporary Amendment Eff. July 1, 2014;
31 Amended Eff. August 1, 2020; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014.
32
33
34

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0103

DEADLINE FOR RECEIPT: April 9, 2020

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:

Throughout this Rule, were the changes made post-publication made in response to public comment?

At line 22, please change "veterans/military" to either "veterans and military" or "veterans or military."

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10D .0103 is amended with changes as published in 34:11 NCAC 919 as follows:

2
3 **15A NCAC 10D .0103 HUNTING ON GAME LANDS**

4 (a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of alcohol
5 or any narcotic drug, or fail to comply with restrictions enacted by the National Park Service regarding the use of the
6 Blue Ridge Parkway where it adjoins game lands listed in this Rule.

7 (b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic or gates,
8 or otherwise prevent vehicles from using any roadway.

9 (c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached
10 by nails, screws, bolts, or wire to a tree on any game land designated herein. This prohibition does not apply to lag-
11 screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.

12 (d) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals
13 and game birds, unless hunting is allowed by permit. Individual game lands or parts thereof may be closed to hunting
14 or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or
15 game bird seasons. On managed waterfowl impoundments, persons shall:

- 16 (1) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;
- 17 (2) not hunt after 1:00 p.m. on such hunting dates;
- 18 (3) not set decoys out prior to 4:00 a.m.;
- 19 (4) remove decoys by 3:00 p.m. each day; and
- 20 (5) not operate any vessel or vehicle powered by an internal combustion engine.

21 On designated youth waterfowl days ~~occurring after the end of the regular waterfowl seasons only~~, youths may hunt
22 on managed waterfowl impoundments from ½ hour before sunrise to sunset. On designated veterans/military
23 waterfowl days, veterans, [active-duty members of the armed forces, active-duty national guardsmen, and active-duty
24 reservists] as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the
25 National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands
26 and impoundments not designated as permit-only areas from ½ hour before sunrise to sunset. Restrictions (1), (3), and
27 (5) in this Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping
28 during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed
29 on the portion of the impoundment outside of the posted "Scouting-only Zone." No person shall attempt to obscure
30 the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal
31 that has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other
32 foods without prior written authorization of the Commission or its agent. A decision to grant or deny authorization
33 shall be made based on the best management practices for the wildlife species in question. No person shall take or
34 attempt to take any game birds or game animals attracted to such foods.

35 (e) Definitions:

- (1) For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days within the federally-announced season.
- (2) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Falconry may also be practiced on Sundays. These "open days" also apply to either-sex deer hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.
- (3) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday during the open seasons.
- (f) Hunting with Dogs on Game Lands. Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with dogs is prohibited as described in 15A NCAC 10B .0109.
- (g) The listed seasons and restrictions apply in the following game lands:
- (1) Alcoa Game Land in Davidson, Davie, Montgomery, Rowan, and Stanly counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery county, and deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season in those portions in Davidson, Davie, Rowan, and Stanly counties.
- (C) On the Lick Creek Tract, deer and bear hunting is archery only.
- (2) Alligator River Game Land in Tyrrell County
- (A) Six Day per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days during the second week of the December Bear Season.
- (3) Angola Bay Game Land in Duplin and Pender counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Target shooting is prohibited.
- (4) Bachelor Bay Game Land in Bertie, Martin, and Washington counties
- (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
2 Antlers Season.
- 3 (5) Bertie County Game Land in Bertie County
- 4 (A) Six Days per Week Area
- 5 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
6 Antlers Season.
- 7 (C) Target Shooting is prohibited.
- 8 (6) Bladen Lakes State Forest Game Land in Bladen County
- 9 (A) Three Days per Week Area
- 10 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
11 Antlers Season.
- 12 (C) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.
- 13 (D) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.
- 14 (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.
- 15 (F) Camping is restricted to September 1 through the last day of February and March
16 31 through May 14 in areas both designated and posted as camping areas.
- 17 (G) The use of dogs for pursuing or taking foxes ~~is~~ shall be prohibited from March February
18 15 through July 15- August 1.
- 19 (7) Brinkleyville Game Land in Halifax County
- 20 (A) Six Days per Week Area
- 21 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
22 Antlers Season through the second Friday thereafter.
- 23 (C) Horseback riding is prohibited.
- 24 (D) Target Shooting is prohibited.
- 25 (8) Brunswick County Game Land in Brunswick County
- 26 (A) Hunting is by permit only.
- 27 (B) The use of dogs for hunting deer is prohibited.
- 28 (9) Buckhorn Game Land in Orange County
- 29 (A) Hunting is by permit only.
- 30 (B) Horseback riding is prohibited.
- 31 (10) Buckridge Game Land in Tyrrell County.
- 32 (A) Three Days per Week Area
- 33 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
34 Antlers Season.
- 35 (C) Bear may only be taken the first three hunting days during the November Bear Season and
36 the first three hunting days of the second week of the December Bear Season. If any of
37 these days falls on a Tuesday, Friday or Saturday, bear hunting is allowed on those days.

- (D) Target shooting is prohibited.
- (11) Buffalo Cove Game Land in Caldwell and Wilkes Counties
- (A) Six Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week ~~thereafter, and during the Deer With Visible Antlers season.~~ thereafter.
- (C) Deer of either sex may be taken the first open Saturday ~~day~~ of the applicable Deer With Visible Antlers Season.
- (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
- (12) Bullard and Branch Hunting Preserve Game Lands in Robeson County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (13) Butner - Falls of Neuse Game Land in Durham, Granville, and Wake counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on:
- (i) the opening and closing days of the applicable waterfowl seasons;
- (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (iii) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.
- On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November 1.
- (D) Horseback riding is prohibited.
- (E) Target shooting is prohibited.
- (F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- (G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.

- (H) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.
- (I) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.
- (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.
- (14) Buxton Woods Game Land in Dare County:
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Target shooting is prohibited.
- (15) Cape Fear River Wetlands Game Land in Pender County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.
- (D) The use of dogs for hunting deer is prohibited on the portion of the game land that is west of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road, and south of NC 210 to the Black River.
- (E) Target shooting is prohibited.
- (16) Carteret County Game Land in Carteret County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) The use of dogs for hunting deer is prohibited.
- (D) Bear hunting on the Salters Creek Tract is by permit only.
- (17) R. Wayne Bailey-Caswell Game Land in Caswell County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (C) Horseback riding is allowed only during June, July, and August, and on Sundays during the remainder of the year except during open turkey and deer seasons. Horseback riding is allowed only on roads opened to vehicular traffic and on those gated roads and trails that

- are posted for equestrian use. People age 16 or older horseback riding on this game land shall possess a Game Lands license.
- (D) The area encompassed by the following roads is permit-only for all quail and woodcock hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.
- (E) On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.
- (F) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.
- (G) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.
- (18) Chatham Game Land in Chatham County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Wild turkey hunting is by permit only.
- (D) Horseback riding is allowed only during June, July, and August; and on Sundays during the remainder of the year except during open turkey and deer seasons.
- (E) Target shooting is prohibited.
- (19) Chowan Game Land in Chowan County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers Season.
- (20) Chowan Swamp Game Land in Bertie, Gates, and Hertford counties.
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Bear hunting is restricted to the first three hunting days during the November bear season and the first three hunting days during the second week of the December bear season except that portion of Chowan Swamp Game Land in Gates County that is east of Highway 158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the Chowan River where the bear season is the same as the season dates for the Gates County bear season.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.

- 1 (E) Horseback riding is prohibited except during May 16 through August 31 and on Sundays
2 only September 1 through May 15 on those roads that are open to vehicular traffic and on
3 those gated roads and trails posted for equestrian use.
- 4 (F) Target shooting is prohibited.
- 5 (21) Cold Mountain Game Land in Haywood County
- 6 (A) Six Days per Week Area
- 7 (B) Horseback riding is prohibited except on designated trails May 16 through August 31 and
8 all horseback riding is prohibited from September 1 through May 15.
- 9 (C) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
10 Antlers Season.
- 11 (22) Columbus County Game Land in Columbus County.
- 12 (A) Three Days per Week Area
- 13 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
14 Antlers Season.
- 15 (C) Deer hunting on the Campbell Tract shall be by permit only.
- 16 (23) Croatan Game Land in Carteret, Craven, and Jones counties
- 17 (A) Six Days per Week Area
- 18 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
19 Antlers Season.
- 20 (C) Waterfowl shall be taken only on the following days:
- 21 (i) the opening and closing days of the applicable waterfowl seasons;
- 22 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 23 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 24 (D) Beginning on the first open waterfowl day in October through the end of ~~the~~ all waterfowl
25 seasons, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish
26 Lake Waterfowl Impoundment is by permit only.
- 27 (E) Dove hunting is by permit only for the first two open days of dove season on posted areas.
28 During the rest of dove season, no permit is required to hunt doves.
- 29 (24) Currituck Banks Game Land in Currituck County
- 30 (A) Six Days per Week Area
- 31 (B) Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by
32 permit only from November 1 through the end of ~~the~~ all waterfowl seasons.
- 33 (C) Licensed hunting guides may accompany the permitted individual or party provided the
34 guides do not use a firearm.
- 35 (D) The boundary of the game land shall extend 5 yards from the edge of the marsh or shoreline.
- 36 (E) Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day of
37 their hunt.

- (F) No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand or blind to a tree.
- (G) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers season.
- (25) Dan River Game Land in Rockingham County
- (A) Three Days per Week Area
- (B) Deer hunting is by permit only.
- (C) Wild turkey hunting is by permit only.
- (D) Horseback riding is prohibited except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Lands license.
- (E) Target shooting is prohibited.
- (26) Dare Game Land in Dare and Hyde counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) No hunting is allowed on posted parts of bombing range.
- (D) The use and training of dogs is prohibited from March 1 through June 30.
- (27) Dover Bay Game Land in Craven County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers season.
- (28) DuPont State Forest Game Lands in Henderson and Transylvania counties
- (A) Hunting is by permit only.
- (B) The training and use of dogs for hunting is prohibited except by special hunt permit holders during scheduled permit hunts.
- (29) Elk Knob Game Land in Watauga County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (30) Embro Game Land in Halifax and Warren counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) Target Shooting is prohibited.
- (31) Goose Creek Game Land in Beaufort and Pamlico counties
- (A) Six Days per Week Area

- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:
- (i) the opening and closing days of the applicable waterfowl seasons;
 - (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
 - (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- (D) Beginning on the first open waterfowl season day in October ~~and~~ through the end of ~~the~~ all waterfowl ~~season, seasons,~~ waterfowl hunting is by permit only on the following waterfowl impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith Creek, and Hobucken.
- (E) On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except waterfowl hunting on designated waterfowl hunting days and trapping during the trapping season, are restricted to the posted Scouting-only Zone during the period November 1 through March 15.
- (F) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (G) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 through January 1 and April 1 through May 15 to individuals that possess a valid hunting opportunity permit.
- (32) Green River Game Land in Henderson, and Polk counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
 - (C) Horseback riding is prohibited.
- (33) Green Swamp Game Land in Brunswick County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (C) On that portion north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road, hunting and trapping is by permit only.
 - (D) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on that portion of the game land that is north of Big Macedonia Road, east of Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road.
- (34) Gull Rock Game Land in Hyde County
- (A) Six Days per Week Area

- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:
- (i) the opening and closing days of the applicable waterfowl seasons; and
 - (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
 - (iii) Tuesdays and Saturdays of the applicable waterfowl season.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
- (E) Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days during the second week of the December Bear Season, except for that portion designated as bear sanctuary.
- (35) Harris Game Land in Chatham, Harnett, and Wake counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Waterfowl shall be taken only on the following days:
- (i) Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;
 - (ii) Thanksgiving, Christmas, and New Year's Days; and
 - (iii) the opening and closing days of the applicable waterfowl seasons.
- (D) The use or construction of permanent hunting blinds shall be prohibited.
- (E) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- (F) Target shooting is prohibited.
- (G) Horseback riding is prohibited.
- (36) Headwaters State Forest Game Land in Transylvania County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season
- (37) Hill Farm Game Land in Stokes County- hunting and trapping is by permit only.
- (38) Holly Shelter Game Land in Pender County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Waterfowl may be taken only on the following days:
- (i) the opening and closing days of the applicable waterfowl seasons;
 - (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
 - (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.

- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
- (E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and bear hunting are permit only.
- (F) The use of dogs for hunting deer and bear is prohibited:
- (i) all open days on that portion of the game land that is south of Baby Branch extending west to Stag Park Road, west of Shaw Road, north of Meeks Road extending west to Stag Park Road and east of Stag Park Road; and
 - (ii) on Tuesdays, Thursdays, and Fridays, with the exception of Thanksgiving, Christmas, and New Year's days, and except for the area north of Bear Garden Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River, south of NC 53 and west of NC 50, where the use of dogs for deer and bear hunting is by permit only.
- (G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the last day of February and April 1 to May 15 to individuals that possess valid hunting opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.
- (H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on and within 100 yards of trails designated for Disabled Sportsman Access.
- (I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.
- (J) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- (39) Hyco Game land in Person County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
 - (C) Target shooting is prohibited.
- (40) J. Morgan Futch Game Land in Tyrrell County - ~~Permit Only Area.~~ hunting and trapping is by permit only.
- (41) Johns River Game Land in Burke County
- (A) Hunting is by permit only.
 - (B) During permitted deer hunts, deer of either sex may be taken by permit holders.
 - (C) Entry on posted waterfowl impoundments is prohibited October 1 through March 31, except by lawful waterfowl hunting permit holders and only on those days written on the permits.
 - (D) The use or construction of permanent hunting blinds is prohibited.
 - (E) Camping and the presence of campers and tents in designated Hunter Camping Areas is limited to August 31 through the last day of February and March 31 through May 14.

- 1 (42) Jordan Game Land in Chatham, Durham, Orange, and Wake counties
- 2 (A) Six Days per Week Area
- 3 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 4 Antlers Season.
- 5 (C) Waterfowl may be taken only on:
- 6 (i) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
- 7 (ii) Thanksgiving, Christmas, and New Year's Days; and
- 8 (iii) the opening and closing days of the applicable waterfowl seasons.
- 9 (D) Horseback riding is prohibited except on those areas posted as American Tobacco Trail
- 10 and other areas posted for equestrian use. Unless otherwise posted, horseback riding is
- 11 permitted on posted portions of the American Tobacco Trail anytime the trail is open for
- 12 use. On all other trails posted for equestrian use, horseback riding is allowed only during
- 13 June, July, and August, and on Sundays the remainder of the year except during open turkey
- 14 and deer seasons. People age 16 or older who ride horseback on trails occurring entirely
- 15 within the game land boundaries shall possess a Game Lands license.
- 16 (E) Target shooting is prohibited.
- 17 (F) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- 18 (G) The use of bicycles is restricted to designated areas, except that this restriction does not
- 19 apply to hunters engaged in the act of hunting during the open days of the applicable
- 20 seasons for game birds and game animals.
- 21 (43) Juniper Creek Game Land in Brunswick and Columbus counties
- 22 (A) Six Days per Week Area
- 23 (B) Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.
- 24 (C) Camping is restricted to September 1 through the last day of February and March 31
- 25 through May 14 in areas both designated and posted as camping areas.
- 26 (44) Kerr Scott Game Land in Wilkes County
- 27 (A) Six Days per Week Area
- 28 (B) Use of centerfire rifles is prohibited.
- 29 (C) Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable
- 30 Deer With Visible Antlers Season is prohibited.
- 31 (D) Tree stands shall not be left overnight; and no screws, nails, or other objects penetrating
- 32 the bark shall be used to attach a tree stand or blind to a tree.
- 33 (E) Deer of either sex may be taken on all open days of the applicable Deer With Visible
- 34 Antlers season.
- 35 (F) Hunting on posted waterfowl impoundments is by permit only.
- 36 (G) The use of firearms for hunting wild turkey is prohibited.
- 37 (45) Lantern Acres Game Land in Tyrrell and Washington counties

- 1 (A) Six Days per Week Area
- 2 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 3 Antlers Season.
- 4 (C) Wild turkey hunting is by permit only.
- 5 (D) The use of dogs for hunting deer on the Godley Tract is prohibited.
- 6 (E) Waterfowl hunting on posted waterfowl impoundments is by permit only.
- 7 (46) Lee Game Land in Lee County
- 8 (A) Six Days per Week Area
- 9 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 10 Antlers Season through the second Friday thereafter.
- 11 (C) Target shooting is prohibited.
- 12 (47) Light Ground Pocosin Game Land in Pamlico County
- 13 (A) Six Days per Week Area
- 14 (B) Deer of either sex may be taken all the open days of the applicable Deer with Visible
- 15 Antlers Season.
- 16 (48) Linwood Game Land in Davidson County
- 17 (A) Six Days per Week Area
- 18 (B) Deer of either sex may be taken on all of the open days of the applicable Deer With Visible
- 19 Antlers Season.
- 20 (49) Lower Fishing Creek Game Land in Edgecombe and Halifax counties
- 21 (A) Six Days per Week Area
- 22 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 23 Antlers Season through the second Friday thereafter.
- 24 (C) Horseback riding is prohibited.
- 25 (D) The use of dogs for hunting deer is prohibited.
- 26 (F) Target Shooting is prohibited.
- 27 (50) Mayo Game Land in Person County
- 28 (A) Six Days per Week Area
- 29 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 30 Antlers Season through the second Friday thereafter.
- 31 (C) Waterfowl shall be taken only on:
- 32 (i) Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;
- 33 (ii) Christmas and New Year's Days; and
- 34 (iii) the opening and closing days of the applicable waterfowl seasons.
- 35 (D) Target shooting is prohibited.
- 36 (51) Mitchell River Game Land in Surry County
- 37 (A) Three Days per Week Area

- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.
- (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.
- (52) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.
- (53) Needmore Game Land in Macon and Swain counties.
- (A) Six Days per Week Area
- (B) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15.
- (C) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- (54) Neuse River Game Land in Craven County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) Camping is allowed any time within 100 yards of the Neuse River on that portion of the game land that lies west of NC-43.
- (55) New Lake Game Land in Hyde and Tyrrell counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (56) Nicholson Creek Game Land in Hoke County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken with archery equipment on open hunting days from the Saturday on or nearest September 10 through the Friday before Thanksgiving Day.
- (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the Saturday before Thanksgiving Day through the Wednesday thereafter.
- (D) The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving through the third Saturday after Thanksgiving Day.
- (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season.
- (F) The use of dogs for hunting deer is prohibited.
- (G) Wild turkey hunting is by permit only.
- (H) On Lake Upchurch, the following activities are prohibited:

- 1 (i) Operating any vessel or vehicle powered by an internal combustion engine; and
2 (ii) Swimming.
- 3 (I) Target shooting is prohibited.
- 4 (57) North River Game Land in Camden and Currituck counties
- 5 (A) Six Days per Week Area
- 6 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
7 Antlers Season.
- 8 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or
9 shoreline.
- 10 (D) Hunting on the posted waterfowl impoundment is by permit only.
- 11 (58) Northwest River Marsh Game Land in Currituck County
- 12 (A) Six Days per Week Area
- 13 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
14 Antlers Season.
- 15 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or
16 shoreline.
- 17 (59) Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties
- 18 (A) Six Days per Week Area
- 19 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
20 Antlers Season through the second Friday thereafter.
- 21 (C) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North
22 of US-74.
- 23 (D) Target shooting is prohibited.
- 24 (E) Horseback riding is allowed only on roads opened to vehicular traffic and only during the
25 following times:
- 26 (i) during June, July, and August; and
- 27 (ii) on Sundays during the other months or parts of months when deer and turkey
28 seasons are closed.
- 29 (F) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be
30 ~~prohibited.~~ prohibited on that portion south of US-74.
- 31 (60) Perkins Game Land in Davie County
- 32 (A) Three Days per Week Area
- 33 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
34 Antlers Season.
- 35 (C) Horseback riding is prohibited from November 1 through January 1.
- 36 (D) Target Shooting is prohibited.

- 1 (61) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison,
2 McDowell, Mitchell, Transylvania, Watauga, and Yancey counties
- 3 (A) Six Days per Week Area
- 4 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
5 Antlers Season.
- 6 (C) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River
7 (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- 8 (D) The use of bicycles shall be restricted to designated trails on the Linville River Tract (Burke
9 County). Persons engaged in the act of hunting on the Linville River Tract during any open
10 day of an applicable season for game birds or game animals shall be exempt from this
11 restriction.
- 12 (62) Pond Mountain Game Land in Ashe County
- 13 (A) Six Days per Week Area
- 14 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
15 Antlers Season through the first Friday thereafter.
- 16 (C) Horseback riding is prohibited except on designated trails from May 16 through August 31
17 and Sundays from September 1 through October 31. All horseback riding is prohibited
18 from November 1 through May 15.
- 19 (63) Pungo River Game Land in Hyde County
- 20 (A) Six Days per Week Area
- 21 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
22 Antlers Season.
- 23 (64) Rendezvous Mountain State Forest Game Land in Wilkes County
- 24 (A) Three Days per Week Area
- 25 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
26 Antlers Season through the second Wednesday thereafter.
- 27 (C) Bear hunting is prohibited.
- 28 (65) Rhodes Pond Game Land in Cumberland and Harnett counties
- 29 (A) Hunting is by permit only.
- 30 (B) Swimming is prohibited on the area.
- 31 (66) Roanoke River Wetlands in Bertie, Halifax, Martin, and Northampton counties
- 32 (A) Hunting and trapping is by Permit only.
- 33 (B) Vehicles are prohibited on roads or trails except those operated on Commission business
34 or by permit holders.
- 35 (C) Camping is restricted to September 1 through the last day of February and March 31
36 through May 14 in areas both designated and posted as camping areas, provided, however,

- 1 that camping is allowed at any time within 100 yards of the Roanoke River on the state-
2 owned portion of the game land.
- 3 (D) Target Shooting is prohibited.
- 4 (67) Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- 5 (68) Robeson Game Land in Robeson County
- 6 (A) Three Days per Week Area
- 7 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
8 Antlers Season.
- 9 (69) Rockfish Creek Game Land in Hoke County
- 10 (A) Three Days per Week Area
- 11 (B) Deer of either sex may be taken with archery equipment on open hunting days from the
12 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving Day.
- 13 (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning
14 the fourth Saturday before Thanksgiving Day through the Wednesday of the second week
15 thereafter.
- 16 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
17 Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.
- 18 (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible
19 Antlers Season.
- 20 (F) The use of dogs for hunting deer is prohibited.
- 21 (G) Wild turkey hunting is by permit only.
- 22 (H) Taking fox squirrels is prohibited.
- 23 (I) Target shooting is prohibited.
- 24 (70) Rocky Run Game Land in Onslow County - Hunting is by permit only.
- 25 (71) Sampson Game Land in Sampson County
- 26 (A) Three Days per Week Area
- 27 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
28 Antlers Season.
- 29 (C) Target shooting is prohibited.
- 30 (72) Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties
- 31 (A) Three Days per Week Area
- 32 (B) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22
33 through March 31 except as follows:
- 34 (i) deer of either-sex may be taken with archery equipment on all the open days of
35 the archery season through the fourth Friday before Thanksgiving Day; with
36 blackpowder firearms and archery equipment all the open days of the
37 blackpowder firearms season through the third Wednesday before Thanksgiving

- Day; and only deer with visible antlers may be taken with all legal weapons from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (ii) dove may be taken all open days from the opening day of the dove season through the third Saturday thereafter;
- (iii) squirrel (gray and fox) may be taken all the open days from the second Monday Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (iv) rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;
- (v) waterfowl may be taken on open days during any waterfowl season;
- (vi) wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and
- (vii) raccoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.
- (C) The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.
- (D) The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with archery equipment on all open hunting days during the archery season, by permit during the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.
- (E) Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Deer of either sex may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and by permit during the Deer With Visible Antlers season. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.
- (F) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- (G) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.
- (H) Wild turkey hunting is by permit only.

- (I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited unless participating in authorized field trials.
- (J) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to September 1 through the last day of February and March 31 through May 14.
- (K) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- (73) Sandy Creek Game Land in Nash and Franklin Counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.
- (E) Target Shooting is prohibited.
- (74) Sandy Mush Game Land in Buncombe and Madison counties.
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the first open Saturday of the applicable Deer with Visible Antlers season.
- (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
- (D) Dogs shall only be trained on Mondays, Wednesdays, and Saturdays and only as allowed in 15A NCAC 10D .0102(f).
- (E) Dove hunting is by permit only from the opening day through the second Saturday of dove season.
- (F) Target shooting is prohibited.
- (75) Second Creek Game Land in Rowan County- hunting is by permit only.
- (76) Shocco Creek Game Land in Franklin, Halifax, Nash, and Warren counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (E) Target Shooting is prohibited.
- (77) South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties
- (A) Six Days per Week Area
- (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be taken with archery equipment on open days beginning the Saturday on

- or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday immediately following the closing of the Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days beginning the Monday on or nearest October 1 through the Saturday of the second week ~~thereafter, and during the Deer With Visible Antlers season thereafter.~~
- (C) Deer of either sex may be taken the first open Saturday ~~day~~ of the applicable Deer With Visible Antlers Season.
- (D) Horseback riding is prohibited except on designated trails ~~May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.~~ during the following dates:
- (i) January 2 through March 31;
- (ii) May 16 through August 31;
- (iii) Sundays only - April 1 through May 15; and
- (iv) Sundays only – September 1 through January 1.
- (78) Stones Creek Game Land in Onslow County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (C) The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.
- (D) Swimming in all lakes is prohibited.
- (E) Waterfowl on posted waterfowl impoundments may be taken only on the following days:
- (i) the opening and closing days of the applicable waterfowl seasons;
- (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- (F) Target shooting is prohibited.
- (G) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- (79) Suggs Mill Pond Game Land in Bladen and Cumberland counties
- (A) Hunting and trapping is by permit only.
- (B) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (C) Entry is prohibited on scheduled hunt or trapping days except for:
- (i) hunters or trappers holding special hunt or trapping permits; and
- (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.
- (D) During the period of November 1 through January 31, except on Sundays, the use of vessels on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only

- by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).
- (E) During the period of November 1 through March 15, the use of vessels on managed waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d).
- (80) Sutton Lake Game Land in New Hanover and Brunswick counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Target shooting is prohibited.
- (81) Tar River Game Land in Edgecombe County
- (A) Hunting is by permit only
- (B) Target Shooting is prohibited
- (82) Texas Plantation Game Land in Tyrrell County - hunting and trapping is by permit only.
- (83) Three Top Mountain Game Land in Ashe County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the first Friday thereafter.
- (C) Horseback riding is prohibited.
- (84) Thurmond Chatham Game Land in Alleghany and Wilkes counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and all horseback riding is prohibited from September 1 through May 15. People age 16 or older horseback riding on this game land shall possess a Game Lands license.
- (D) The maximum period of consecutive overnight camping at any designated campground is 14 days within any 30 day period from May 1 through August 31. After 14 consecutive days of camping all personal belongings must be removed from the game land.
- (85) Tillery game Land in Halifax County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- (C) Horseback riding is prohibited.
- (D) The use of dogs for hunting deer is prohibited.
- (E) Wild turkey hunting is by permit only.

- 1 (F) Target Shooting is prohibited.
- 2 (86) Toxaway Game Land in Jackson and Transylvania counties
- 3 (A) Six Days per Week Area
- 4 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
- 5 Antlers Season.
- 6 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 7 all horseback riding is prohibited from September 1 through May 15.
- 8 (87) Uwharrie Game Land in Davidson, Montgomery, and Randolph counties
- 9 (A) Six Days per Week Area
- 10 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 11 Antlers Season through the second Friday thereafter.
- 12 (C) On the posted waterfowl impoundment, waterfowl may be taken only on the following
- 13 days:
- 14 (i) the opening and closing days of the applicable waterfowl seasons;
- 15 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 16 (iii) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.
- 17 (D) Target shooting is prohibited, except at the Flintlock Valley Shooting Range.
- 18 (88) Vance Game Land in Vance County
- 19 (A) Six Days per Week Area
- 20 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 21 Antlers Season.
- 22 (C) The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the
- 23 Nutbush Peninsula tract.
- 24 (89) Van Swamp Game Land in Beaufort and Washington counties
- 25 (A) Six Days per Week Area
- 26 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 27 Antlers Season.
- 28 (C) Bear may only be taken the first three hunting days during the November Bear Season and
- 29 the first three hunting days during the second week of the December Bear Season.
- 30 (90) Voice of America Game Land in Beaufort County
- 31 (A) Hunting and trapping is by permit only.
- 32 (B) Target Shooting is prohibited.
- 33 (91) White Oak River Game Land in Onslow County
- 34 (A) Three Days per Week Area
- 35 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 36 Antlers Season.

- (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments shall be taken only on the following days:
- (i) the opening and closing days of the applicable waterfowl seasons;
 - (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
 - (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- (D) Beginning on the first open waterfowl season day in October ~~and~~ through the end of ~~the~~ all waterfowl ~~season,~~ seasons, a permit is required for hunting posted waterfowl impoundments.
- (E) The Huggins Tract and Morton Tracts have the following restrictions:
- (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting Opportunity Permit issued by the Wildlife Resources Commission pursuant to G.S. 113-264(d);
 - (ii) hunting is by permit only; and
 - (iii) the use of dogs for hunting deer is prohibited.
- (F) Wild turkey hunting is by permit only.
- (G) Target Shooting is prohibited.
- (92) Whitehall Plantation Game Land in Bladen and Pender counties
- (A) Hunting and trapping is by permit only.
 - (B) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
 - (C) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Long Ridge Tract.
- (93) William H. Silver Game Land in Haywood County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (h) On permitted type hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications shall be received by the Commission not later than the first day of September next preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife cooperator agent or by phone.
- (i) The following game lands and refuges are closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:
- (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
 - (2) Bertie County—Roanoke River National Wildlife Refuge;
 - (3) Bladen County—Suggs Mill Pond Game Lands;
 - (4) Burke County—John's River Waterfowl Refuge;

(5) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);

(6) Dare County—Roanoke Sound Marshes Game Lands; and

(7) Henderson and Transylvania counties—DuPont State Forest Game Lands.

(j) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission. Written permission may be granted only when entry onto the Waterfowl Refuge will not compromise the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

(k) Feral swine may be taken by licensed hunters during the open season for any game animal or game bird using any legal manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the use of dogs for hunting deer or bear, and during the applicable deer or bear season.

(l) Youth Waterfowl Day. On the day declared by the Commission to be Youth Waterfowl Day, youths may hunt on any game land and on any impoundment without a special hunt permit, including permit-only areas, except where prohibited in Paragraph (h) of this Rule.

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

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

~~(n)~~ (o) As used in this Rule, horseback riding includes all equine species.

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

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

Eff. February 1, 1976;

Temporary Amendment Eff. October 3, 1991;

Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September 1, 1994; July 1, 1994;

Temporary Amendment Eff. October 1, 1999; July 1, 1999;

Amended Eff. July 1, 2000;

Temporary Amendment Eff. July 1, 2002; July 1, 2001;

Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);

1 *Temporary Amendment Eff. June 1, 2003;*
2 *Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);*
3 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014;*
4 *January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
5 *1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October*
6 *1, 2004;*
7 *Temporary Amendment Eff. August 1, 2018;*
8 *Amended Eff. August 1, 2020; August 1, 2019.*
9

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0105

DEADLINE FOR RECEIPT: April 9, 2020

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:

At line 6, please add a comma after "artifacts."

At lines 7, 28, and 34, please capitalize "State" if you are only referring to North Carolina. If you are referring to any state, please do not capitalize "state."

At line 15, do you mean "may" or "shall."

At line 29, do you mean "may" or "shall."

At line 33, please add a comma after "worms."

On page 2, please review the language at lines 1-3. This is not a complete sentence. Did you intend to have "may be" after "and other materials" at line 1?

At line 16, please add a comma after "fishing."

At line 25, please change "must" to "shall."

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10D .0105 is amended as published in 34:11 NCR 919 as follows:

2
3 **15A NCAC 10D .0105 POSSESSION AND REMOVAL OF ANIMALS, PLANTS AND MATERIALS**

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

- 5 (1) "Other materials" includes: all metals, minerals, rocks, soil, organic debris, buildings, fences,
6 historic artifacts and water.
7 (2) "Commission lands" includes all state-owned game lands, hatcheries, depots, refuges, boating
8 access areas and public fishing access areas, or parts thereof, allocated to the Wildlife Resources
9 Commission.
10 (3) "Written permission" includes permits, sales agreements, agricultural agreements, and letters written
11 by authorized Commission personnel. Written permissions shall specify the type of activity
12 allowed, the Commission land(s) where the activity may occur and the persons authorized.

13 (b) On Commission lands:

- 14 (1) No wildlife resources, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other
15 materials may be possessed on or removed from Commission lands except:
16 (A) as allowed in this Rule; ~~or~~
17 (B) bullfrogs, as specified in 15A NCAC 10B .0226; or
18 ~~(B)(C)~~ if written permission has been granted by the Wildlife Resources Commission.
19 This restriction applies to both dead and living wildlife resources, fungi, invertebrates, eggs, animal
20 parts, plants and plant materials.
21 (2) All game, fur-bearing animals, wildlife resources, fisheries resources, and nongame animals or ~~birds~~
22 birds, for which the Commission has established an open season, legally taken under a valid hunting,
23 trapping, ~~fishing or falconry~~ fishing, falconry, or other license that entitles the licensee to access and
24 use Wildlife Resources Commission Property may be possessed on and removed from Commission
25 lands.
26 (3) Berries, fruit, nuts, mushrooms, ramps and other plants or plant products suitable for human
27 consumption may be possessed on and removed from Commission lands without written permission
28 for personal consumption only, except any fungi, plant or part thereof on a state or federal protected
29 list may not be possessed on or removed from Commission lands without written permission. All
30 other fungi, plants and plant products which are not suitable for human consumption may not be
31 possessed on or removed from Commission lands except with written permission. Crops or products
32 thereof planted for the benefit of wildlife may not be removed without written permission.
33 (4) Insects, worms or other invertebrates collected as fish bait may be possessed on and removed from
34 Commission lands without written permission for personal use only, except any species on a state
35 or federal protected list may not be collected and may not be removed from Commission lands. Sale
36 of these resources is prohibited.

- (5) Minimal amounts of animal parts, plant parts not removed from live plants, and other materials collected by hand and removed from Commission lands without written permission, except in violation of rules, general statutes or federal law. Collection of animal parts, plant parts not removed from live plants, and other materials for commercial use or sale is prohibited. For purposes of this Subparagraph, "minimal amounts," are quantities that fit within a cubic foot of space, except for firewood to be used at designated game land campgrounds. Minimal amounts of firewood are quantities sufficient to build and maintain a fire for the duration of the game land user's stay at the campground.
- (6) Litter and road kill animals may be removed without written permission, except in violation of 15A NCAC 10B .0106.
- (7) A collection license as described in 15A NCAC 10B .0119 does not qualify as written permission to collect or remove any wildlife resources from Commission lands. Written permission must be specific to the Commission land.
- (c) On all other lands enrolled in the game land program;
- (1) All game, fur-bearing animals, fisheries resources, and nongame animals or birds for which the Commission has established an open season, legally taken under a valid hunting, trapping, fishing or falconry license may be possessed on and removed from game lands.
- (2) Possession and removal of all other wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or other materials is subject to the rules of the Commission and is at the discretion of the landowner, except where the landowner has ceded authority to the Commission. When the landowner has ceded authority to the Commission, the permissions and restrictions in Paragraph (b) of this Rule apply.
- (d) Any individual who has written permission, or a hunting, trapping, fishing or falconry license required in order to possess or remove wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or other materials from Commission lands and all other lands enrolled in the game land program must have that written permission or license on his person. This requirement extends to any individual operating in conjunction with another's written permission.

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0327

DEADLINE FOR RECEIPT: April 9, 2020

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:

Why is Paragraph (f) italicized? This language is currently in the Code and is not italicized.

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10F .0327 is amended as published in 34:11 NCR 957-958 as follows:

2
3 **15A NCAC 10F .0327 MONTGOMERY COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the waters and portions of waters described as follows:

5 (1) Badin Lake.

6 (A) the cove west of Lakeshore Drive and east of Strand Drive, southeast of a line at the mouth
7 of the cove from a point on the east shore at 35.49242 N, 80.09241 W to a point on the
8 west shore at 35.49242 N, 80.09241 W;

9 (B) Lake Forest Drive Cove shore to shore, west of a point 50 yards east of the fueling site at
10 the marina at 35.48739 N, 80.10918 W;

11 (C) Garr Creek shore to shore, north of a line beginning at a point on the east shore at 35.47952
12 N, 80.13633 W to a point on the west shore at 35.47946 N, 80.13932 W; and

13 (D) the channel between Beyer's Island and the mainland, shore to shore beginning at a line
14 from a point on Beyer's Island at 35.49102 N, 80.10221 W to a point on the mainland at
15 35.49230 N, 80.10241 W, ending at a line westward, from a point on Beyer's Island at
16 35.48988 N, 80.10573 W to a point on the mainland at 35.49077 N, 80.10702 W.

17 (2) Lake Tillery.

18 (A) the waters within 50 yards of the boat ramp in the south end of Woodrun Cove at 35.33113
19 N, 80.06277 W;

20 (B) Carolina Forest Cove shore to shore and the waters within 50 yards of the boat ramps and
21 boat slips at the end of Arroyo Drive in Carolina Forest Community, from a point on the
22 south shore at 35.36276 N, 80.05386 W, northeast to a point on the north shore at 35.36405
23 N, 80.05304 W; and

24 (C) Lilly's Bridge Boating Access Area shore to shore, from line 25 feet north of the SR 1110
25 bridge otherwise known as Lillys Bridge Road at a point on the east shore at 35.23223 N,
26 80.06166 W, to a point on the west shore at 35.23289 N, 80.06318 W, to a line 200 feet
27 southwest of the Lilly's Bridge Boating Access Area, from a point on the east shore at
28 35.23067 N; 80.06262 W, to a point on the west shore at 35.23156 N; ~~80.06437 W; and~~
29 80.06437 W.

30 (3) Tuckertown Reservoir.

31 (b) Speed Limit Near Shore Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards
32 of any marked boat launching area, dock, pier, bridge, marina, boat storage structure, or boat service area on the waters
33 of the regulated areas described in Paragraph (a) of this Rule.

34 (c) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any regulated area described
35 in Paragraph (a) of this Rule.

36 (d) ~~Swimming Areas.~~ Badin Lake Swimming Area. No person operating or responsible for the operation of a vessel
37 shall permit it to enter ~~any marked public swimming area on the waters of the regulated areas described in Paragraph~~

1 ~~(a) of this Rule. the marked swimming area on Badin Lake at the Pinhaven Village beach area at 370 Pinhaven~~
2 ~~Drive in New London, within 50 feet of the shoreline between points at 35.49927 N, 80.11428 W; and 35.49934 N,~~
3 ~~80.11437 W.~~

4 (e) Placement of Markers. The Board of Commissioners of Montgomery County shall be the designated agency for
5 placement of the markers implementing Parts (a)(1)(A), (B), (C), (2)(A) and (B), and Subparagraph (a)(3) of this Rule.
6 The North Carolina Wildlife Resources Commission is the designated agency for placement and maintenance of the
7 markers implementing Part (a)(2)(C) of this Rule. The Board of Commissioners of Montgomery County shall be the
8 designated agency for placement and maintenance of the ropes and markers implementing Paragraph (d) of this Rule.

9 (f) *Notwithstanding Paragraphs (a) through (e) of this Rule, no person shall operate a vessel at greater than no-wake*
10 *speed in the waters of Lake Tillery shore to shore, within 85 yards north and 85 yards south of the NC Hwy 24/27/73*
11 *bridge eastbound and westbound spans, otherwise known as the James B. Garrison Bridge. The North Carolina*
12 *Wildlife Resources Commission shall be the designated agency for placement and maintenance of markers for this*
13 *regulated area.*

14
15 *History Note: Authority G.S. 75A-3; 75A-15;*
16 *Eff. November 1, 1977;*
17 *Amended Eff. December 1, 1990; May 1, 1989; March 25, 1978;*
18 *Temporary Amendment Eff. June 1, 1998;*
19 *Amended Eff. April 1, 1999; July 1, 1998;*
20 *Temporary Amendment Eff. July 1, 2002;*
21 *Amended Eff. August 1, 2006; June 1, 2005; April 1, 2003;*
22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
23 *6, 2016;*
24 *Amended Eff. October 1, 2018; April 1, 2017;*
25 *Emergency Amendment Eff. July 30, 2019;*
26 *Temporary Amendment Eff. October 1, 2019;*
27 *Amended Eff. May 1, 2020.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0340

DEADLINE FOR RECEIPT: April 9, 2020

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:

In (a)(6), were the changes made post-publication made in response to public comment? Does the new description cover the same area of land published in the NC Register?

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

Ashley Snyder
Commission Counsel
Date submitted to agency: March 30, 2020

1 15A NCAC 10F .0340 is amended with changes as published in 34:07 NCR 552 as follows:

3 **15A NCAC 10F .0340 CURRITUCK COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the waters described as follows:

- 5 (1) Bell Island. All canals on Bell Island.
- 6 (2) Walnut Island. All canals in the Walnut Island subdivision in the Village of Grandy.
- 7 (3) Waterview Shores subdivision. All canals in the Waterview Shores subdivision in the Village of
- 8 Grandy.
- 9 (4) Neal's Creek Landing. The waters of Neal's Creek within 50 yards of Neal's Creek Landing at the
- 10 end of SR 1133, otherwise known as Neals Creek Road.
- 11 (5) Tull Bay.
- 12 (A) The waters of the canal off of Tull Bay from its mouth to its end at Tulls Bay Marina,
- 13 downstream and within the canal leading to Tull's Bay Marina.
- 14 (B) The canals of the Tulls Bay Colony subdivision in Moyock including the waters 50 yards
- 15 north along the Mississippi Canal from its intersection with Elizabeth Canal.
- 16 (6) Carova Beach. The canals at ~~Wild Horse Estates Subdivision at Carova Beach, east of the entrance~~
- 17 ~~to the canals beginning at a line in Knotts Island Bay from a point on the north shore at 36.51431~~
- 18 ~~N, 75.87652 W to a point on the south shore at 36.51238 N, 75.87761 W.]~~ Carova Beach, east of a
- 19 ~~line in the northern canal from a point on the north shore at 36.51418 N, 75.87622 W to a point on~~
- 20 ~~the south shore at 36.51357 N, 75.87644 W; and east of a line in the southern canal from a point on~~
- 21 ~~the east shore at 36.51299 N, 75.87687 W to a point on the west shore at 36.51260 N, 75.87765 W.~~

22 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated areas

23 described in Paragraph (a) of this Rule.

24 (c) Placement of Markers. The Board of Commissioners of Currituck County shall be the designated agency for

25 placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the

26 United States Army Corps of Engineers.

28 *History Note: Authority G.S. 75A-3; 75A-15;*

29 *Eff. May 1, 1982;*

30 *Amended Eff. May 1, 2015; July 1, 1993; January 1, 1991; December 1, 1990; January 1, 1989;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*

32 *6, 2016;*

33 *Amended Eff. May 1, 2020; October 1, 2018.*