

1 15A NCAC 10C .0401 is amended as published in 33:11 NCR 1125 as follows:

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3 **15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: ~~PURCHASE AND SALE~~**

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 or grabbing~~, line, grabbing, or special device
6 with a special device fishing license.

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

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

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

15 (A) — Roanoke River downstream of Roanoke Rapids Dam;

16 (B) — Tar River downstream of Rocky Mount Mill Dam;

17 (C) — Neuse River downstream of Milburnie Dam;

18 (D) — Cape Fear River downstream of Buckhorn Dam;

19 (E) — Pee Dee River downstream of Blewett Falls Dam;

20 (F) — Lumber River including Drowning Creek;

21 (G) — all the tributaries to the rivers listed above; and

22 (H) — all other inland fishing waters east of I 95.

23 (3) — Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman,
24 Mountain Island Reservoir, Lake Wylie, and John H. Kerr Reservoir, except that one fish per day
25 may be taken with archery equipment.

26 (4) — No trotlines or set hooks shall be used in the impounded waters located on the Sandhills Game Land
27 or in designated public mountain trout waters.

28 (5) — In Lake Waccamaw, trotlines or set hooks may be used only from October 1 through April 30.

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

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

34 ~~(c) Nongame fishes taken by hook and line, grabbing, or by licensed special devices may be sold, with the following~~
35 ~~exceptions:~~

36 ~~(1) — alewife and blueback herring, excluding those less than six inches in length collected from Kerr~~
37 ~~Reservoir (Granville, Vance, and Warren counties);~~

1 ~~(2) — blue crab; and~~

2 ~~(3) — bowfin.~~

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

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

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

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

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

12 (1) Lake Waccamaw in Columbus ~~County~~, County; and ~~in~~

13 (2) University Lake in Orange County.

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

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

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

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

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

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

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

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

25 (6) Lumber River, including Drowning Creek;

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

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

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

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

33 (1) Lake Norman;

34 (2) Mountain Island Lake;

35 (3) Lake Wylie;

36 (4) Badin Lake;

37 (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.

~~(g)(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.

~~(h)(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 ~~impracticable~~ 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 ~~impracticable~~ 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.

History Note: Authority G.S. 113-134; 113-272; 113-292;

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

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Temporary Amendment Eff. June 1, 2003;

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2 *2003);*
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5 *1, 2007; May 1, 2006; June 1, 2005*