

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0101

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

Please add an oxford comma after "waters" on line 5.

For clarity, could the third sentence starting on line 6 simply read "These joint rules set forth guidelines to determine..."? If not, please capitalize "state" and add a comma after the introductory phrase.

Also, "Finally" is unnecessary on line 8.

Please put the History Note Authority in chronological order.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0101 is readopted as published in 36:14 NCR 1237 as follows:

2
3 **15A NCAC 10C .0101 SCOPE AND PURPOSE**

4 The following rules pertain to the classification of the waters of North Carolina as coastal fishing waters, inland fishing
5 waters and joint fishing waters. These rules are adopted jointly by the Marine Fisheries Commission and the Wildlife
6 Resources Commission. In addition to the classification of the waters of the state these joint rules set forth guidelines
7 to determine which fishing activities in joint waters are regulated by the Marine Fisheries Commission and which are
8 regulated by the Wildlife Resources Commission. Finally, the joint rules set forth special fishing regulations
9 applicable in joint waters that can be enforced by officers of the division of marine fisheries and the Wildlife Resources
10 Commission. These regulations do not affect the jurisdiction of the Marine Fisheries Commission and the Wildlife
11 Resources Commission in any matters other than those specifically set out.

12
13 *History Note: Authority G.S. 113-134; 113-132; 113-136;*
14 *Eff. February 1, 1976;*
15 *Amended Eff. January 1, 1977.*
16 *Readopted Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0102

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

On line 4, please delete the semicolon.

On line 6, please change the "which" to "that".

On line 7, please delete "which are".

On line 11, "wildlife enforcement officers" is used, whereas "wildlife officers" is used elsewhere. Be consistent. I will try to point this out where I find it, but I may miss some.

Please put the History Note Authority in chronological order.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0102 is readopted as published in 36:14 NCR 1237 as follows:

2
3 **15A NCAC 10C .0102 INLAND FISHING WATERS**

4 Inland fishing waters are all inland waters except private ponds; and all waters connecting with or tributary to coastal
5 sounds or the ocean extending inland from the dividing line between coastal fishing waters and inland fishing waters
6 agreed upon by the Marine Fisheries Commission and the Wildlife Resources Commission. All waters which are
7 tributary to inland fishing waters and which are not otherwise designated by agreement between the Marine Fisheries
8 Commission and the Wildlife Resources Commission are inland fishing waters. The regulation and licensing of
9 fishing in inland fishing waters is under the jurisdiction of the Wildlife Resources Commission. Regulations and laws
10 administered by the Wildlife Resources Commission regarding fishing in inland fishing waters are enforced by
11 wildlife enforcement officers.

12 Note: A private pond is a body of water arising within and lying wholly upon the lands of a single owner or a single
13 group of joint owners or tenants in common, and from which fish cannot escape, and into which fish of legal size
14 cannot enter from public waters at any time. This does not include any impoundment located on land owned by a
15 public body or governmental entity.

16
17 *History Note: Authority G.S. 113-134; 113-129; 113-132;*
18 *Eff. February 1, 1976;*
19 *Amended Eff. January 1, 1977.*
20 *Readopted Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0103

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

For what reason were the post-publication changes made?

Please change the "which" to "that" on lines 6 and 7.

On line 26, "wildlife officers" is used, but throughout the remainder of the rules "wildlife enforcement officers" is used. Please be consistent if referring to the same officer designation.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0103 is readopted with changes as published in 36:14 NCR 1237 as follows:

2
3 **15A NCAC 10C .0103 COASTAL FISHING WATERS**

4 ~~[(a)]~~ Coastal fishing waters are the Atlantic Ocean, the various coastal sounds, and estuarine waters up to the dividing
5 line between coastal fishing waters and inland fishing waters agreed upon by the Marine Fisheries Commission and
6 the Wildlife Resources Commission. ~~[those defined in G.S. 113-129.]~~ All waters which are tributary to coastal fishing
7 waters and which ~~[that]~~ are not otherwise designated by agreement between the Marine Fisheries Commission and the
8 Wildlife Resources Commission are coastal fishing waters. ~~[in rule shall be coastal fishing waters.]~~

9 ~~[(b)]~~ The ~~regulations~~ ~~[regulation]~~ and licensing of fishing in coastal fishing waters is ~~[waters, excluding joint fishing~~
10 ~~waters, shall be]~~ under the jurisdiction of the Marine Fisheries Commission; except that ~~[the following]~~ inland game
11 fish ~~(exclusive of spotted sea trout, red drum, flounder, white perch, yellow perch, weakfish, and striped bass)~~ are
12 subject to ~~regulations~~ ~~[regulation]~~ by the Wildlife Resources Commission ~~[when found]~~ in coastal fishing waters.
13 ~~[waters:]~~

14 ~~[(1)]~~ ~~[brown, brook, and rainbow trout;]~~

15 ~~[(2)]~~ ~~[muskellunge, chain, and redfin pickerel;]~~

16 ~~[(3)]~~ ~~[Alabama, largemouth, smallmouth, and spotted bass;]~~

17 ~~[(4)]~~ ~~[Roanoke and rock bass;]~~

18 ~~[(5)]~~ ~~[kokanee salmon;]~~

19 ~~[(6)]~~ ~~[black and white crappie;]~~

20 ~~[(7)]~~ ~~[bluegill, redbreast, redear, pumpkinseed, warmouth, flier, and all other species in the Centrarchidae~~
21 ~~family; and]~~

22 ~~[(8)]~~ ~~[walleye and sauger;]~~

23 ~~[(c)]~~ Regulations ~~[Rules]~~ and laws administered by the Marine Fisheries Commission regarding fishing in coastal
24 ~~[fishing]~~ waters are ~~[waters, excluding joint fishing waters, shall be]~~ enforced by marine fisheries inspectors.
25 Regulations ~~[Rules and laws]~~ regarding inland game fish ~~[specified in Paragraph (b), when found]~~ in coastal ~~[fishing]~~
26 waters are ~~[waters, shall be]~~ enforced by wildlife ~~protectors-officers,~~ unless otherwise agreed to by the Wildlife
27 Resources Commission.

28
29 *History Note:* Authority G.S. 113-129; 113-132; 113-134; 113-292;

30 *Eff. February 1, 1976;*

31 *Amended Eff. July 1, 1991; January 1, 1977.*

32 *Readopted Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0104

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

Please try to refrain from using such phrases as "hereinafter set out", such as on line 4.

Please change "which" to "that" on lines 6 and 7.

The sentence on line 8 and 9, reading "The regulation and licensing of fishing in joint waters shall be as stated in 15A NCAC 10C .0106.", is unnecessary and should be deleted.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0104 is readopted with changes as published in 36:14 NCR 1237 as follows:

2
3 **15A NCAC 10C .0104 JOINT FISHING WATERS**

4 ~~[(a)]~~ Joint fishing waters are those coastal fishing waters, hereinafter set out, denominated ~~[defined in G.S. 113-129,~~
5 ~~adopted]~~by agreement of ~~[both]~~ the Marine Fisheries Commission and the Wildlife Resources Commission pursuant
6 to G.S. ~~[113-132(e)]~~ 113-132(e) as joint fishing waters. All waters which are tributary to joint fishing waters and
7 which ~~[that]~~ are not otherwise designated by agreement between the Marine Fisheries Commission and the Wildlife
8 Resources Commission are classified as ~~[in rule shall be]~~ joint fishing waters. The regulation and licensing of fishing
9 in joint waters shall be as stated in 15A NCAC 10C .0106.

10 ~~[(b)] [Rules and laws regarding fishing in joint fishing waters may be enforced by both marine fisheries inspectors~~
11 ~~and wildlife officers.]~~

12
13 *History Note: Authority G.S. 113-132; 113-134; 113-292;*
14 *Eff. February 1, 1976;*
15 *Amended Eff. January 1, 1977.*
16 *Readopted Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0105

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

Please change the "which" to "that" on line 4.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0105 is readopted as published in 36:14 NCR 1238 as follows:

2
3 **15A NCAC 10C .0105 POSTING DIVIDING LINES**

4 The dividing lines of all major bodies of water and watercourses which are divided by the agreement of the Marine
5 Fisheries Commission and the Wildlife Resources Commission so that portions of the same are constituted inland
6 fishing waters, coastal fishing waters, or joint fishing waters shall be marked with signs insofar as may be practicable.
7 Unmarked and undesignated tributaries shall have the same classification as the designated waters to which they
8 connect or into which they flow. No unauthorized removal or relocation of any such marker shall have the effect of
9 changing the classification of any body of water or portion thereof, nor shall any such unauthorized removal or
10 relocation or the absence of any marker affect the applicability of any regulations pertaining to any such body of water
11 or portion thereof.

12
13 *History Note: Authority G.S. 113-132; 113-134;*

14 *Eff. January 1, 1977.*

15 *Readopted Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0106

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

In Paragraph (b), "wildlife officers" is used, whereas "wildlife enforcement officers" is used elsewhere. Be consistent.

In Paragraph (b), please end subparagraph (1) with a semi-colon, (2) with a semi-colon and "and", and (3) with a period.

Subparagraph (b)(3) could be clarified. Also, "as hereinafter provided" may be better stated as "as provided in this Section."

Please put the History Note Authority in chronological order.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0106 is readopted with changes as published in 36:14 NCR 1238 as follows:

2
3 **15A NCAC 10C .0106 APPLICABILITY OF REGULATIONS: [RULES:] JOINT [FISHING] WATERS**

4 (a) All coastal fishing laws and regulations [rules] administered by the Department of ~~Environment, Health, and~~
5 ~~Natural Resources~~ Environmental Quality and the Marine Fisheries Commission [shall] apply to joint [fishing] waters
6 except as otherwise provided and shall be enforced by marine fisheries enforcement officers. inspectors. [provided.]

7 (b) The following inland fishing laws and regulations [rules] administered by the Wildlife Resources Commission
8 [shall] apply to joint [fishing] waters and shall be enforced by wildlife enforcement officers: [waters:]

9 (1) all laws and regulations [rules] pertaining to inland game fishes, [fishes specified in Rule .0103 of
10 this Section:]

11 (2) all laws and regulations pertaining to inland fishing license requirements for hook and line fishing,

12 (3)[(2)] all laws and regulations [rules] pertaining to hook and line fishing except as hereinafter provided.
13 [provided; and]

14 [(3)] all laws and rules pertaining to fish, crustacea, and mollusks identified on the protected animal list,
15 as defined in G.S. 113-331.]

16
17 *History Note: Authority G.S. 113-132; 113-134; 113-271; 113-275; 113-182; 113-292; 113-333;*

18 *Eff. January 1, 1977;*

19 *Amended Eff. April 1, 1990; April 15, 1979..*

20 *Readopted Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0107

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

The entire prefatory statement from line 4 through line 9 seems entirely unnecessary. It also has "wildlife officers", so please check for consistency if this Paragraph is to be kept.

For Item (1), if the "Striped Bass" has its own rules in 10C .0314, is this Item necessary?

Item (4) has the same requirements as 10C .0313, so is this Item necessary?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0107 is readopted with changes as published in 36:14 NCR 1238 as follows:

2
3 **15A NCAC 10C .0107 SPECIAL REGULATIONS: [REGULATIONS FOR] JOINT [FISHING] WATERS**
4 **[The following requirements shall apply in joint fishing waters and]** In order to effectively manage all fisheries
5 resources in joint waters and in order to confer enforcement powers on both marine fisheries inspectors ~~enforcement~~
6 ~~officers and wildlife enforcement officers~~ with respect to certain rules, the Marine Fisheries Commission and the
7 Wildlife Resources Commission deem it necessary to adopt special rules for joint waters. Such rules supersede any
8 inconsistent rules of the Marine Fisheries Commission or the Wildlife Resources Commission that would otherwise
9 be applicable in joint waters under the provisions of 15A NCAC 10C .0106:

10 (1) Striped Bass

- 11 (a) It is ~~[it shall be]~~ unlawful to possess any striped bass or striped bass hybrid that is less than
12 18 inches long (total length).
13 (b) It is ~~[it shall be]~~ unlawful to possess striped bass or striped bass hybrids between the lengths
14 of 22 and 27 inches (total length) in joint fishing waters of the Central Southern
15 Management Area as designated in 15A NCAC 03R .0201.
16 (c) It is ~~[it shall be]~~ unlawful to possess striped bass or striped bass hybrids May through
17 September in the joint fishing waters of the Central Southern Management Area and the
18 Albemarle Sound Management Area.
19 (d) It is ~~[it shall be]~~ unlawful to possess striped bass or striped bass hybrids taken from the
20 joint fishing waters of the Cape Fear River.
21 (e) It is ~~[it shall be]~~ unlawful to possess more than one daily creel limit of striped bass or striped
22 bass hybrids, in the aggregate, per person per day, regardless of the number of management
23 areas fished.
24 (f) Possession ~~[possession]~~ of fish shall be assessed for the creel and size limits of the
25 management area in which the individual is found to be fishing, regardless of the size or
26 creel limits for other management areas visited by that individual in a given day.
27 (g) It is ~~[it shall be]~~ unlawful to engage in net fishing for striped bass or their hybrids in joint
28 waters except as authorized by rules of the Marine Fisheries Commission.

29 (2) Lake Mattamuskeet

- 30 (a) It is ~~[it shall be]~~ unlawful to set or attempt to set any gill net in Lake Mattamuskeet canals
31 designated as joint waters.
32 (b) It is ~~[it shall be]~~ unlawful to use or attempt to use any trawl net or seines in Lake
33 Mattamuskeet canals designated as joint waters.

34 (3) Cape Fear River. It is ~~[shall be]~~ unlawful to use or attempt to use any net, net stakes or electrical
35 fishing device within 800 feet of the dam at Lock No. 1 on the Cape Fear River.

36 (4) Shad: It is ~~[shall be]~~ unlawful to possess more than 10 American shad or hickory shad, in the
37 aggregate, per person per day taken by hook-and-line.

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History Note: Authority G.S. 113-132; 113-134; 113-138; 113-182; 113-292;
Eff. January 1, 1977;
Amended Eff. July 1, 2008; May 1, 2005; August 1, 2000; July 1, 1993; November 1, 1991; January
1, 1991; August 1, 1985.
Readopted Eff. June 1, 2022.

Withdrawn

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0108

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

On line 7, please change the incorporation language to: "and such list and classification is incorporated by reference, including subsequent amendments and editions."

In the History Note Authority, 150B-14 is listed. This statute has been repealed.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0108 is readopted as published in 36:14 NCR 1238 as follows:

2
3 **15A NCAC 10C .0108 SPECIFIC CLASSIFICATION OF WATERS**

4 The several sounds and estuarine and tributary waters all or portions of which are specifically classified as inland,
5 joint, or coastal fishing waters by agreement of the Marine Fisheries Commission and the Wildlife Resources
6 Commission are listed in the regulations of the Marine Fisheries Commission under 15A NCAC 3Q .0200 and such
7 list and classification is incorporated herein by reference, shall include any later amendments, and is made a part of
8 this Section to the same extent as if the same were fully set forth herein.

9
10 *History Note: Authority G.S. 113-129; 113-132; 113-134; 150B-14;*

11 *Eff. January 1, 1977;*

12 *Amended Eff. July 1, 1993; January 1, 1981; January 1, 1978.*

13 *Readopted Eff. June 1, 2022.*

Withdrawn

1 15A NCAC 10C .0109 is readopted as published in 36:14 NCR 1238 as follows:

2
3 **15A NCAC 10C .0109 PROTECTION OF SEA TURTLES**

4 Pursuant to a cooperative agreement entered into on the fifth day of February, 1979, by the Department of
5 ~~Environment, Health, and Natural Resources~~, Environmental Quality, the Marine Fisheries Commission, and the
6 Wildlife Resources Commission, the Wildlife Resources Commission will exercise regulatory jurisdiction over any
7 species of sea turtles, and their eggs and nests, consistent with designation of such species as endangered or threatened
8 by the U.S. Fish and Wildlife Service. As provided by said agreement, the law enforcement officers of both the Marine
9 Fisheries Commission and the Wildlife Resources Commission have jurisdiction to enforce any state laws and
10 regulations, including those contained in 15A NCAC 10I, relating to endangered or threatened species of sea turtles
11 and their eggs and nests.

12
13 *History Note: Authority G.S. 113-132; 113-134; 113-138; 113-181; 113-182; 113-224; 113-305;*

14 *Eff. April 29, 1979;*

15 *Amended Eff. April 1, 1990.*

16 *Readopted Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0110

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

On the "Submission for Permanent Rule" form, please correct #2 (Rule citation & name) so that the rule name in the text of the rule matches the rule name on the form.

Is the "North Carolina Estuarine Striped Bass Fishery Management Plan", on lines 26 and 27, a policy that should be adopted through the rulemaking process? Or, is it something that needs to be incorporated by reference?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0110 is readopted with changes as published in 36:14 NCR 1238-1239 as follows:

2
3 **15A NCAC 10C .0110 MANAGEMENT RESPONSIBILITY FOR [OF] ESTUARINE STRIPED BASS IN**
4 **[JOINT] WATERS [THE ALBEMARLE SOUND AND ROANOKE RIVER**
5 **MANAGEMENT AREAS]**

6 (a) The management areas for estuarine striped bass fisheries in coastal North Carolina are designated in 15A NCAC
7 03R .0201.

8 (b) ~~(a)~~ In order to ~~[To]~~ effectively manage the recreational hook and line harvest in joint waters of the Albemarle
9 Sound-Roanoke River stock of ~~[estuarine]~~ striped bass, the Marine Fisheries Commission and the Wildlife Resources
10 Commission deem it necessary to establish two management areas: the Albemarle Sound Management Area and the
11 Roanoke River Management Area as designated in 15A NCAC 03R .0201.

12 (1) the Albemarle Sound Management Area is designated as Albemarle Sound and all its joint and
13 inland water tributaries, (except for the Roanoke, Middle, Eastmost and Cashie rivers), Currituck,
14 Roanoke and Croatan sounds and all their joint and inland water tributaries, including Oregon Inlet,
15 north of a line beginning at a point 35° 48.5015' N - 75° 44.1228' W on Roanoke Marshes Point,
16 running southeasterly to a point 35° 44.1710' N - 75° 31.0520' W on the north point of Eagle Nest
17 Bay.

18 (2) the Roanoke River Management Area is designated as Roanoke River and its joint and inland
19 tributaries, including Middle, Eastmost and Cashie rivers, up to the Roanoke Rapids dam.

20 ~~(b)~~ The Wildlife Resources Commission shall have principal management responsibility for the stock when it is in
21 the joint and inland ~~[and joint]~~ fishing waters of the Roanoke River Management Area. The Marine Fisheries
22 Commission shall have principal management responsibility for the stock in the coastal, joint ~~[joint]~~ and inland waters
23 of the Albemarle Sound Management Area.

24 ~~(c)~~ The annual quota for recreational harvest of the Albemarle Sound Roanoke River striped bass stock shall be
25 divided equally between the two management areas. Each Commission shall implement management actions for
26 recreational harvest within their respective management areas that shall be consistent with the North Carolina
27 Estuarine Striped Bass Fishery Management Plan. ~~[areas.]~~

28 ~~(d)~~ To preserve jurisdictional authority of each Commission, the following means are established through which
29 management measures may be implemented in the following management areas:

30 (1) ~~[in the Roanoke River Management Area, the exclusive authority to open and close seasons and~~
31 ~~areas, and establish size and creel limits, whether inland or joint fishing waters, shall be vested in~~
32 ~~the Wildlife Resources Commission.]~~

33 (2) ~~[in the Albemarle Sound Management Area, the exclusive authority to open and close seasons and~~
34 ~~areas, and establish size and creel limits, whether coastal or joint fishing waters, shall be vested in~~
35 ~~the Marine Fisheries Commission. The season shall close by proclamation if the quota set by the~~
36 ~~North Carolina Estuarine Striped Bass Fishery Management Plan is projected to be taken.]~~
37

1 *History Note:* *Authority G.S. 113-132; 113-134; 113-138; 113-182; 113-292;*
2 *Eff. January 1, 1991;*
3 *Amended Eff. June 1, 2005.*
4 *Readopted Eff. June 1, 2022.*

Withdrawn

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0111

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

In Item (1), line 11, to what does “an instrument” refer? Should there be criteria for this or a definition of this?

In Item (2), please add an oxford comma after “joint fishing waters” on line 15.

Also in Item (2), line 17, what is meant when it states “if the quota is about to be exceeded”? On what criteria is this based? Should it reference such criteria, if it exists, in the Marine Fisheries Commission Rules?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0111 is readopted as published in 36:14 NCR 1239 as follows:

2
3 **15A NCAC 10C .0111 IMPLEMENTATION OF ESTUARINE STRIPED BASS MANAGEMENT PLANS:**
4 **RECREATIONAL FISHING**

5 The Marine Fisheries and Wildlife Resources Commissions shall implement their respective striped bass management
6 plans for recreational fishing pursuant to their respective rulemaking powers. To preserve jurisdictional authority of
7 each Commission, the following means are established through which management measures can be implemented by
8 a single instrument in the following management areas:

- 9 (1) In the Roanoke River Management Area, the exclusive authority to open and close seasons and areas
10 and establish size and creel limits, whether inland or joint fishing waters, shall be vested in the
11 Wildlife Resources Commission. An instrument closing any management area in joint waters shall
12 operate as a jointly issued instrument opening or closing seasons or areas to harvest in the Roanoke
13 River Management Area.
- 14 (2) In the Albemarle Sound Management Area, the exclusive authority to open and close seasons and
15 areas and establish size and creel limits, whether coastal or joint fishing waters shall be vested in
16 the Marine Fisheries Commission. The season shall close by Marine Fisheries Commission
17 proclamation if the quota is about to be exceeded. In the Albemarle Sound Management Area
18 administered by the Marine Fisheries Commission, a proclamation affecting the harvest in joint and
19 coastal waters, excluding the Roanoke River Management Area shall automatically be implemented
20 and effective as a Wildlife Resources Commission action in the inland waters and tributaries to the
21 waters affected.

22
23 *History Note: Authority G.S. 113-132; 113-134; 113-138; 113-292;*
24 *Eff. January 1, 1991;*
25 *Amended Eff. June 1, 2005;*
26 *Readopted Eff. June 1, 2022.*

The agency proposes the following changes to the title of Section .0300 of the NCAC:

SECTION .0300 – GAME FISH IN INLAND FISHING WATERS

15A NCAC 10C .0301 is amended as published in 36:14 NCR 1239 as follows:

15A NCAC 10C .0301 INLAND GAME FISHES DESIGNATED

(a) The following fishes are classified and designated as inland game fishes: fishes in inland, joint, and coastal fishing waters:

- ~~(1) — mountain trout, all species including but not limited to rainbow, brown and brook trout;~~
- ~~(2) — muskellunge, chain (jack) and redbfin pickerel;~~
- ~~(3) — yellow perch, when found in inland waters, walleye and sauger;~~
- ~~(4) — black bass, including Alabama, largemouth, smallmouth, spotted and redeye bass;~~
- ~~(5) — black and white crappie;~~
- (1) Alabama bass, largemouth bass, redeye bass, smallmouth bass, and spotted bass;
- (2) black crappie and white crappie;
- (3) chain pickerel (jack), muskellunge, and redbfin pickerel;
- (4) kokanee salmon;
- (5) mountain trout, all species including but not limited to brook trout, brown trout, and rainbow trout;
- (6) sauger and walleye; and
- (7) sunfish, including bluegill (bream), flier, pumpkinseed, redbreast (robin), redear (shellcracker), pumpkinseed, warmouth, Roanoke bass, rock bass, bass (redeye), flier, Roanoke bass, warmouth, and all other species of the sunfish family (Centrarchidae) not specifically listed in this ~~Rule;~~ Rule.

(b) The following fishes are classified as inland game fishes when found in inland fishing waters:

- ~~(7) — spotted sea trout (speckled trout), when found in inland fishing waters;~~
- ~~(8) — flounder, when found in inland fishing waters;~~
- ~~(9) — red drum (channel bass, red fish, puppy drum), when found in inland fishing waters;~~
- ~~(10) — striped bass, white bass, white perch and Morone hybrids (striped bass white bass), when found in inland fishing waters;~~
- ~~(11)(1) American shad and hickory shad; shad, when found in inland fishing waters;~~
- ~~(12) — kokanee salmon; and~~
- ~~(13)(2) black bullhead, brown bullhead, flat bullhead, snail bullhead, white catfish, and yellow bullhead; bullhead, when found in inland fishing waters.~~
- (3) flounder;
- (4) red drum (channel bass, red fish, puppy drum);
- (5) spotted sea trout (spekeled trout);
- (6) striped bass, white bass, white perch, and Morone hybrids (striped bass-white bass); and

1 (7) yellow perch.

2

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

4 *Eff. February 1, 1976;*

5 *Amended Eff. June 1, 2022; June 1, 2005; June 1, 2004; July 1, 1996; July 1, 1990; July 1, 1983;*

6 *January 1, 1981; January 1, 1980;*

7 *Readopted Eff. August 1, 2020.*

1 15A NCAC 10C .0302 is amended as published in 36:14 NCR 1240 as follows:

2
3 **15A NCAC 10C .0302 MANNER OF TAKING INLAND GAME FISHES**

4 (a) Inland game fishes may only be taken with hook and line unless otherwise provided.

5 (b) Landing nets may be used to land fishes caught on hook and line.

6 (c) Game fishes taken incidental ~~to~~ to

7 ~~(1) commercial fishing operations in joint fishing waters or coastal fishing waters shall be immediately~~
8 ~~returned to the water unharmed.~~

9 ~~(2)~~ the use of special devices for taking nongame fishes from inland fishing waters as authorized in
10 ~~Rule .0402 of this Subchapter~~ 15A NCAC 10C .0402 or as authorized by 15A NCAC 10C .0407 by
11 anglers licensed under G.S. 113-272.2(c) shall be immediately returned to the water unharmed
12 except:

13 ~~(A)(1)~~ that a daily creel limit of American and hickory shad may be taken with dip nets and bow
14 nets from March 1 through April 30 in those waters where such gear may be lawfully used;
15 and

16 ~~(B)(2)~~ white perch may be taken when captured in a cast net being used to collect nongame fishes
17 in all impounded waters west of Interstate 95 and in the Tar River Reservoir (Nash County).

18 (d) Inland game fishes taken from Inland Fishing Waters shall not be sold.

19 (e) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless hook or a lure with
20 a single barbless hook may be used from 1 April to 30 June. "Barbless" as used in this Rule requires that the hook
21 does not have a barb or the barb is bent down.

22
23 *History Note: Authority G.S. 113-134; 113-272.3; 113-292;*

24 *Eff. February 1, 1976;*

25 *Amended Eff. July 1, 1996; October 1, 1994; July 1, 1993; May 1, 1992; January 1, 1982;*

26 *Temporary Amendment Eff. November 1, 1998;*

27 *Amended Eff. June 1, 2022; August 1, 2014; August 1, 2002; April 1, 1999;*

28 *Readopted Eff. October 1, 2021.*
29

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0304

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

On the "Submission for Permanent Rule" form, please correct #2 (Rule citation & name) so that the rule name in the text of the rule matches the rule name on the form.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0304 is readopted as published in 36:14 NCR 1240 as follows:

2
3 **15A NCAC 10C .0304 TAKING AND POSSESSION OF INLAND GAME FISHES**

4 ~~(a) It is unlawful to take in one day more than the daily creel limit of those species of inland game fish having a~~
5 ~~specified creel limit; to possess more fish than the daily creel limit in effect on those waters being fished; to possess~~
6 ~~any fish outside of the size limit in effect on those waters being fished; to possess more fish than the daily creel limit~~
7 ~~while boating or afield; or to possess at any place more than three days creel limit. It is unlawful to destroy~~
8 ~~unnecessarily any inland game fish taken from public fishing waters.~~

9 (a) Individuals shall only take up to the daily creel limit of those species of inland game fish having a specified creel
10 limit.

11 (b) Individuals shall only possess on those waters being fished:

- 12 (1) the specified daily creel limit for the species;
13 (2) fish conforming to the size limit for the species; and
14 (3) the daily creel limit while fishing or afield.

15 (b)(c) Individuals shall only possess up to three days creel limit at any place.

16 ~~(d) No person person, while fishing or afield, shall shall: remove the head or tail or otherwise change the appearance~~
17 ~~of any game fish having a minimum size limit so as to render it impracticable to measure its total original length. No~~
18 ~~person while fishing shall change the appearance of any game fish having a daily creel limit so as to obscure its~~
19 ~~identification or render it impracticable to count the number of fish in possession.~~

- 20 (1) unnecessarily destroy any inland game fish taken from inland fishing waters;
21 (2) remove the head or tail or otherwise change the appearance of any game fish having a size limit so
22 to render it impracticable to measure its total original length; or
23 (3) change the appearance of any game fish having a daily creel limit so to obscure its identification or
24 render it impracticable to count the number of fish in possession.

25
26 *History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-292;*
27 *Eff. February 1, 1976;*
28 *Amended Eff. July 1, 1998; July 1, 1991; July 1, 1988; January 1, 1981.*
29 *Readopted Eff. June 1, 2022.*
30

1 15A NCAC 10C .0305 is amended as published in 36:14 NCR 1240-1241 as follows:

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

4 (a) The daily creel limit for Largemouth Bass is five fish, except in waters identified in Paragraphs ~~(b), (c), (d), (j),~~
5 ~~and (l)~~ (d), (e), (f), (l), (m), and (n) of this Rule.

6 (b) There is no minimum size limit for 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), and (l)~~ (d) through (n) of this Rule.

8 (c) There is no closed season, except for waters identified in Paragraph (l) of this Rule.

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

14 ~~(d)(f)~~ In Lake Chatuge in Clay County, the daily creel limit for Largemouth Bass, Smallmouth Bass, Alabama Bass,
15 and Spotted Bass is 10 fish in aggregate. The minimum size limit for Largemouth Bass is 12 inches.

16 ~~(e)(g)~~ The minimum size limit for Largemouth Bass is 14 inches in the following:

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

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

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

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

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

34 ~~(j)(l)~~ In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia), the daily
35 creel limit for Largemouth Bass, Smallmouth Bass, and Spotted Bass is five fish in aggregate. There is no minimum
36 size limit for Largemouth Bass, but no fish between 14 and 22 inches in length may be possessed and only one
37 Largemouth Bass, Smallmouth Bass, or Spotted Bass greater than 22 inches may be possessed.

1 ~~(k)(m)~~ In Lake Mattamuskeet and associated canals in Hyde County, the minimum size limit for Largemouth Bass is
2 16 inches and only one Largemouth Bass greater than 20 inches may be possessed.

3 ~~(4)(n)~~ In Jean Guite Creek and associated canals within the Town of Southern Shores in Dare County and in the ponds
4 associated with Martin Marietta Park in Craven County, no Largemouth Bass may be possessed.

5
6 *History Note: Authority G.S. 113-134; 113-292;*
7 *Eff. February 1, 1976;*
8 *Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;*
9 *Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;*
10 *Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;*
11 *Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;*
12 *Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule*
13 *becomes effective, whichever is sooner;*
14 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;*
15 *Temporary Amendment Eff. November 1, 1998;*
16 *Amended Eff. April 1, 1999;*
17 *Temporary Amendment Eff. July 1, 1999;*
18 *Amended Eff. July 1, 2000;*
19 *Temporary Amendment Eff. July 1, 2001;*
20 *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*
21 *amendment effective July 1, 2002 and approved by RRC in May 2001];*
22 *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*
23 *Temporary Amendment Eff. June 1, 2003;*
24 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
25 *2003);*
26 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012;*
27 *March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,*
28 *2007; May 1, 2006; June 1, 2005;*
29 *Readopted Eff. August 1, 2019;*
30 *Amended Eff. June 1, 2022; August 1, 2021; August 1, 2020.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0306

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

Excluding “waters listed in Paragraph (f) of this Rule” in Paragraph (g)(13) seems to be unnecessary.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0306 is amended as published in 36:14 NCR 1241 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)~~ (d)
5 through (h) of this Rule.

6 (b) There is no minimum size limit ~~for these fish, except for in~~ waters identified in Paragraphs ~~(d), (e), and (f)~~ (f)
7 through (h) of this Rule.

8 (c) There is no closed season.

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

10 ~~(e)(e)~~ In Lake Chatuge in Clay County, the daily creel limit is 30 fish.

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

- 12 (1) B. Everett Jordan Reservoir;
- 13 (2) Roanoke River and its tributaries downstream of Roanoke Rapids dam;
- 14 (3) Cashie River and its tributaries;
- 15 (4) Middle River and its tributaries;
- 16 (5) Eastmost River and its tributaries; and
- 17 (6) Lake Mattamuskeet and associated canals in Hyde County.

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

- 19 (1) Lake Norman;
- 20 (2) Lake Hyco;
- 21 (3) Lake Ramseur;
- 22 (4) Cane Creek Lake (Union County);
- 23 (5) Lake Hampton (Yadkin County);
- 24 (6) Tar River downstream of Tar River Reservoir Dam and all tributaries;
- 25 (7) Neuse River downstream of Falls Lake Dam and all tributaries;
- 26 (8) Haw River downstream of Jordan Lake Dam and all tributaries;
- 27 (9) Deep River downstream of Lockville Dam and all tributaries;
- 28 (10) Cape Fear River and all tributaries;
- 29 (11) Waccamaw River downstream of Lake Waccamaw Dam and all tributaries;
- 30 (12) Lumber River including Drowning Creek and all tributaries;
- 31 (13) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County,
32 Sutton Lake in New Hanover County, and waters listed in Paragraph ~~(d)(f)~~ of this Rule; and
- 33 (14) all public waters west of Interstate 77, except Lake Chatuge.

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

35
36 *History Note: Authority G.S. 113-134; 113-292;*

37 *Eff. November 1, 2013;*

1 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015;*
2 *Readopted Eff. August 1, 2019;*
3 *Amended Eff. June 1, 2022; August 1, 2020.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0307

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

On the "Submission for Permanent Rule" form, please correct #2 (Rule citation & name) so that the rule name in the text of the rule matches the rule name on the form.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0307 is amended as published in 36:14 NCR 1241 as follows:

2
3 **15A NCAC 10C .0307 ~~FLOUNDER, SEA TROUT, AND RED DRUM~~ FLOUNDER**

4 ~~In inland fishing waters, Sea Trout (Spotted or Speckled), Flounder, and Red Drum (also known as Channel Bass, Red~~
5 ~~Fish or Puppy Drum) recreational seasons, size limits, and creel limits are the same as those established in the Rules~~
6 ~~of the Marine Fisheries Commission or proclamations issued by the Fisheries Director in adjacent joint or coastal~~
7 ~~fishing waters.~~

8 (a) The daily creel limit for flounder is four fish.

9 (b) The minimum size limit is 15 inches.

10 (c) The season for taking and possessing flounder is September 1 through September 14.

11
12 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

13 *Eff. June 1, 2022; November 1, 2013;*

14 *Readopted Eff. October 1, 2021.*

1 15A NCAC 10C .0308 is amended as published in 36:14 NCR 1241 as follows:

2
3 **15A NCAC 10C .0308 KOKANEE SALMON**

4 (a) The daily creel limit for ~~Kokanee Salmon~~ kokanee salmon is four fish.

5 (b) There is no minimum size limit. ~~limit for Kokanee Salmon.~~

6 (c) There is no closed season. ~~season for Kokanee Salmon.~~

7
8 *History Note: Authority G.S. 113-134; 113-292;*
9 *Eff. June 1, 2022; November 1, 2013;*
10 *Readopted Eff. August 1, 2020.*
11

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0313

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

On the "Submission for Permanent Rule" form, please correct #2 (Rule citation & name) so that the rule name in the text of the rule matches the rule name on the form.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0313 is amended as published in 36:14 NCR 1241-1242 as follows:

2
3 **15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD ~~(AMERICAN AND HICKORY)~~**

4 (a) The daily creel limit for American and ~~Hickory Shad~~ hickory shad in the aggregate is 10 fish, only one of which
5 may be an American ~~Shad, shad~~, except for waters identified in Paragraphs ~~(b), (c) and~~ (d) through (f) of this Rule.

6 ~~(b)~~ There is no minimum size limit. ~~limit for these fish.~~

7 ~~(c)~~ There is no closed season, except for waters identified in Paragraph ~~(e)~~ (g) of this Rule.

8 ~~(b)(d)~~ In the inland waters of the Tar-Pamlico River, Pungo River, Pee Dee River, and their tributaries, the daily creel
9 limit for American and ~~Hickory Shad~~ hickory shad is 10 in the aggregate.

10 ~~(e)(e)~~ In the inland waters of the Cape Fear River and its tributaries, the daily creel limit for American and ~~Hickory~~
11 ~~Shad~~ hickory shad is 10 in the aggregate, only five of which may be American ~~Shad, shad~~.

12 ~~(d)(f)~~ In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American ~~Shad, shad~~ may be
13 possessed.

14 ~~(e)(g)~~ The season for taking American and ~~Hickory Shad~~ hickory shad with dip nets and bow nets is March 1 through
15 April 30.

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

18 *Eff. June 1, 2022; November 1, 2013;*

19 *Readopted Eff. August 1, 2019.*
20
21

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0314

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

This same Rule was reviewed at the April 2022 Meeting. Is this version different? Why was this done? Please add an explanation to the "Submission for Permanent Rule" form in Box 9B.

Please delete the comma in:

*Paragraph (a) after "(d)" on line 5;
Paragraph (i) after the "(h)" on line 26; and
Paragraph (m) after "suspend" on line 8.*

In Paragraph (d), the WRC appears to be regulating fishing in Virginia ("to the dam at Union Street in Danville, VA"). What is the statutory authority for this?

Please correct the History Note. Starting at line 16, delete "June 1, 2022," and add a semi-colon to the end of that line. Also, it needs to mention amendments. It should read:

*Amended Eff. August 1, 2021; August 1, 2020;
Temporary Amendment Eff. November 30, 2021;
Amended Eff. June 1, 2022.*

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0314 is amended as published in 36:14 NCR 1242 as follows:

2
3 **15A NCAC 10C .0314 STRIPED BASS**

4 (a) The daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is four fish in the aggregate, except in waters
5 identified in Paragraphs ~~(b), (c), (f), (g), (h), (i), and (j)~~ (d), and (g) through (l) of this Rule.

6 (b) The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs ~~(b), (c), (d), (e), (f),~~
7 ~~(g), (h), (i), and (j)~~ (d) through (l) of this Rule.

8 (c) There is no closed season, except for waters identified in Paragraphs ~~(g), (h), (i), (j), and (k)~~ (i) through (m) of this
9 Rule.

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

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

17 ~~(d)(f)~~ In Lake Norman, Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex,
18 Lake Townsend, and Salem Lake the minimum size limit for ~~Striped Bass~~ striped bass and its hybrids is 16 inches.

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

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

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

29 ~~(h)(j)~~ In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in the
30 ponds associated with Martin Marietta Park in Craven County, the season for taking and possessing ~~Striped Bass~~
31 striped bass is closed year-round.

32 ~~(i)(k)~~ In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as ~~established in~~
33 ~~15A NCAC 03R-0201 and identified in 15A NCAC 10C .0110, .0110(a)(2),~~ which includes the Roanoke, Cashie,
34 Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing ~~Striped Bass~~ striped bass
35 and its hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound
36 upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for ~~Striped Bass~~ striped bass and
37 its hybrids is two fish in the aggregate, and the minimum size limit is 18 inches. No fish between 22 inches and 27

1 inches in length shall be possessed in the daily creel limit. Only one fish larger than 27 inches may be possessed in
2 the daily creel limit.

3 ~~(j)(l)~~ In designated inland and joint fishing waters of ~~Roanoke Sound, Croatan Sound, the Albemarle Sound, Chowan~~
4 ~~River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and~~
5 ~~Cashie River and their tributaries),~~ Sound Management Area, as identified in 15A NCAC 10C .0110(a)(1), the ~~Striped~~
6 ~~Bass~~ striped bass fishing season, size limits, and creel limits are the same as those established by rules or proclamations
7 of the Marine Fisheries Commission in adjacent ~~joint or~~ coastal fishing waters.

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

11
12 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*
13 *Eff. November 1, 2013;*
14 *Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*
15 *Readopted Eff. August 1, 2019;*
16 *Amended Eff. June 1, 2022; August 1, 2021; August 1, 2020.*

1 15A NCAC 10C .0318 is amended as published in 36:14 NCR 1242 as follows:

2
3 **15A NCAC 10C .0318 WHITE BASS**

4 (a) The daily creel limit for ~~White Bass~~ white bass is 10 fish.

5 (b) There is a ~~14-14~~-inch minimum size limit. ~~limit for these fish.~~

6 (c) There is no closed season. ~~season for White Bass.~~

7
8 *History Note: Authority G.S. 113-134; 113-292;*
9 *Eff. June 1, 2022; November 1, 2013.*
10 *Amend Eff. August 1, 2017.*
11

1 15A NCAC 10C .0319 is amended as published in 36:14 NCR 1241-1242 as follows:

2
3 **15A NCAC 10C .0319 WHITE PERCH**

4 (a) There is no daily creel limit for ~~White Perch~~ white perch.

5 (b) There is no minimum size limit.

6 (c) There is no closed season.

7 (d) In and west of Haywood, Buncombe, and Rutherford counties, it is unlawful to transport, possess, or release live
8 ~~White Perch~~ white perch.

9 (e) White perch may be taken when captured in a cast net being used to collect nongame fishes for bait or personal
10 consumption in all impounded waters west of I-95 and in the Tar River Reservoir (Nash County).

11
12 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

13 *Eff. November 1, 2013;*

14 *Amended Eff. June 1, 2022; August 1, 2016;*

15 *Readopted Eff. October 1, 2021.*
16
17

1 15A NCAC 10C .0321 is amended as published in 36:14 NCR 1243 as follows:

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

4 (a) The daily creel limit for ~~Smallmouth Bass~~ smallmouth bass is five fish, except in waters identified in Paragraphs
5 ~~(b), (c), and (d)~~ (d) through (f) of this Rule.

6 (b) There is no minimum size limit for ~~Smallmouth Bass~~, smallmouth bass, but only two of them may be less than 14
7 inches except in waters identified in Paragraphs ~~(b), (c), and (d)~~ (d) through (f) of this Rule.

8 (c) There is no closed season.

9 ~~(b)(d)~~ In Lake Santeetlah in Graham County, there is no daily creel limit for ~~Largemouth Bass~~ largemouth bass and
10 ~~Smallmouth Bass~~ smallmouth bass less than 14 inches. The daily creel limit for ~~Largemouth Bass~~ largemouth bass
11 and ~~Smallmouth Bass~~ smallmouth bass greater than 14 inches is five fish in aggregate.

12 ~~(e)(e)~~ In Lake Chatuge in Clay County, the daily creel limit for ~~Largemouth Bass, Smallmouth Bass, Alabama Bass,~~
13 ~~and Spotted Bass~~ largemouth bass, smallmouth bass, Alabama bass, and spotted bass is 10 fish in aggregate. There is
14 no minimum size limit for ~~Smallmouth Bass~~, smallmouth bass.

15 ~~(d)(f)~~ In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia), the
16 daily creel limit for ~~Largemouth Bass, Smallmouth Bass, and Spotted Bass~~ largemouth bass, smallmouth bass, and
17 spotted bass is five fish in aggregate. There is no minimum size limit for ~~Smallmouth Bass~~, smallmouth bass, but no
18 fish between 14 and 22 inches in length may be possessed and only one ~~Largemouth Bass, Smallmouth Bass, or~~
19 ~~Spotted Bass~~ largemouth bass, smallmouth bass, or spotted bass greater than 22 inches may be possessed.

20
21 *History Note: Authority G.S. 113-134; 113-292;*
22 *Eff. August 1, 2020;*
23 *Amended Eff. June 1, 2022; August 1, 2021.*
24
25

1 15A NCAC 10C .0322 is amended as published in 36:14 NCR 1243 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~~, bass or spotted bass, except for waters identified
5 in Paragraphs ~~(b)(d)~~ and ~~(e)(c)~~ of this Rule.

6 (b) There is no minimum size ~~limit~~ limit.

7 (c) There is ~~no~~ or closed season.

8 ~~(b)(d)~~ In Lake Chatuge in Clay County, the daily creel limit for ~~Largemouth Bass, Smallmouth Bass, Alabama Bass,~~
9 ~~and Spotted Bass~~ largemouth bass, smallmouth bass, Alabama bass, and spotted bass is 10 fish in aggregate.

10 ~~(e)(c)~~ In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia), the
11 daily creel limit for ~~Largemouth Bass, Smallmouth Bass, and Spotted Bass~~ largemouth bass, smallmouth bass, and
12 spotted bass is five fish in aggregate. There is no minimum size limit for ~~Spotted Bass, spotted bass~~, but no fish
13 between 14 and 22 inches in length may be possessed and only one ~~Largemouth Bass, Smallmouth Bass, or Spotted~~
14 ~~Bass~~ largemouth bass, smallmouth bass, or spotted bass greater than 22 inches may be possessed.

15
16 *History Note: Authority G.S. 113-134; 113-292;*

17 *Eff. August 1, 2020;*

18 *Amended Eff. June 1, 2022; August 1, 2021.*

1 15A NCAC 10C .0323 is amended as published in 36:14 NCR 1243 as follows:

2
3 **15A NCAC 10C .0323 REDEYE BASS**

4 (a) The daily creel limit for ~~Redeye Bass~~ redeye bass is five fish.

5 (b) There is no minimum size limit for ~~Redeye Bass~~, redeye bass, but only two of them may be less than 14 inches.

6 (c) There is no closed season.

7
8 *History Note: Authority G.S. 113-134; 113-292;*

9 *Eff. August 1, 2020.*

10 *Amended Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0324

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

On the "Submission for Permanent Rule" form, please correct #2 (Rule citation & name) so that the rule name in the text of the rule matches the rule name on the form.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0324 is amended as published in 36:14 NCR 1243 as follows:

2
3 **15A NCAC 10C .0324 ~~CATFISH~~BULLHEADS**

4 ~~(a) The daily creel limit for Black Bullhead, Brown Bullhead, Flat Bullhead, Snail Bullhead, White Catfish, and~~
5 ~~Yellow Bullhead~~ black bullhead, brown bullhead, flat bullhead, snail bullhead, white catfish, and yellow bullhead is
6 10 fish in aggregate.

7 ~~(b) There is no minimum size limit.~~

8 ~~(c) There is no or-closed season. season for Black Bullhead, Brown Bullhead, Flat Bullhead, Snail Bullhead, White~~
9 ~~Catfish, and Yellow Bullhead.~~

10
11 *History Note: Authority G.S. 113-134; 113-292;*

12 *Eff. August 1, 2020.*

13 *Amended Eff. June 1, 2022.*

1 15A NCAC 10C .0325 is adopted as published in 36:14 NCR 1243 as follows:

2
3 **15A NCAC 10C .0325 SEA TROUT**

4 (a) The daily creel limit for sea trout (spotted or speckled) is four fish.

5 (b) The minimum size limit is 14 inches.

6 (c) There is no closed season.

7
8 History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305

9 Eff. June 1, 2022.

1 15A NCAC 10C .0326 is adopted as published in 36:14 NCR 1243 as follows:

2
3 **15A NCAC 10C .0326 RED DRUM**

4 (a) The daily creel limit for red drum (also known as channel bass, red fish or puppy drum) is one fish.

5 (b) The minimum size limit is 18 inches and no fish over 27 inches may be possessed in the daily creel limit.

6 (c) There is no closed season.

7
8 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305*

9 *Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0401

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

The agency proposes the following changes to the title of Section .0400 of the NCAC:

**SECTION .0400 – JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS NONGAME FISH
IN INLAND FISHING WATERS**

15A NCAC 10C .0401 is amended as published in 36:14 NCR 1243-1244 as follows:

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

(a) Except as permitted by the rules in this Section, ~~it is unlawful no person shall to~~ take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line, grabbling, or special device with a special device fishing ~~license~~ license, or inland fishing license.

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

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

(d) Archery equipment ~~may used with either a hunting license or inland fishing license may only be used to take~~ nongame fishes year-round in all inland fishing waters, except:

- (1) ~~for the take of catfish on in the~~ Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and in all tributaries, where only catfish can be taken;
- (2) in impounded waters located on the Sandhills Game Land; and
- (3) in public mountain trout waters.

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

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

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

- ~~(1) Lake Waccamaw in Columbus County; and~~
- ~~(2) University Lake in Orange County.~~

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

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

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

- ~~(1) Roanoke River downstream of Roanoke Rapids Dam;~~
- ~~(2) Tar River downstream of Rocky Mount Mill Dam;~~

- (3) Neuse River downstream of Falls Lake Dam;
- (4) Cape Fear River downstream of Buckhorn Dam;
- (5) Pee Dee River downstream of Blewett Falls Dam;
- (6) Lumber River, including Drowning Creek;
- (7) all the tributaries to the rivers listed above; and
- (8) all other inland fishing waters east of I 95.
- (j) ~~In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take channel or blue catfish by means other than hook and line; the daily creel limit for channel catfish is 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 waters:~~
- (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) Dan River (Downstream of the Union Street Dam in Danville, VA);
- (8) Lake Gaston (North Carolina portion); and
- (9) 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. Eels greater than 9 inches in length and with a minimum body depth greater than ½ inch may be cut for use as bait.~~
- (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, except as provided in Paragraph (m) of this Rule. 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~~

1 ~~a daily creel limit so as to obscure its identification or render it impractical to count the number of fish in possession,~~
2 ~~except as provided in Paragraph (m) of this Rule.~~

3 ~~(#) (g) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license~~
4 ~~may be sold, sold unless otherwise specified in this Section, with the following exceptions:~~

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

7 (2) ~~blue crab; and~~

8 (3) ~~bowfin.~~

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

10
11 *History Note: Authority G.S. 113-134; 113-272; 113-292;*

12 *Eff. February 1, 1976;*

13 *Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;*

14 *Temporary Amendment Eff. December 1, 1994;*

15 *Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;*

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

17 *Amended Eff. July 1, 2000;*

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

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

20 *Temporary Amendment Eff. June 1, 2003;*

21 *Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
22 *2003);*

23 *Amended Eff. August 1, 2019; August 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*
24 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
25 *1, 2007; May 1, 2006; June 1, 2005;*

26 *Readopted Eff. August 1, 2020;*

27 *Amended Eff. June 1, 2022; August 1, 2021.*
28
29

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0402

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0402 is amended as published in 36:14 NCR 1244-1245 as follows:

2
3 **15A NCAC 10C .0402 TAKING NONGAME FISHES BY SPECIAL DEVICE FOR BAIT OR PERSONAL**
4 **CONSUMPTION**

5 (a) The use of equipment specified in this Rule requires a valid license that provides basic inland fishing privileges.

6 (b) It is unlawful to take nongame fish for bait or personal consumption in the inland waters of North Carolina using
7 equipment other than:

- 8 (1) a net of dip net design not greater than six feet across;
- 9 (2) a seine of not greater than 12 feet in length (except in Lake Waccamaw in Columbus County where
10 there is no length limitation) and with a bar mesh measure of not more than one-fourth inch;
- 11 (3) a cast net;
- 12 (4) a bow net for the seasons and waters in which the use of bow nets is authorized in 15A NCAC 10C
13 .0407;
- 14 (5) a dip net when used in conjunction with a licensed hand-crank electrofisher;
- 15 (6) a gig (except in Public Mountain Trout Waters);
- 16 (7) up to three traps for the seasons and waters in which the use of traps is authorized in 15A NCAC
17 10C .0407;
- 18 (8) up to two eel pots;
- 19 (9) a spear gun for the seasons and waters in which the use of a spear gun is authorized in 15A NCAC
20 10C .0407;
- 21 (10) minnow traps not exceeding 12 inches in diameter and 24 inches in length, with funnel openings not
22 exceeding one inch in diameter, from which all fish and animals are removed daily, and that are
23 labeled with the user's Wildlife Resources Commission customer number or name and address;
- 24 (11) a hand-held line with a single bait attached;
- 25 (12) a single, multiple-bait line for taking crabs not to exceed 100 feet in length, marked on each end
26 with a solid float no less than five inches in diameter, bearing legible and indelible identification of
27 the user's name and address, and under the immediate control and attendance of the person using
28 the device, with a limit of one line per person and no more than one line per vessel; or
- 29 (13) a collapsible crab trap with the largest open dimension not greater than 18 inches and that by design
30 is collapsed at all times when in the water, except when it is being retrieved or lowered to the bottom,
31 with a limit of one trap per person.

32 ~~(b) The use of equipment under this Rule requires a valid license that provides basic inland fishing privileges.~~

33 (c) It is unlawful to sell nongame fishes or aquatic animals taken under this Rule.

34 (d) Game fishes taken shall be returned unharmed to the water, except for the following: white perch may be taken
35 ~~when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all impounded~~
36 ~~waters west of I 95 and in the Tar River Reservoir (Nash County).~~

(1) American and hickory shad may be taken when captured with dip nets and bow nets from March 1 through April 30 subject to the size and creel limits specified in 15A NAC 10C .0313.

(2) white perch may be taken when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all impounded waters west of I-95 and in the Tar River Reservoir (Nash County) subject to the size and creel limits specified in 15A NCAC 10C .0319.

(e) No person shall take or possess during one day more than 200 nongame fish, in aggregate, for bait or personal consumption ~~subject to the consumption, accounting for species specific size and creel limits identified in 15A NCAC 10C.0401~~ Section .0400 of this Subchapter.

(f) Any fishes taken for bait purposes are included within the daily possession limit for that species.

(g) It is unlawful to take nongame fish for bait from the following waters:

- (1) Public Mountain Trout Waters (except in impounded waters of power reservoirs and municipally-owned water supply reservoirs);
- (2) Bear Creek in Chatham County;
- (3) Deep River in Chatham, Lee, and Moore counties and downstream of Coleridge Dam in Randolph County;
- (4) Fork Creek in Randolph County; and
- (5) Rocky River in Chatham County.

~~(i) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish having a size limit identified in 15A NCAC 10C .0401 so as to render it impractical to measure its total original length, except as provided in 15A NCAC 10C .0401(m). No person while fishing shall change the appearance of any nongame fish having a daily creel limit identified in 15A NCAC 10C .0401 so as to obscure its identification or render it impractical to count the number of fish in possession, except as provided in 15A NCAC 10C .0401(m).~~

History Note: Authority G.S. 113-134; 113-272; 113-272.3; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 2000; July 1, 1998; July 1, 1993; July 1, 1992; May 1, 1992; July 1, 1989;
Temporary Amendment Eff. July 1, 2001;
Amended Eff. July 18, 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, 2019; August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015;
August 1, 2014; August 1, 2013; August 1, 2010; May 1, 2008; May 1, 2007; May 1, 2006;
Readopted Eff. June 1, 2022; August 1, 2021.

1 15A NCAC 10C .0404 is readopted as published in 36:14 NCR 1245 as follows:

2
3 **15A NCAC 10C .0404 SPECIAL DEVICES**

4 (a) Archery equipment. ~~The use of archery~~ Archery equipment, as defined in 15A NCAC 10B .0116, ~~as is a licensed~~
5 ~~special device.~~ ~~device is authorized for taking nongame fishes at any time from all inland fishing waters other than~~
6 ~~impounded waters located on the Sandhills Game Land and designated public mountain trout waters. Unless~~
7 ~~prohibited by Marine Fisheries Commission's rules in 15A NCAC 03, bow and arrow may be used in joint fishing~~
8 ~~waters.~~

9 (b) Nets. Where authorized, manually operated nets, including seines and bow, cast, dip, gill, drift, and fyke nets
10 may be used under the special device license. No fixed gill net or other stationary net which may be authorized as a
11 special device may be more than 100 yards in length, nor shall any such net be placed within 50 yards of any other
12 fixed net. Fixed nets must be set so that they run parallel to the nearest shoreline. No fixed or drift gill nets shall be
13 used unless such net is marked for the protection of boat operators. A net shall be deemed so marked when there is
14 attached to it at each end two separate yellow buoys that shall be of solid foam or other solid buoyant material no less
15 than five inches in its smallest dimensions. The owner shall be identified on a buoy on each end either by using
16 engraved buoys or by attaching engraved metal or plastic tags to the buoys. Such identification shall include one of
17 the following:

- 18 (1) owner's N.C. motor boat registration number;
19 (2) owner's U.S. vessel documentation name; or
20 (3) owner's last name, first and middle initials.

21 It is unlawful to attach gill nets to any wire, rope, or similar device extended across any navigable watercourse.

22 (c) Traps. Baskets and traps, excluding collapsible crab traps, may be used under the special device license. Such
23 devices when set and left unattended shall be affixed with a card or tag furnished by the license holder and upon which
24 his name and address shall be legibly and indelibly inscribed. No fish trap may exceed 60 inches in length or 30
25 inches in depth or width. No lead nets, wing nets, or other device designed to guide or herd fish may be attached to
26 the trap or used or set within 25 feet of the trap.

27 (d) Spears. Manually operated gigs or under-water spear or harpoon guns may be used under the special device
28 license in the inland waters having a season for their use specified in ~~Rule .0407 of this Section.~~ 15A NCAC 10C
29 .0407.

30 (e) Crab pots. It is unlawful to use crab pots in inland fishing waters, except by persons owning property adjacent to
31 the inland fishing waters of coastal rivers and their tributaries who are permitted to set two crab pots to be attached to
32 their property and not subject to special device license requirements.

33 (f) Eel pots. It is unlawful to use pots with mesh sizes smaller than one-half inch by one-half inch. Each pot must be
34 marked by attaching a floating buoy that shall be of solid foam or other solid buoyant material and no less than five
35 inches in diameter and no less than five inches in length. Buoys may be of any color except yellow. The owner shall
36 be identified on the attached buoy by using engraved buoys or by engraved metal or plastic tags attached to the buoy.
37 Such identification shall include one of the following:

- 1 (1) owner's N.C. motorboat registration number;
2 (2) owner's U.S. vessel documentation name; or
3 (3) owner's last name, first and middle initials.

4 (g) Hand-crank electrofisher. For the purposes of this Rule, a hand-crank electrofisher is any manually-operated
5 device which is capable of generating a low voltage electrical current not exceeding 300 volts for the taking of catfish.
6 Hand-crank electrofishers may be used only where authorized by local law and only in those waters specified in 15A
7 NCAC 10C .0407.

8
9 *History Note: Authority G.S. 113-134; 113-272.2; 113-276; 113-292;*
10 *Eff. February 1, 1976;*
11 *Amended Eff. July 1, 1999; July 1, 1996; December 1, 1995; July 1, 1995; July 1, 1994; July 1,*
12 *1993;*
13 *Temporary Amendment Effective July 1, 2001;*
14 *Amended Eff. August 1, 2014; August 1, 2012; May 1, 2008; May 1, 2007; August 1, 2004; July 18,*
15 *2002.*
16 *Readopted Eff. June 1, 2022.*
17

1 15A NCAC 10C .0405 is readopted as published in 36:14 NCR 1245 as follows:

2
3 **15A NCAC 10C .0405 POSSESSION OF LICENSES**

4 Except as indicated in this Rule, every individual participating in the taking of fish through the use of any special
5 device must have the special device fishing license issued to him, personally, in his possession or readily available for
6 inspection. A bow net or a dip net may be used by an individual other than the licensee with the licensee's permission,
7 but such user must have the license in his possession or readily available for inspection. When using drag seines
8 authorized for taking nongame fishes at beaches on inland fishing waters where there are migratory saltwater fishes
9 ~~(herring or mullet)~~, only the principal owner and operator is required to be licensed.

10
11 *History Note: Authority G.S. 113-134; 113-275; 113-276; 113-276.1; 113-292;*

12 *Eff. February 1, 1976;*

13 *Temporary Amendment Eff. November 1, 1998;*

14 *Amended Eff. April 1, 1999.*

15 *Readopted Eff. June 1, 2022.*
16

1 15A NCAC 10C .0406 is readopted as published in 36:14 NCR 1245 as follows:

2
3 **15A NCAC 10C .0406 TRAWLS AND DREDGES**

4 It is unlawful to use a trawl or clam dredge in any inland fishing waters.

5
6 *History Note: Authority G.S. 113-134; 113-276; 113-292;*

7 *Eff. February 1, 1976;*

8 *Amended Eff. July 1, 1988; January 1, 1982; January 1, 1981.*

9 *Readopted Eff. June 1, 2022.*

1 15A NCAC 10C .0407 is readopted as published in 36:14 NCR 1245 as follows:

2
3 **15A NCAC 10C .0407 PERMITTED SPECIAL DEVICES AND OPEN SEASONS**

4 ~~Except in designated public mountain trout waters, and in impounded waters located on the Sandhills Game Land,~~
5 ~~there is a year round open season for the licensed taking of nongame fishes by bow and arrow.~~ The use of special
6 fishing devices, including crab pots in impoundments located entirely on game lands, shall be prohibited. Seasons and
7 waters in which the use of other special devices is authorized are indicated by counties below:

8 (1) Alamance:

9 (a) July 1 to August 31 with seines in Alamance Creek below NC 49 bridge and Haw River;

10 (b) July 1 to June 30 with gigs in all public waters;

11 (2) Alexander: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lake
12 Hickory and Lookout Shoals Reservoir;

13 (3) Alleghany: July 1 to June 30 with gigs in New River, except designated public mountain trout
14 waters;

15 (4) Anson:

16 (a) July 1 to June 30 with traps and gigs in all public waters;

17 (b) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;

18 (c) July 1 to August 31 with seines in all running public waters, except Pee Dee River from
19 Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;

20 (5) Ashe: July 1 to June 30 with gigs in New River (both forks), except designated public mountain
21 trout waters;

22 (6) Beaufort:

23 (a) July 1 to June 30 with traps in the Pungo River, and in the Tar and Pamlico Rivers above
24 Norfolk and Southern Railroad bridge; and with gigs in all inland public waters;

25 (b) March 1 to April 30 with bow nets in all inland public waters;

26 (7) Bertie:

27 (a) July 1 to June 30 with traps in the Broad Creek (tributary of Roanoke);

28 (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
29 and other impounded waters;

30 (8) Bladen:

31 (a) March 1 to April 30 with bow nets in Black River;

32 (b) July 1 to March 1 with hand-crank electrofishers (local law) in Cape Fear River between
33 Lock and Dam 1 and 3 and in Black River, except that hand-crank electrofishing is
34 prohibited within 400 yards of Lock and Dam 1, 2, and 3 on Cape Fear River;

35 (9) Brunswick: March 1 to April 30 with bow nets in Alligator Creek, Hoods Creek, Indian Creek,
36 Orton Creek below Orton Pond, Rices Creek, Sturgeon Creek and Town Creek;

- 1 (10) Buncombe: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
2 waters;
- 3 (11) Burke:
- 4 (a) July 1 to August 31 with seines in all running public waters, except Johns River and
5 designated public mountain trout waters;
- 6 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
7 public mountain trout waters and Lake James;
- 8 (12) Cabarrus:
- 9 (a) July 1 to August 31 with seines in all running public waters,
- 10 (b) July 1 to June 30 with traps and gigs in all public waters;
- 11 (13) Caldwell: July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
12 public mountain trout waters;
- 13 (14) Camden:
- 14 (a) July 1 to June 30 with traps in all inland public waters;
- 15 (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
16 and other impounded waters;
- 17 (15) Carteret: March 1 to April 30 with bow nets in all inland public waters except South River and the
18 tributaries of the White Oak River;
- 19 (16) Caswell:
- 20 (a) July 1 to June 30 with gigs in all public waters;
- 21 (b) July 1 to August 31 with seines in all running public waters, except Moons Creek;
- 22 (c) July 1 to June 30 with traps in Hyco Reservoir;
- 23 (17) Catawba:
- 24 (a) July 1 to August 31 with seines in all running public waters, except Catawba River below
25 Lookout Dam;
- 26 (b) July 1 to June 30 with traps, spear guns, and gigs in all public waters;
- 27 (18) Chatham:
- 28 (a) December 1 to April 15 with dip and gill nets in the Cape Fear River, Deep River, Haw
29 River and Rocky River (local law);
- 30 (b) July 1 to August 31 with seines in the Cape Fear River, and Haw River;
- 31 (c) July 1 to June 30 with traps in Deep River; and with gigs in all public waters;
- 32 (19) Cherokee: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
33 waters;
- 34 (20) Chowan:
- 35 (a) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
36 and other impounded waters;

- (b) July 1 to June 30 with traps in all inland public waters, except public lakes, ponds, and other impounded waters;
- (21) Clay: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (22) Cleveland:
- (a) July 1 to August 31 with seines in all running public waters;
- (b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- (23) Columbus:
- (a) December 1 to March 1 with gigs in all inland public waters, except Lake Waccamaw and its tributaries;
- (b) March 1 to April 30 with bow nets in Livingston Creek;
- (c) July 1 to March 1 with hand-crank electrofishers (local law) in Waccamaw and Lumber rivers;
- (24) Craven:
- (a) July 1 to June 30 with traps in the main run of the Trent and Neuse Rivers;
- (b) March 1 to April 30 with bow nets in all inland public waters, except Pitch Kettle, Grindle, Slocum (downstream of the US 70 bridge), Spring, and Hancock Creeks and their tributaries; and with seines in the Neuse River;
- (25) Currituck:
- (a) July 1 to June 30 with traps in Tulls Creek and Northwest River;
- (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds, and other impounded waters;
- (26) Dare:
- (a) July 1 to June 30 with traps in Mashoes Creek, Milltail Creek, East Lake, and South Lake;
- (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds, and other impounded waters;
- (27) Davidson:
- (a) July 1 to August 31 with seines in all running public waters;
- (b) July 1 to June 30 with gigs in all public waters, and with traps in all public waters except Leonard's Creek, Abbott's Creek below Lake Thom-A-Lex dam, and the Abbott's Creek arm of High Rock Lake upstream from the NC 8 bridge;
- (28) Davie:
- (a) July 1 to June 30 with traps and gigs in all public waters;
- (b) July 1 to August 31 for taking only carp and suckers with seines in Dutchmans Creek from US 601 to Yadkin River and in Hunting Creek from SR 1338 to South Yadkin River;
- (29) Duplin:

- (a) December 1 to June 5 with seines in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;
- (b) March 1 to April 30 with bow nets in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;
- (30) Durham:
- (a) July 1 to August 31 with seines in Neuse River;
- (b) July 1 to June 30 with gigs in all public waters;
- (31) Edgecombe: March 1 to April 30 with bow nets in all public waters;
- (32) Forsyth: July 1 to June 30 with traps and gigs in all public waters, except traps may not be used in Belews Creek Reservoir;
- (33) Franklin:
- (a) July 1 to August 31 with seines in Tar River;
- (b) July 1 to June 30 with gigs in all public waters, except Parrish, Laurel Mill, Jackson, Clifton, Moore's, and Perry's Ponds, and in the Franklinton City ponds;
- (34) Gaston:
- (a) July 1 to August 31 with seines in all running public waters;
- (b) July 1 to June 30 with gigs, traps, and spear guns in all public waters;
- (35) Gates: March 1 to April 30 with bow nets in all inland public waters except public lakes, ponds, and other impounded waters;
- (36) Graham: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (37) Granville:
- (a) July 1 to June 30 with gigs in all public waters, except Kerr Reservoir;
- (b) July 1 to August 31 with seines in the Tar River below US 158 bridge;
- (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- (38) Greene: March 1 to April 30 with bow nets and reels in Contentnea Creek;
- (39) Guilford:
- (a) July 1 to August 31 with seines in Haw River, Deep River below Jamestown Dam, and Reedy Fork Creek below US 29 bridge;
- (b) July 1 to June 30 with gigs in all public waters;
- (40) Halifax: March 1 to April 30 with bow nets in Beech Swamp, Clarks Canal, Conoconnara Swamp, Fishing Creek below the Fishing Creek Mill Dam, Kehukee Swamp, Looking Glass Gut, Quankey Creek, and White's Mill Pond Run;
- (41) Harnett:
- (a) January 1 to May 31 with gigs in Cape Fear River and tributaries;
- (b) March 1 to April 30 with bow nets in Cape Fear River;

- 1 (42) Haywood: July 1 to June 30 with gigs in all public waters, except Lake Junaluska and designated
2 public mountain trout waters;
- 3 (43) Henderson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
4 waters;
- 5 (44) Hertford:
- 6 (a) July 1 to June 30 with traps in Wiccacon Creek;
- 7 (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
8 and other impounded waters;
- 9 (45) Hyde:
- 10 (a) July 1 to June 30 with traps in all inland waters;
- 11 (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
12 and other impounded waters;
- 13 (46) Iredell: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lookout
14 Shoals Reservoir and Lake Norman;
- 15 (47) Jackson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
16 waters;
- 17 (48) Johnston: March 1 to April 30 with bow nets in Black Creek, Little River, Middle Creek, Mill Creek,
18 Neuse River and Swift Creek;
- 19 (49) Jones:
- 20 (a) July 1 to June 30 with traps in the Trent River below US 17 bridge and White Oak River
21 below US 17 bridge;
- 22 (b) March 1 to April 30 with bow nets in all inland public waters, except the tributaries to the
23 White Oak River;
- 24 (50) Lee:
- 25 (a) December 1 to April 15 with dip and gill nets (local law) in Cape Fear River and Deep
26 River;
- 27 (b) July 1 to August 31 with seines in Cape Fear River;
- 28 (c) July 1 to June 30 with traps in Deep River, and with gigs in all public waters;
- 29 (51) Lenoir:
- 30 (a) July 1 to June 30 with traps in Neuse River below US 70 bridge at Kinston;
- 31 (b) March 1 to April 30 with bow nets in Neuse River and Contentnea Creek upstream from
32 NC 118 bridge at Grifton; and with seines in Neuse River;
- 33 (52) Lincoln:
- 34 (a) July 1 to August 31 with seines in all running public waters;
- 35 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters;
- 36 (53) McDowell:

- 1 (a) July 1 to August 31 with seines in all running public waters, except designated public
2 mountain trout waters;
- 3 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
4 public mountain trout waters and Lake James;
- 5 (54) Macon: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
6 waters;
- 7 (55) Madison: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
8 waters;
- 9 (56) Martin: March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
10 and other impounded waters;
- 11 (57) Mecklenburg:
- 12 (a) July 1 to August 31 with seines in all running public waters;
- 13 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters except Freedom Park
14 Pond and Hornet's Nest Ponds;
- 15 (58) Montgomery:
- 16 (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee
17 River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
- 18 (b) July 1 to June 30 with traps and gigs in all public waters;
- 19 (59) Moore:
- 20 (a) July 1 to August 31 with seines in all running public waters except in Deep River;
- 21 (b) July 1 to June 30 with gigs in all public waters, except lakes located on the Sandhills Game
22 Land; and with traps in Deep River and its tributaries;
- 23 (60) Nash:
- 24 (a) July 1 to June 30 with gigs in all public waters, except Tar River;
- 25 (b) March 1 to April 30 with bow nets in the Tar River below Harris' Landing and Fishing
26 Creek below the Fishing Creek Mill Dam;
- 27 (61) New Hanover: March 1 to April 30 with bow nets in all inland public waters, except Sutton (Catfish)
28 Lake;
- 29 (62) Northampton:
- 30 (a) July 1 to June 30 with gigs in all public waters, except Gaston and Roanoke Rapids
31 Reservoirs and the Roanoke River above the US 301 bridge;
- 32 (b) March 1 to April 30 with bow nets in Oconeechee Creek, Old River Landing Gut, and
33 Vaughans Creek below Watsons Mill;
- 34 (63) Onslow:
- 35 (a) July 1 to June 30 with traps in White Oak River below US 17 bridge;
- 36 (b) August 1 to March 31 with eel pots in the main run of New River between US 17 bridge
37 and the mouth of Hawkins Creek;

- 1 (c) March 1 to April 30 with bow nets in the main run of New River and in the main run of the
2 White Oak River;
- 3 (d) March 1 to April 30 with bow nets in Grant's Creek;
- 4 (64) Orange:
- 5 (a) July 1 to August 31 with seines in Haw River,
- 6 (b) July 1 to June 30 with gigs in all public waters;
- 7 (65) Pamlico: March 1 to April 30 with bow nets in all inland public waters, except Dawson Creek;
- 8 (66) Pasquotank:
- 9 (a) July 1 to June 30 with traps in all inland waters;
- 10 (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
11 and other impounded waters;
- 12 (67) Pender:
- 13 (a) December 1 to June 5 with seines in the main run of Northeast Cape Fear River;
- 14 (b) March 1 to April 30 with bow nets in the Northeast Cape Fear River, Long Creek, Moore's
15 Creek approximately one mile upstream to New Moon Fishing Camp, and Black River;
- 16 (c) July 1 to March 1 with hand-crank electrofishers (local law) in Black River;
- 17 (68) Perquimans:
- 18 (a) July 1 to June 30 with traps in all inland waters;
- 19 (b) March 1 to April 30 with bow nets in all inland public waters, except public lakes, ponds,
20 and other impounded waters;
- 21 (69) Person:
- 22 (a) July 1 to August 31 with seines in Hyco Creek and Mayo Creek;
- 23 (b) July 1 to June 30 with gigs in all public waters.
- 24 (70) Pitt:
- 25 (a) July 1 to June 30 with traps in Neuse River and in Tar River below the mouth of Hardee
26 Creek east of Greenville;
- 27 (b) March 1 to April 30 with bow nets in all inland public waters, except Grindle Creek, and
28 Contentnea Creek between NC 118 bridge at Grifton and the Neuse River;
- 29 (c) December 1 to June 5 with seines in Tar River;
- 30 (71) Polk: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
31 waters;
- 32 (72) Randolph:
- 33 (a) July 1 to August 31 with seines in Deep River above the Coleridge Dam and Uwharrie
34 River;
- 35 (b) July 1 to June 30 with gigs in all public waters;
- 36 (73) Richmond:

- (a) July 1 to August 31 with seines in all running public waters, except Pee Dee River from Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
- (b) July 1 to June 30 with traps and gigs in all public waters, except lakes located on the Sandhills Game Land;
- (c) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
- (74) Robeson: December 1 to March 1 with gigs in all inland public waters.
- (75) Rockingham:
- (a) July 1 to August 31 with seines in Dan River and Haw River;
- (b) July 1 to June 30 with traps in Dan River; and with gigs in all public waters;
- (76) Rowan:
- (a) July 1 to August 31 with seines in all running public waters,
- (b) July 1 to June 30 with traps and gigs in all public waters;
- (77) Rutherford:
- (a) July 1 to August 31 with seines in all running public waters, except designated public mountain trout waters;
- (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters;
- (78) Sampson:
- (a) March 1 to April 30 with bow nets in Big Coharie Creek, Black River and Six Runs Creek;
- (b) July 1 to March 1 with hand-crank electrofishers (local law) in Black River downstream of NC 1105 bridge;
- (79) Stanly:
- (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
- (b) July 1 to June 30 with traps and gigs in all public waters;
- (80) Stokes: July 1 to June 30 with traps and gigs in all public waters, except designated public mountain trout waters, and traps may not be used in Belews Creek Reservoir;
- (81) Surry: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters; and with traps in the main stem of Yadkin River;
- (82) Swain: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (83) Transylvania: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (84) Tyrrell:
- (a) July 1 to June 30 with traps in Scuppernon River and Alligator Creek;

- (b) March 1 to April 30 with bow nets in all inland public waters, except Lake Phelps, the drainage canals that connect Lake Phelps and Scuppernong River, public lakes, ponds and other impounded waters;
- (85) Union:
- (a) July 1 to August 31 with seines in all running public waters,
- (b) July 1 to June 30 with traps and gigs in all public waters;
- (86) Vance:
- (a) July 1 to August 31 with seines in the Tar River;
- (b) July 1 to June 30 with gigs in all public waters, except Rolands, Faulkners, Southerlands, and Weldon Ponds, City Lake, and Kerr Reservoir;
- (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- (87) Wake:
- (a) July 1 to June 30 with gigs in all public waters, except Sunset, Benson, Wheeler, Raleigh, and Johnson Lakes;
- (b) March 1 to April 30 with bow nets in the Neuse River below Falls Lake Dam, and Swift Creek below Lake Benson Dam;
- (88) Warren:
- (a) July 1 to August 31 with seines in Fishing Creek, Shocco Creek, and Walker Creek; except Duck and Hammes Mill Ponds;
- (b) July 1 to June 30 with gigs in all public waters, except Duck and Hammes Mill Ponds, Kerr Reservoir, and Gaston Reservoir;
- (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- (89) Washington: March 1 to April 30 with bow nets in all inland public waters, except Lake Phelps, the drainage canals that connect Lake Phelps and Scuppernong River, public lakes, ponds, and other impoundments.
- (90) Wayne: March 1 to April 30 with bow nets in Little River, Mill Creek and Neuse River.
- (91) Wilkes: July 1 to June 30 with traps in Yadkin River below W. Kerr Scott Reservoir; and with gigs and spear guns in all public waters, except designated public mountain trout waters;
- (92) Wilson:
- (a) July 1 to June 30 with gigs in Contentnea Creek (except Buckhorn Reservoir), including unnamed tributaries between Flowers Mill and SR 1163 (Deans) bridge;
- (b) March 1 to April 30 with bow nets in Contentnea Creek below US 301 bridge and in Toisnot Swamp downstream from the Lake Toisnot Dam; and
- (93) Yadkin: July 1 to June 30 with gigs in all public waters, and with traps in the main stem of Yadkin River.

History Note: Authority G.S. 113-134; 113-276; 113-292;

1 *Eff. February 1, 1976;*
2 *Temporary Amendment Eff. December 29, 1988;*
3 *Temporary Amendment Eff. December 1, 1993;*
4 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; December 1, 1995; July 1, 1995; July 1,*
5 *1994; June 1, 1994;*
6 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*
7 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
8 *Temporary Amendment Eff. June 1, 2003;*
9 *Amended Eff. August 1, 2019; August 1, 2015; May 1, 2007; June 1, 2005; August 1, 2004.*
10 *Readopted Eff. June 1, 2022.*

1 15A NCAC 10C .0409 is adopted as published in 36:14 NCR 1245-1246 as follows:

2
3 **15A NCAC 10C .0409 TAKING AND POSSESSION OF NONGAME FISHES**

4
5 (a) Individuals shall only take up to the daily creel limit of those species of nongame fish having a specified creel
6 limit.

7 (b) Individuals shall only possess, on those waters being fished:

8 (1) the specified daily creel limit for the species;

9 (2) fish conforming to the size limit of the species; and

10 (3) the daily creel limit while fishing or afield.

11 (c) Individuals shall only possess up to three days creel limit at any place.

12 (d) No person, while fishing or afield, shall:

13 (1) remove the head or tail or otherwise change the appearance of any nongame fish specified in Section
14 .0400 as having a size limit, so as to render it impractical to measure its total original length, except
15 as provided in 15A NCAC 10C .0410.

16 (2) change the appearance of any nongame fish that has a species-specific daily creel limit in Section
17 .0400, as to obscure its identification or render it impractical to count the number of fish in
18 possession, except for American Eel as provided in 15A NCAC 10C.0410.

19
20 *History Note: Authority G.S. 113-134; 113-292;*
21 *Eff. June 1, 2022.*
22

1 15A NCAC 10C .0410 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0410 AMERICAN EEL**

4 (a) The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing
5 in inland fishing waters is 25.

6 (b) The minimum size limit is 9 inches.

7 (c) There is no closed season.

8 (d) Eels greater than 9 inches in length and with a minimum body depth greater than ½ inch may be cut for use as bait.

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

11 *Eff. June 1, 2022.*

1 15A NCAC 10C .0411 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0411 ATLANTIC CROAKER**

4 (a) The daily creel limit for Atlantic croaker is 50 fish.

5 (b) There is no minimum size limit.

6 (c) There is no closed season.

7 (d) Atlantic croaker shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0412 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0412 BLACK DRUM**

4 (a) The daily creel limit for black drum is 10 fish.

5 (b) The minimum size limit is 14 inches and no fish over 25 inches may be possessed in the daily creel limit.

6 (c) There is no closed season.

7 (d) Black drum shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0413 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0413 BLUE CRAB**

4 (a) Blue crabs shall have a minimum carapace width of five inches (point to point).

5 (b) It is unlawful to possess more than 50 crabs per person per day, or to exceed 100 crabs per vessel per day.

6 (c) There is no closed season.

7 (d) Blue crabs shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0414 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0414 BLUEFISH**

4 (a) The daily creel limit for bluefish is three.

5 (b) There is no size limit.

6 (c) There is no closed season.

7 (d) Bluefish shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0415 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0415 BOWFIN**

4 (a) There is no daily creel limit for bowfin.

5 (b) There is no minimum size limit.

6 (c) There is no closed season.

7 (d) Bowfin shall not be sold.

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

10 *Eff. June 1, 2022.*

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0416

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

In Item (f)(7), the WRC appears to be regulating fishing in Virginia ("Dan River (Downstream of the Union Street Dam in Danville, VA)"). What is the statutory authority for this?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10C .0416 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0416 BLUE CATFISH, CHANNEL CATFISH, AND FLATHEAD CATFISH**

4 (a) There is no daily creel limit for blue, channel, and flathead catfish, except for waters identified in Paragraphs (e),
5 (f), and (g) of this Rule.

6 (b) There is no minimum size limit.

7 (c) There is no closed season.

8 (d) In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property, or
9 on the property of a cooperator, including waters within the Community Fishing Program, no person shall take channel
10 or blue catfish by means other than hook and line.

11 (e) In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property, or
12 on the property of a cooperator, including waters within the Community Fishing Program, the daily creel limit for
13 channel catfish is seven on waters posted with signs indicating the creel limit.

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

15 (1) Lake Norman;

16 (2) Mountain Island Lake;

17 (3) Lake Wylie;

18 (4) Badin Lake;

19 (5) Lake Tillery;

20 (6) John H. Kerr Reservoir (North Carolina portion);

21 (7) Dan River (Downstream of the Union Street Dam in Danville, VA);

22 (8) Lake Gaston (North Carolina portion); and

23 (9) Roanoke Rapids Reservoir.

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

26
27 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*
28 *Eff. June 1, 2022.*

1 15A NCAC 10C .0417 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0417 COBIA**

4 (a) The daily creel limit for cobia is one fish.

5 (b) The minimum size limit is 36 inches.

6 (c) The season for taking and possessing cobia is May 1 to December 31.

7 (d) Cobia shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0418 is adopted as published in 36:14 NCR 1246 as follows:

2
3 **15A NCAC 10C .0418 FRESHWATER MUSSELS**

4
5 (a) Freshwater mussels, including the Asiatic clam (*Corbicula fluminea*), may only be taken from impounded waters,
6 except mussels shall not be taken in:

7 (1) Lake Waccamaw in Columbus County; and

8 (2) University Lake in Orange County.

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

11 (c) There is no minimum size limit.

12 (d) There is no closed season.

13
14 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

15 *Eff. June 1, 2022.*

1 15A NCAC 10C .0419 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0419 GRASS CARP**

4 (a) There is no daily creel limit for grass carp, except for waters identified in Paragraphs (d) and (e) of this Rule.

5 (b) There is no minimum size limit.

6 (c) There is no closed season.

7 (d) Grass carp shall not be taken or possessed except that one fish per day may be taken with archery equipment on
8 the following waters:

9 (1) Lake James;

10 (2) Lookout Shoals Lake;

11 (3) Mountain Island Reservoir; and

12 (4) Lake Wylie.

13 (e) Grass carp shall not be taken or possessed except for scientific study by permit issued by the Wildlife Resources
14 Commission on the following waters:

15 (1) Lake Gaston (SL 2009-261);

16 (2) Roanoke Rapids Reservoir (SL 2009-261);

17 (3) Lake Norman; and

18 (4) the North Carolina portion of John H. Kerr Reservoir.

19
20 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*
21 *Eff. June 1, 2022.*

1 15A NCAC 10C .0420 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0420 KING MACKEREL**

4 (a) The daily creel limit for king mackerel is three fish.

5 (b) The minimum size limit is 24 inches.

6 (c) There is no closed season.

7 (d) King mackerel shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0421 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0421 MARGINED MADTOM AND TADPOLE MADTOM**

4 Margined madtom and tadpole madtom shall not be taken or possessed.

5
6 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

7 *Eff. June 1, 2022.*

1 15A NCAC 10C .0422 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0422 STRIPED MULLET AND WHITE MULLET**

4 (a) The daily creel limit for striped mullet and white mullet is 200 fish in aggregate.

5 (b) There is no minimum size limit.

6 (c) There is no closed season.

7
8 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

9 *Eff. June 1, 2022.*

1 15A NCAC 10C .0423 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0423 ALEWIFE AND BLUEBACK HERRING**

4 (a) There is no daily creel limit for alewife or blueback herring (river herring), except for waters identified in Paragraph
5 (e) of this Rule.

6 (b) There is no minimum size limit, except for waters identified in Paragraph (d) of this Rule.

7 (c) There is no closed season.

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

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

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

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

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

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

15 (6) Lumber River, including Drowning Creek;

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

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

18 (e) It shall be unlawful to transport, possess, or release live alewife or blueback herring, in the waters of the Little
19 Tennessee River in and upstream of Lake Santeetlah and Cedar Cliff Lake, including all the tributaries and
20 impoundments thereof, and on adjacent shorelines, docks, access ramps, and bridge crossings.

21 (f) Alewife and blueback herring, excluding those less than 6 inches in length collected from Kerr Reservoir
22 (Granville, Vance, and Warren counties), may not be sold.

23
24 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

25 *Eff. June 1, 2022.*

1 15A NCAC 10C .0424 is adopted as published in 36:14 NCR 1247 as follows:

2

3 **15A NCAC 10C .0424 SHARKS**

4 Sharks shall not be taken or possessed.

5

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

7 *Eff. June 1, 2022.*

1 15A NCAC 10C .0425 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0425 SHEEPSHEAD**

4 (a) The daily creel limit for sheepshead is 10 fish.

5 (b) The minimum size limit is 10 inches.

6 (c) There is no closed season.

7 (d) Sheepshead shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0426 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0426 SPANISH MACKEREL**

4 (a) The daily creel limit for Spanish mackerel is 15 fish.

5 (b) The minimum size limit is 12 inches.

6 (c) There is no closed season.

7 (d) Spanish mackerel shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0427 is adopted as published in 36:14 NCR 1247 as follows:

2
3 **15A NCAC 10C .0427 SPOT**

4 (a) The daily creel limit for spot is 50 fish.

5 (b) There is no minimum size limit.

6 (c) There is no closed season.

7 (d) Spot shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0428 is adopted as published in 36:14 NCR 1247 as follows:

2

3 **15A NCAC 10C .0428 TARPON**

4 Tarpon shall not be taken or possessed.

5

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

7 *Eff. June 1, 2022.*

1 15A NCAC 10C .0429 is adopted as published in 36:14 NCR 1248 as follows:

2
3 **15A NCAC 10C .0429 WEAKFISH (GRAY TROUT)**

4 (a) The daily creel limit for weakfish (gray trout) is one fish.

5 (b) The minimum size limit is 12 inches.

6 (c) There is no closed season.

7 (d) Weakfish shall not be sold.

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

10 *Eff. June 1, 2022.*

1 15A NCAC 10C .0430 is adopted as published in 36:14 NCR 1248 as follows:

2
3 **15A NCAC 10C .0430 OTHER FISHES**

4 (a) For any nongame fish species not specifically listed in this Section, there is no daily creel limit.

5 (b) There is no size limit.

6 (c) There is no closed season.

7
8 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

9 *Eff. June 1, 2022.*

The Agency proposes a new Section of the NCAC, 15A NCAC 10C .0700, to be titled:

SECTION ~~.0800~~.0700 – GAME FISH IN COASTAL FISHING WATERS

15A NCAC 10C .0801 is adopted with changes as published in 36:14 NCR 1249 as follows:

15A NCAC 10C ~~.0801~~ .0701 INLAND GAME FISHES DESIGNATED IN COASTAL FISHING WATERS

(a) For the purposes of this rule, only the following fishes are classified and designated as inland game fishes in coastal fishing waters:

- (1) Alabama bass, largemouth bass, redeye bass, smallmouth bass, and spotted bass;
- (2) black crappie and white crappie;
- (3) chain pickerel (jack), muskellunge, and redbfin pickerel;
- (4) kokanee salmon;
- (5) mountain trout, all species including but not limited to brook trout, brown trout, and rainbow trout;
- (6) Roanoke bass and rock bass (redeye);
- (7) sauger and walleye; and
- (8) sunfish, including bluegill (bream), flier, pumpkinseed, redbreast (robin), redear (shellcracker), warmouth, and all other species of the sunfish family (Centrarchidae) not specifically listed in this Rule.

(b) Inland game fishes shall not be taken by any method other than with hook and line, except that landing nets may be used to land fishes caught on hook and line.

(c) Size, creel limits, and seasons for inland game fishes in coastal fishing waters shall be the same as those in inland waters designated in Section .0300 of this Subchapter.

(d) Inland game fishes taken incidental to commercial fishing operations shall be immediately returned to the water unharmed.

(e) Inland game fishes taken from coastal fishing waters shall not be sold.

(f) Individuals shall only take up to the daily creel limit of those species of inland game fish having a specified creel limit.

(g) Individuals shall only possess, on those waters being fished:

- (1) the specified daily creel limit for the species;
- (2) fish conforming to the size limit for the species; and
- (3) the daily creel limit while fishing or afield.

(h) Individuals shall only possess up to three days creel limit at any place.

(i) No person, while fishing or afield, shall:

- (1) unnecessarily destroy any inland game fish taken from public fishing waters;
- (2) remove the head or tail or otherwise change the appearance of any game fish having a size limit so to render it impracticable to measure its total original length; or

1 (3) change the appearance of any game fish having a daily creel limit so to obscure its identification or
2 render it impracticable to count the number of fish in possession.

3

4 History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-292;
5 Eff. June 1, 2022.

6

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0103

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

As this Rule is under legislative review, it will be handled separately. However, this should not be taken to mean that there are no changes that may be sought.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10D .0103 is amended as published in 36:11 NCR 945-959 as follows:

2
3 **15A NCAC 10D .0103 ~~HUNTING ON GAME LANDS~~ GENERAL REGULATIONS REGARDING**
4 **HUNTING ON GAME LANDS**

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

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

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

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

17 ~~(1) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;~~

18 ~~(2) not hunt after 1:00 p.m. on such hunting dates;~~

19 ~~(3) not set decoys out prior to 4:00 a.m.;~~

20 ~~(4) remove decoys by 3:00 p.m. each day; and~~

21 ~~(5) not operate any vessel or vehicle powered by an internal combustion engine.~~

22 (1) On managed waterfowl impoundments, persons shall:

23 (A) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting
24 dates;

25 (B) not hunt after 1:00 p.m. on such hunting dates;

26 (C) not set decoys out prior to 4:00 a.m.;

27 (D) remove decoys by 3:00 p.m. each day; and

28 (E) not operate any vessel or vehicle powered by an internal combustion engine.

29 (2) On Sundays, the following shall be prohibited:

30 (A) hunting with a firearm between 9:30 AM and 12:30 PM;

31 (B) the use of a firearm to take deer that are run or chased by dogs;

32 (C) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S.
33 14-54.1(b), or any accessory structure thereof, and

34 (D) hunting migratory game birds.

35 On designated youth waterfowl days, youths may hunt on managed waterfowl impoundments from ½ hour before
36 sunrise to sunset. On designated veterans and military waterfowl days, veterans, as defined in 38 USC 101, and
37 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 from ½ hour before sunrise to sunset. Restrictions ~~(1)~~, ~~(1)(A)~~, ~~(1)(C)~~, ~~(3)~~, and ~~(5)~~ ~~(1)(E)~~ in this Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting-only Zone." ~~No person shall attempt to obscure 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 that has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization of the Commission or its agent. A decision to grant or deny authorization shall be made based on the best management practices for the wildlife species in question. No person shall take or attempt to take any game birds or game animals attracted to such foods.~~

(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.
- (4) For purposes of this Section, "Seven Days per Week Area" refers to a Game Land on which game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays, and Sundays.
- (5) For purposes of this Section, "Four 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 Tuesdays, Thursdays, Saturdays, and Sundays. Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays, and 7:00 a.m. on Mondays.

(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 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
- (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
- (5)(1) Bertie County Game Land in Bertie 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) Target Shooting is prohibited.
- (6)(2) Bladen Lakes State Forest Game Land in Bladen 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.
- (C) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.
- (D) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.
- (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.
- (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) The use of dogs for pursuing or taking foxes shall be prohibited from February 15 through August 1.
- (7) Brinkleyville Game Land in Halifax County

- 1 (A) ~~Six Days per Week Area~~
- 2 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible~~
- 3 ~~Antlers Season through the second Friday thereafter.~~
- 4 (C) ~~Horseback riding is prohibited.~~
- 5 (D) ~~Target Shooting is prohibited.~~
- 6 (8) ~~Brunswick County Game Land in Brunswick County~~
- 7 (A) ~~Hunting is by permit only.~~
- 8 (B) ~~The use of dogs for hunting deer is prohibited.~~
- 9 (9)(3) ~~Buckhorn Game Land in Orange County~~
- 10 (A) ~~Hunting is by permit only.~~
- 11 (B) ~~Horseback riding is prohibited.~~
- 12 (10) ~~Buckridge Game Land in Tyrrell County.~~
- 13 (A) ~~Three 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 (C) ~~Bear may only be taken the first three hunting days during the November Bear Season and~~
- 17 ~~the first three hunting days of the second week of the December Bear Season. If any of~~
- 18 ~~these days falls on a Tuesday, Friday or Saturday, bear hunting is allowed on those days.~~
- 19 (D) ~~Target shooting is prohibited.~~
- 20 (11)(10) ~~Buffalo Cove Game Land in Caldwell and Wilkes Counties~~
- 21 (A) ~~Six Days per Week Area~~
- 22 (B) ~~The Deer With Visible Antlers season for deer consists of the open hunting days from the~~
- 23 ~~Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of~~
- 24 ~~either sex may be taken with archery equipment on open days beginning the Saturday on~~
- 25 ~~or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October~~
- 26 ~~15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with~~
- 27 ~~archery equipment the Monday immediately following the closing of the Deer With Visible~~
- 28 ~~Antlers Season, as described in this Part, through January 1. Deer of either sex may be~~
- 29 ~~taken with blackpowder firearms on open days beginning the Monday on or nearest~~
- 30 ~~October 1 through the Saturday of the second week thereafter.~~
- 31 (C) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible~~
- 32 ~~Antlers Season.~~
- 33 (D) ~~Horseback riding is prohibited except on designated trails May 16 through August 31 and~~
- 34 ~~all horseback riding is prohibited from September 1 through May 15.~~
- 35 (12) ~~Bullard and Branch Hunting Preserve Game Lands in Robeson County~~
- 36 (A) ~~Three 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 (13)(4) Butner - Falls of Neuse Game Land in Durham, Granville, and Wake counties
- 4 (A) Six Days per Week Area
- 5 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
6 Antlers Season through the second Friday thereafter.
- 7 (C) Waterfowl shall be taken only on:
8 (i) the opening and closing days of the applicable waterfowl seasons;
9 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
10 (iii) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.
11 On the posted waterfowl impoundments a special permit is required for all waterfowl
12 hunting after November 1.
- 13 (D) Horseback riding is prohibited.
- 14 (E) Target shooting is prohibited.
- 15 (F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 16 (G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of
17 Falls Lake.
- 18 (H) 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. On designated bicycle riding areas, the use of
21 bicycles is allowed from May 15 through August 31, and on Sundays only from September
22 1 through May 14.
- 23 (I) Camping and the presence of campers and tents in designated Hunter Camping Areas are
24 limited to September 1 through the last day of February and March 31 through May 14.
- 25 (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area
26 and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited
27 in this camping area.
- 28 (14)(5) Buxton Woods Game Land in Dare County:
- 29 (A) Six Days per Week Area
- 30 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
31 Antlers Season through the first Friday thereafter.
- 32 (C) Target shooting is prohibited.
- 33 (15) ~~Cape Fear River Wetlands Game Land in Pender County~~
- 34 ~~(A) Six 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.~~
- 37 ~~(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.~~
- (E) ~~Horseback riding is prohibited except during May 16 through August 31 and on Sundays only September 1 through May 15 on those roads that are open to vehicular traffic and on those gated roads and trails posted for equestrian use.~~
- (F) Target shooting is prohibited.
- (21) ~~Cold Mountain Game Land in Haywood County~~
- (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) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.~~
- (22) ~~Columbus County Game Land in Columbus 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.~~
- (C) ~~Deer hunting on the Campbell Tract shall be by permit only.~~
- (23) ~~Croatan Game Land in Carteret, Craven, and Jones 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) ~~Waterfowl 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 day in October through the end of all waterfowl seasons, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish Lake Waterfowl Impoundment is by permit only.~~
- (E) ~~Dove hunting is by permit only for the first two open days of dove season on posted areas. During the rest of dove season, no permit is required to hunt doves.~~
- (24) ~~Currituck Banks Game Land in Currituck County~~
- (A) ~~Six Days per Week Area~~
- (B) ~~Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by permit only from November 1 through the end of all waterfowl seasons.~~
- (C) ~~Licensed hunting guides may accompany the permitted individual or party provided the guides do not use a firearm.~~
- (D) ~~The boundary of the game land shall extend 5 yards from the edge of the marsh or shoreline.~~
- (E) ~~Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day of 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)(6) ~~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)(7) ~~Dover Bay Game Land in Craven County~~
- (A) ~~Six Days per Week Area~~

- 1 (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers
2 season.
- 3 ~~(28)~~(27) DuPont State Forest Game Lands in Henderson and Transylvania counties
- 4 (A) Hunting is by permit only.
- 5 (B) The training and use of dogs for hunting is prohibited except by special hunt permit holders
6 during scheduled permit hunts.
- 7 (29) Elk Knob Game Land in Watauga 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 first Friday thereafter.
- 11 (30) Embro Game Land in Halifax and Warren counties
- 12 (A) Six Days per Week Area
- 13 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
14 Antlers Season through the second Friday thereafter.
- 15 (C) Horseback riding is prohibited.
- 16 (D) Target Shooting is prohibited.
- 17 ~~(31)~~ Goose Creek Game Land in Beaufort and Pamlico counties
- 18 (A) Six Days per Week Area
- 19 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
20 Antlers Season.
- 21 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
22 impoundments shall be taken only on the following days:
- 23 (i) the opening and closing days of the applicable waterfowl seasons;
- 24 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 25 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 26 (D) Beginning on the first open waterfowl season day in October through the end of all
27 waterfowl seasons, waterfowl hunting is by permit only on the following waterfowl
28 impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith
29 Creek, and Hobucken.
- 30 (E) On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except
31 waterfowl hunting on designated waterfowl hunting days and trapping during the trapping
32 season, are restricted to the posted Scouting only Zone during the period November 1
33 through March 15.
- 34 (F) Camping is restricted to September 1 through the last day of February and March 31
35 through May 14 in areas both designated and posted as camping areas.

- 1 (G) ~~Hunting and vehicular access on the Parker Farm Tract is restricted from September 1~~
2 ~~through January 1 and April 1 through May 15 to individuals that possess a valid hunting~~
3 ~~opportunity permit.~~
- 4 (H) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is~~
5 ~~prohibited on the Beaufort County portion north of NC 33 except for that portion east of~~
6 ~~Smith Creek and south of Campbell Creek.~~
- 7 (I) ~~Bear shall not be harvested on Sunday.~~
- 8 (32) ~~Green River Game Land in Henderson, and Polk counties~~
- 9 (A) ~~Six Days per Week Area~~
- 10 (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible~~
11 ~~Antlers Season.~~
- 12 (C) ~~Horseback riding is prohibited.~~
- 13 (33)(8) ~~Green Swamp Game Land in Brunswick County~~
- 14 (A) ~~Six Days per Week Area~~
- 15 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible~~
16 ~~Antlers Season.~~
- 17 (C) ~~On that portion north of Big Macedonia Road, east of Makatoka Road, south of Little~~
18 ~~Macedonia Road, and west of Green Swamp Road, hunting and trapping is by permit only.~~
- 19 (D) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is~~
20 ~~prohibited on that portion of the game land that is north of Big Macedonia Road, east of~~
21 ~~Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road.~~
- 22 (34) ~~Gull Rock Game Land in Hyde County~~
- 23 (A) ~~Six Days per Week Area~~
- 24 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible~~
25 ~~Antlers Season.~~
- 26 (C) ~~Waterfowl on posted waterfowl impoundments shall be taken only on the following days:~~
27 (i) ~~the opening and closing days of the applicable waterfowl seasons; and~~
28 (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
29 (iii) ~~Tuesdays and Saturdays of the applicable waterfowl season.~~
- 30 (D) ~~Camping is restricted to September 1 through the last day of February and March 31~~
31 ~~through May 14 in areas designated and posted as camping areas.~~
- 32 (E) ~~Bear may only be taken the first three hunting days during the November Bear Season and~~
33 ~~the first three hunting days during the second week of the December Bear Season, except~~
34 ~~for that portion designated as bear sanctuary.~~
- 35 (35) ~~Harris Game Land in Chatham, Harnett, and Wake counties~~
- 36 (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)~~(9) 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)~~(10) Hill Farm Game Land in Stokes County- hunting and trapping is by permit only.
- ~~(38)~~(11) 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)(12) J. Morgan Futch Game Land in Tyrrell County - 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.~~
- (42) ~~Jordan Game Land in Chatham, Durham, Orange, and Wake 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) ~~Waterfowl may be taken only on:~~
- (i) ~~Mondays, Wednesdays, 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) ~~Horseback riding, including all equine species, is prohibited except allowed only on those areas posted as American Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On all other trails posted for equestrian use, horseback riding is allowed seven days per week from May 16 through August 31, only during June, July, and August, and on Sundays only from September 1 through May 15. the remainder of the year except during open turkey and deer seasons. People age 16 or older~~

- 1 ~~must shall obtain who ride horseback on trails occurring entirely within the game land~~
2 ~~boundaries shall possess a Game Lands license. license prior to engaging in horseback~~
3 ~~riding on any area other than the American Tobacco Trail.~~
- 4 (E) ~~Target shooting is prohibited.~~
- 5 (F) ~~Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.~~
- 6 (G) ~~The use of bicycles is restricted to designated areas, except that this restriction does not~~
7 ~~apply to hunters engaged in the act of hunting during the open days of the applicable~~
8 ~~seasons for game birds and game animals.~~
- 9 (43) ~~Juniper Creek Game Land in Brunswick and Columbus counties~~
- 10 (A) ~~Six Days per Week Area~~
- 11 (B) ~~Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.~~
- 12 (C) ~~Camping is restricted to September 1 through the last day of February and March 31~~
13 ~~through May 14 in areas both designated and posted as camping areas.~~
- 14 (44)(13) ~~Kerr Scott Game Land in Wilkes County~~
- 15 (A) ~~Six Days per Week Area~~
- 16 (B) ~~Use of centerfire rifles is prohibited.~~
- 17 (C) ~~Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable~~
18 ~~Deer With Visible Antlers Season is prohibited.~~
- 19 (D) ~~Tree stands shall not be left overnight; and no screws, nails, or other objects penetrating~~
20 ~~the bark shall be used to attach a tree stand or blind to a tree.~~
- 21 (E) ~~Deer of either sex may be taken on all open days of the applicable Deer With Visible~~
22 ~~Antlers season.~~
- 23 (F) ~~Hunting on posted waterfowl impoundments is by permit only.~~
- 24 (G) ~~The use of firearms for hunting wild turkey is prohibited.~~
- 25 (45)(14) ~~Lantern Acres Game Land in Tyrrell and Washington counties~~
- 26 (A) ~~Six 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) ~~Wild turkey hunting is by permit only.~~
- 30 (D) ~~The use of dogs for hunting deer on the Godley Tract is prohibited.~~
- 31 (E) ~~Waterfowl hunting on posted waterfowl impoundments is by permit only.~~
- 32 (46) ~~Lee Game Land in Lee County~~
- 33 (A) ~~Six Days per Week Area~~
- 34 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible~~
35 ~~Antlers Season through the second Friday thereafter.~~
- 36 (C) ~~Target shooting is prohibited.~~
- 37 (47) ~~Light Ground Pocosin Game Land in Pamlico County~~

- 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 (48) Linwood Game Land in Davidson County
- 5 (A) Six Days per Week Area
- 6 (B) Deer of either sex may be taken on all of the open days of the applicable Deer With Visible
- 7 Antlers Season.
- 8 (49) Lower Fishing Creek Game Land in Edgecombe and Halifax 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) Horseback riding is prohibited.
- 13 (D) The use of dogs for hunting deer is prohibited.
- 14 (F) Target Shooting is prohibited.
- 15 (50) Mayo Game Land in Person County
- 16 (A) Six Days per Week Area
- 17 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 18 Antlers Season through the second Friday thereafter.
- 19 (C) Waterfowl shall be taken only on:
- 20 (i) Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;
- 21 (ii) Christmas and New Year's Days; and
- 22 (iii) the opening and closing days of the applicable waterfowl seasons.
- 23 (D) Target shooting is prohibited.
- 24 (51) Mitchell River Game Land in Surry County
- 25 (A) Three Days per Week Area
- 26 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 27 Antlers Season through the second Wednesday thereafter.
- 28 (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and
- 29 all horseback riding is prohibited from September 1 through May 15.
- 30 (52) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania
- 31 counties
- 32 (A) Six 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 in that portion located in Transylvania County.
- 35 (53) Needmore Game Land in Macon and Swain counties.
- 36 (A) Six Days per Week Area

- 1 (B) ~~Horseback riding is prohibited except on designated trails May 16 through August 31, and~~
2 all horseback riding is prohibited from September 1 through May 15.
- 3 (C) ~~On posted dove fields, dove hunting on the opening day of dove season is by permit only.~~
- 4 (54)(15) Neuse River Game Land in Craven County
- 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) Camping is allowed any time within 100 yards of the Neuse River on that portion of the
9 game land that lies west of NC-43.
- 10 (55) ~~New Lake Game Land in Hyde and Tyrrell counties~~
- 11 (A) Six Days per Week Area
- 12 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible~~
13 Antlers Season.
- 14 (56) ~~Nicholson Creek Game Land in Hoke County~~
- 15 (A) Three Days per Week Area
- 16 (B) ~~Deer of either sex may be taken with archery equipment on open hunting days from the~~
17 Saturday on or nearest September 10 through the Friday before Thanksgiving Day.
- 18 (C) ~~Deer of either sex may be taken with blackpowder firearms on open hunting days beginning~~
19 the Saturday before Thanksgiving Day through the Wednesday thereafter.
- 20 (D) ~~The Deer With Visible Antlers season consists of the open hunting days from the second~~
21 Saturday before Thanksgiving through the third Saturday after Thanksgiving Day.
- 22 (E) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible~~
23 Antlers Season.
- 24 (F) ~~The use of dogs for hunting deer is prohibited.~~
- 25 (G) ~~Wild turkey hunting is by permit only.~~
- 26 (H) ~~On Lake Upchurch, the following activities are prohibited:~~
- 27 (i) ~~Operating any vessel or vehicle powered by an internal combustion engine; and~~
28 (ii) ~~Swimming.~~
- 29 (I) ~~Target shooting is prohibited.~~
- 30 (57) ~~North River Game Land in Camden and Currituck counties~~
- 31 (A) Six Days per Week Area
- 32 (B) ~~Deer of either sex may be taken all the open days of the applicable Deer With Visible~~
33 Antlers Season.
- 34 (C) ~~The boundary of the Game Land shall extend five yards from the edge of the marsh or~~
35 shoreline.
- 36 (D) ~~Hunting on the posted waterfowl impoundment is by permit only.~~
- 37 (58) ~~Northwest River Marsh Game Land in Currituck County~~

- 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) ~~The boundary of the Game Land shall extend five yards from the edge of the marsh or~~
- 5 ~~shoreline.~~
- 6 (59) ~~Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties~~
- 7 (A) ~~Six Days per Week Area~~
- 8 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible~~
- 9 ~~Antlers Season through the second Friday thereafter.~~
- 10 (C) ~~Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North~~
- 11 ~~of US 74.~~
- 12 (D) ~~Target shooting is prohibited.~~
- 13 (E) ~~Horseback riding is allowed only on roads opened to vehicular traffic and only during the~~
- 14 ~~following times:~~
- 15 (i) ~~during June, July, and August; and~~
- 16 (ii) ~~on Sundays during the other months or parts of months when deer and turkey~~
- 17 ~~seasons are closed.~~
- 18 (F) ~~Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be~~
- 19 ~~prohibited on that portion south of US 74.~~
- 20 (60) ~~Perkins Game Land in Davie County~~
- 21 (A) ~~Three Days per Week Area~~
- 22 (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible~~
- 23 ~~Antlers Season.~~
- 24 (C) ~~Horseback riding is prohibited from November 1 through January 1.~~
- 25 (D) ~~Target Shooting is prohibited.~~
- 26 (61) ~~Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison,~~
- 27 ~~McDowell, Mitchell, Transylvania, Watauga, and Yancey counties~~
- 28 (A) ~~Six Seven Days per Week Area~~
- 29 (B) ~~Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible~~
- 30 ~~Antlers Season.~~
- 31 (C) ~~Horseback riding is prohibited on the Black Bear (McDowell County), Linville River~~
- 32 ~~(Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).~~
- 33 (D) ~~The use of bicycles shall be restricted to designated trails on the Linville River Tract (Burke~~
- 34 ~~County). Persons engaged in the act of hunting on the Linville River Tract during any open~~
- 35 ~~day of an applicable season for game birds or game animals shall be exempt from this~~
- 36 ~~restriction.~~
- 37 (62) ~~Pond Mountain Game Land in Ashe County~~

- 1 (A) ~~Six Days per Week Area~~
- 2 (B) ~~Deer of either sex may be taken the first open day of the applicable Deer With Visible~~
- 3 ~~Antlers Season through the first Friday thereafter.~~
- 4 (C) ~~Horseback riding is prohibited except on designated trails from May 16 through August 31~~
- 5 ~~and Sundays from September 1 through October 31. All horseback riding is prohibited~~
- 6 ~~from November 1 through May 15.~~
- 7 ~~(63)~~(16) Pungo River Game Land in Hyde County
- 8 (A) Six Days per Week Area
- 9 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 10 Antlers Season.
- 11 ~~(64)~~(17) Rendezvous Mountain State Forest Game Land in Wilkes County
- 12 (A) Three Days per Week Area
- 13 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 14 Antlers Season through the second Wednesday thereafter.
- 15 (C) Bear hunting is prohibited.
- 16 ~~(65)~~(18) Rhodes Pond Game Land in Cumberland and Harnett counties
- 17 (A) Hunting is by permit only.
- 18 (B) Swimming is prohibited on the area.
- 19 ~~(66)~~(19) Roanoke River Wetlands in Bertie, Halifax, Martin, and Northampton counties
- 20 (A) Hunting and trapping is by Permit only.
- 21 (B) Vehicles are prohibited on roads or trails except those operated on Commission business
- 22 or by permit holders.
- 23 (C) Camping is restricted to September 1 through the last day of February and March 31
- 24 through May 14 in areas both designated and posted as camping areas, provided, however,
- 25 that camping is allowed at any time within 100 yards of the Roanoke River on the state-
- 26 owned portion of the game land.
- 27 (D) Target Shooting is prohibited.
- 28 ~~(67)~~(20) Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- 29 ~~(68)~~ ~~Robeson Game Land in Robeson County~~
- 30 ~~(A) Three Days per Week Area~~
- 31 ~~(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible~~
- 32 ~~Antlers Season.~~
- 33 ~~(69)~~(21) Rockfish Creek Game Land in Hoke County
- 34 (A) Three Days per Week Area
- 35 (B) Deer of either sex may be taken with archery equipment on open hunting days from the
- 36 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving Day.

- (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning the fourth Saturday before Thanksgiving Day through the Wednesday of the second week thereafter.
- (D) The Deer With Visible Antlers season consists of the open hunting days from the second Saturday before Thanksgiving Day 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) Taking fox squirrels is prohibited.
- (I) Target shooting is prohibited.
- ~~(70)~~(22) Rocky Run Game Land in Onslow County - Hunting is by permit only.
- ~~(71) Sampson Game Land in Sampson 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.~~
- ~~(C) Target shooting is prohibited.~~
- ~~(72) Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties~~
- ~~(A) Three Days per Week Area~~
- ~~(B) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22 through March 31 except as follows:~~
- ~~(i) deer of either sex may be taken with archery equipment on all the open days of the archery season through the fourth Friday before Thanksgiving Day; with blackpowder firearms and archery equipment all the open days of the 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 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)(23) ~~Sandy Mush Game Land in Buncombe and Madison counties.~~
- (A) ~~Three Days per Week Area~~

- 1 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer with Visible
- 2 Antlers season.
- 3 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 4 all horseback riding is prohibited from September 1 through May 15.
- 5 (D) Dogs shall only be trained on Mondays, Wednesdays, and Saturdays and only as allowed
- 6 in 15A NCAC 10D .0102(f).
- 7 (E) Dove hunting is by permit only from the opening day through the second Saturday of dove
- 8 season.
- 9 (F) Target shooting is prohibited.
- 10 ~~(75)~~(24) Second Creek Game Land in Rowan County- hunting is by permit only.
- 11 ~~(76)~~ Shoccoo Creek Game Land in Franklin, Halifax, Nash, and Warren counties
- 12 (A) Six Days per Week Area
- 13 ~~(B) Deer of either sex may be taken the first open day of the applicable Deer With Visible~~
- 14 ~~Antlers Season through the second Friday thereafter.~~
- 15 ~~(C) Horseback riding is prohibited.~~
- 16 ~~(D) Camping is restricted to September 1 through the last day of February and March 31~~
- 17 ~~through May 14 in areas both designated and posted as camping areas.~~
- 18 ~~(E) Target Shooting is prohibited.~~
- 19 ~~(77)~~ South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties
- 20 (A) Six Days per Week Area
- 21 ~~(B) The Deer With Visible Antlers season for deer consists of the open hunting days from the~~
- 22 ~~Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of~~
- 23 ~~either sex may be taken with archery equipment on open days beginning the Saturday on~~
- 24 ~~or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October~~
- 25 ~~15 to the Saturday before Thanksgiving Day. Deer with visible antlers may be taken with~~
- 26 ~~archery equipment the Monday immediately following the closing of the Deer With Visible~~
- 27 ~~Antlers Season, as described in this Part, through January 1. Deer of either sex may be~~
- 28 ~~taken with blackpowder firearms on open days beginning the Monday on or nearest~~
- 29 ~~October 1 through the Saturday of the second week thereafter.~~
- 30 (C) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
- 31 Antlers Season.
- 32 (D) Horseback riding is prohibited except on designated trails during the following dates:
- 33 (i) January 2 through March 31;
- 34 (ii) May 16 through August 31;
- 35 (iii) Sundays only April 1 through May 15; and
- 36 (iv) Sundays only September 1 through January 1.
- 37 ~~(78)~~ Stones Creek Game Land in Onslow County

- 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) ~~The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.~~
- 5 (D) ~~Swimming in all lakes is prohibited.~~
- 6 (E) ~~Waterfowl on posted waterfowl impoundments may be taken only on the following days:~~
- 7 (i) ~~the opening and closing days of the applicable waterfowl seasons;~~
- 8 (ii) ~~Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and~~
- 9 (iii) ~~Tuesdays and Saturdays of the applicable waterfowl seasons.~~
- 10 (F) ~~Target shooting is prohibited.~~
- 11 (G) ~~Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.~~
- 12 (79)(25) Suggs Mill Pond Game Land in Bladen and Cumberland counties
- 13 (A) Hunting and trapping is by permit only.
- 14 (B) Camping is restricted to September 1 through the last day of February and March 31
- 15 through May 14 in areas both designated and posted as camping areas.
- 16 (C) Entry is prohibited on scheduled hunt or trapping days except for:
- 17 (i) hunters or trappers holding special hunt or trapping permits; and
- 18 (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.
- 19 (D) During the period of November 1 through January 31, except on Sundays, the use of vessels
- 20 on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only
- 21 by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by
- 22 the Wildlife Resources Commission pursuant to G.S. 113-264(d).
- 23 (E) During the period of November 1 through March 15, the use of vessels on managed
- 24 waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters
- 25 possessing a valid and current Hunting Opportunity Permit issued by the Wildlife
- 26 Resources Commission pursuant to G.S. 113-264(d).
- 27 (80) ~~Sutton Lake Game Land in New Hanover and Brunswick counties~~
- 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 first Friday thereafter.~~
- 31 (C) ~~Target shooting is prohibited.~~
- 32 (81)(26) Tar River Game Land in Edgecombe County
- 33 (A) Hunting is by permit only
- 34 (B) Target Shooting is prohibited
- 35 (82)(27) Texas Plantation Game Land in Tyrrell County - hunting and trapping is by permit only.
- 36 (83) ~~Three Top Mountain Game Land in Ashe County~~
- 37 (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.~~
- (F) ~~Target Shooting is prohibited.~~
- (86) ~~Toxaway Game Land in Jackson 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.~~
- (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.~~
- (87) ~~Uwharrie Game Land in Davidson, Montgomery, and Randolph 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) ~~On the posted waterfowl impoundment, 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) ~~Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.~~
- (D) ~~Target shooting is prohibited, except at the Flintlock Valley Shooting Range.~~

1 ~~(88)~~(28) Vance Game Land in Vance County

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) The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the
6 Nutbush Peninsula tract.

7 ~~(89)~~ ~~Van Swamp Game Land in Beaufort and Washington counties~~

8 ~~(A) Six Days per Week Area~~

9 ~~(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible~~
10 ~~Antlers Season.~~

11 ~~(C) Bear may only be taken the first three hunting days during the November Bear Season and~~
12 ~~the first three hunting days during the second week of the December Bear Season.~~

13 ~~(90)~~(29) Voice of America Game Land in Beaufort County

14 (A) Hunting and trapping is by permit only.

15 (B) Target Shooting is prohibited.

16 ~~(91)~~(30) White Oak River Game Land in Onslow County

17 (A) Three 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) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
21 impoundments shall be taken only on the following days:

22 (i) the opening and closing days of the applicable waterfowl seasons;

23 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and

24 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.

25 (D) Beginning on the first open waterfowl season day in October through the end of all
26 waterfowl seasons, a permit is required for hunting posted waterfowl impoundments.

27 (E) The Huggins Tract and Morton Tracts have the following restrictions:

28 (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting
29 Opportunity Permit issued by the Wildlife Resources Commission pursuant to
30 G.S. 113-264(d);

31 (ii) hunting is by permit only; and

32 (iii) the use of dogs for hunting deer is prohibited.

33 (F) Wild turkey hunting is by permit only.

34 (G) Target Shooting is prohibited.

35 ~~(92)~~(31) Whitehall Plantation Game Land in Bladen and Pender counties

36 (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 and Military Waterfowl Days. On the day declared by the Commission to be Veterans and Military Waterfowl Days, veterans, 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.

(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.

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

(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);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014; January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October 1, 2004;
Temporary Amendment Eff. August 1, 2018;
Amended Eff. August 1, 2022; August 1, 2020; August 1, 2019;
Temporary Amendment Eff. September 25, 2020.

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: **15A NCAC 10D .0209 through .0276**

DEADLINE FOR RECEIPT: **Friday, May 13, 2022**

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

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

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

For all of these Game Land Rules, the prefatory paragraphs generally state XXXXX Game Land. However, in some "Game" is capitalized and "land" is not. In others, neither is capitalized. Please choose how the WRC would like to do this and remain consistent.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10D .0209 is adopted as published in 36:11 NCR 938 as follows:

2
3 **15A NCAC 10D .0209 BUFFALO COVE GAME LAND IN CALDWELL AND WILKES COUNTIES**

4 Buffalo Cove game land is a Seven Days per Week Area. The following shall apply:

- 5 (1) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday
6 before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be
7 taken with archery equipment on open days beginning the Saturday on or nearest September 10
8 through the Sunday immediately preceding the Blackpowder Firearms Season described in this rule
9 and the Sunday immediately following the closing of Blackpowder Firearms Season described in
10 this rule through the Sunday before Thanksgiving Day. Deer with visible antlers may be taken with
11 archery equipment the Sunday immediately following the closing of the Deer With Visible Antlers
12 Season, as described in this Part, through January 1. Deer of either sex may be taken with
13 blackpowder firearms on open days beginning the Monday on or nearest October 1 through the
14 Saturday of the second week thereafter.
- 15 (2) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers
16 Season.
- 17 (3) Horseback riding is prohibited except on designated trails May 16 through August 31 and all
18 horseback riding is prohibited from September 1 through May 15.
- 19 (4) Target shooting is prohibited.

20
21 History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
22 Eff. August 1, 2022.
23
24

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0226

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

By what criteria are the permits referred to in this Rule governed? How are they obtained? How many are given annually? Under what criteria is the number of permits available determined?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10D .0226 is adopted as published in 36:11 NCR 938 as follows:

2
3 **15A NCAC 10D .0226 DUPONT STATE FOREST GAME LANDS IN HENDERSON AND TRANSYLVANIA**
4 **COUNTIES**

5 Dupont State Forest game land is hunting by permit only. The following shall apply:

6 (1) The training and use of dogs for hunting is prohibited except by special hunt permit holders during
7 scheduled permit hunts.

8 (2) Target shooting is prohibited.

9
10 *History Note:* Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
11 Eff. August 1, 2022.
12

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0229

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

By what criteria are the permits referred to in Items (3) and (6) of this Rule governed? How are they obtained? How many are given annually? Under what criteria is the number of permits available determined?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10D .0229 is adopted as published in 36:11 NCR 938 as follows:

2
3 **15A NCAC 10D .0229 GOOSE CREEK GAME LAND IN BEAUFORT AND PAMLICO COUNTIES**

4 Goose Creek game land is a Seven Days per Week Area. The following shall apply:

- 5 (1) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers
6 Season.
- 7 (2) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl impoundments
8 shall be taken only on the following days:
- 9 (A) the opening and closing days of the applicable waterfowl seasons;
10 (B) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
11 (C) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 12 (3) Beginning on the first open waterfowl season day in October through the end of all waterfowl
13 seasons, waterfowl hunting is by permit only on the following waterfowl impoundments: Pamlico
14 Point, Campbell Creek, Hunting Creek, Spring Creek, Smith Creek, and Hobucken.
- 15 (4) On Spring Lake, Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except
16 waterfowl hunting on designated waterfowl hunting days and trapping during the trapping season,
17 are restricted to the posted Scouting-only Zone during the period November 1 through March 15.
- 18 (5) Camping is restricted to September 1 through the last day of February and March 31 through May
19 14 in areas both designated and posted as camping areas.
- 20 (6) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 through
21 January 1 and April 1 through May 15 to individuals that possess a valid hunting opportunity permit.
- 22 (7) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on
23 the Beaufort County portion north of NC 33 except for that portion east of Smith Creek and south
24 of Campbell Creek.
- 25 (8) Bear shall not be harvested on Sunday.

26
27 History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
28 Eff. August 1, 2022.
29

1 15A NCAC 10D .0230 is adopted as published in 36:11 NCR 938 as follows:
2

3 **15A NCAC 10D .0230 GREEN RIVER GAME LAND IN HENDERSON AND POLK COUNTIES**

4 Green River is a Six Days per Week Area. The following shall apply:

5 (1) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers
6 Season.

7 (2) Horseback riding is prohibited.

8 (3) Target shooting is prohibited.
9

10 History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
11 Eff. August 1, 2022.
12

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0239

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

By what criteria are the permits referred to in this Rule governed? How are they obtained? How many are given annually? Under what criteria is the number of permits available determined?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10D .0239 is adopted as published in 36:11 NCR 939 as follows:

2
3 **15A NCAC 10D .0239 JOHNS RIVER GAME LAND IN BURKE COUNTY**

4 Johns River game land is hunting by permit only. The following shall apply:

5 (1) During permitted deer hunts, deer of either sex may be taken by permit holders.

6 (2) The construction of permanent hunting blinds is prohibited.

7 (3) Camping and the presence of campers and tents in designated Hunter Camping Areas is limited to
8 August 31 through the last day of February and March 31 through May 14.

9 (4) Target shooting is prohibited.

10
11 *History Note:* Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
12 Eff. August 1, 2022.
13
14

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0240

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

Should "land" be capitalized in line 5?

How do "People age 16 or older" "obtain license" to horseback ride on the Jordan Game Land? (Item (3))

By what criteria are the permits referred to in Item (5) of this Rule governed? How are they obtained? How many are given annually? Under what criteria is the number of permits available determined?

What defines a "designated Hunter Camping Area"? Under what process or by what criteria are they designed and site chosen?

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10D .0240 is adopted as published in 36:11 NCR 939 as follows:

2
3 **15A NCAC 10D .0240 JORDAN GAME LAND IN CHATHAM, DURHAM, ORANGE, AND WAKE**
4 **COUNTIES**

5 Jordan Game land is a Six Days per Week Area. The following shall apply:

6 (1) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers
7 Season.

8 (2) Waterfowl may be taken only on:

9 (A) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;

10 (B) Thanksgiving, Christmas, and New Year's Days; and

11 (C) the opening and closing days of the applicable waterfowl seasons.

12 (3) Horseback riding, including all equine species, is allowed only on those areas posted as American
13 Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding
14 is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On
15 all other trails posted for equestrian use, horseback riding is allowed seven days per week from May
16 16 through August 31, and on Sundays only from September 1 through May15. People age 16 or
17 older shall obtain license prior to engaging in horseback riding on any area other than the American
18 Tobacco Trail.

19 (4) Target shooting is prohibited.

20 (5) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.

21 (6) The use of bicycles is restricted to designated areas, except that this restriction does not apply to
22 hunters engaged in the act of hunting during the open days of the applicable seasons for game birds
23 and game animals.

24 (7) Camping and the presence of campers and tents in designated Hunter Camping Areas are limited to
25 September 1 through the last day of February and March 31 through May 14.

26
27 History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
28 Eff. August 1, 2022.
29
30
31

1 15A NCAC 10D .0243 is adopted as published in 36:11 NCR 939 as follows:

2
3 **15A NCAC 10D .0243 KINGS CREEK GAME LAND IN CALDWELL AND WILKES COUNTIES**

4 Kings Creek game land is a Six Days per Week Area. The following shall apply:

- 5 (1) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday
6 before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may
7 be taken with archery equipment on open days beginning the Saturday on or nearest September 10
8 to the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before
9 Thanksgiving Day. Deer with visible antlers may be taken with archery equipment the Monday
10 immediately following the closing of the Deer With Visible Antlers Season, as described in this
11 Part, through January 1. Deer of either sex may be taken with blackpowder firearms on open days
12 beginning the Monday on or nearest October 1 through the Saturday of the second week thereafter.
13 (2) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
14 Antlers Season.

15
16 History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
17 Eff. August 1, 2022.
18

1 15A NCAC 10D .0260 is adopted as published in 36:11 NCR 939 as follows:

2
3 **15A NCAC 10D .0260 PISGAH GAME LAND IN AVERY, BUNCOMBE, BURKE, CALDWELL,**
4 **HAYWOOD, HENDERSON, MADISON, MCDOWELL, MITCHELL, TRANSYLVANIA, WATAUGA,**
5 **AND YANCEY COUNTIES**

6 Pisgah game land is a Seven Days per Week Area. The following shall apply:

- 7 (1) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers
8 Season.
9 (2) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke
10 County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
11 (3) The use of bicycles shall be restricted to designated trails on the Linville River Tract (Burke
12 County). Persons engaged in the act of hunting on the Linville River Tract during any open day of
13 an applicable season for game birds or game animals shall be exempt from this restriction.
14 (4) Alcohol and fires are prohibited in the Wilson Creek portion of Pisgah Game Land (Caldwell
15 County)
16 (5) Target shooting is prohibited on the Black Bear (McDowell County), Linville River (Burke County),
17 and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).

18
19
20 *History Note:* Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
21 Eff. August 1, 2022.
22
23

1 15A NCAC 10D .0276 is adopted as published in 36:11 NCR 939 as follows:

2
3 **15A NCAC 10D .0276 SOUTH MOUNTAINS GAME LAND IN BURKE, CLEVELAND, MCDOWELL, AND**
4 **RUTHERFORD COUNTIES**

5 South Mountains game land is a Seven Days per Week Area. The following shall apply:

- 6 (1) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday
7 before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of either sex may be
8 taken with archery equipment on open days beginning the Saturday on or nearest September 10
9 through the Sunday immediately preceding the Blackpowder Firearms Season described in this rule
10 and the Sunday immediately following the closing of Blackpowder Firearms Season described in
11 this rule through the Sunday before Thanksgiving Day. Deer with visible antlers may be taken with
12 archery equipment the Sunday immediately following the closing of the Deer With Visible Antlers
13 Season, as described in this Part, through January 1. Deer of either sex may be taken with
14 blackpowder firearms on open days beginning the Monday on or nearest October 1 through the
15 Saturday of the second week thereafter.
16 (2) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
17 Antlers Season.
18 (3) Horseback riding is prohibited except on designated trails during the following dates:
19 (A) January 2 through March 31;
20 (B) May 16 through August 31;
21 (C) Sundays only - April 1 through May 15; and
22 (D) Sundays only - September 1 through January 1.
23 (4) Target shooting is prohibited.
24 (5) Camping is restricted to September 1 through the last day of February and March 31 through May
25 14 in areas both designated and posted as camping areas.
26 (6) The maximum period of consecutive overnight camping at any posted and designated camping
27 area is 14 days within any 30-day period.

28
29 History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
30 Eff. August 1, 2022.
31
32
33

1 15A NCAC 10F .0312 is repealed as published in 36:14 NCR 1250 as follows:

2
3 **15A NCAC 10F .0312 HENDERSON COUNTY**

4
5 *History Note: Authority G.S. 75A-3; 75A-15;*

6 *Eff. February 1, 1976;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
8 *6, 2016.*

9 *Repealed Eff. June 1, 2022.*
10
11

1 15A NCAC 10F .0317 is amended as published in 36:14 NCR 1250-1251 as follows:

2
3 **15A NCAC 10F .0317 STANLY COUNTY**

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

5 (1) ~~Badin Lake, within 50 yards northeast and southwest of the section of railroad trestle designed for~~
6 ~~vessel traffic, northwest of the Old Whitney Boating Access Area near the Stanly Montgomery~~
7 ~~County line, Badin Lake.~~

8 (A) within 50 yards northeast and southwest of the section of the railroad trestle designed for
9 vessel traffic, northwest of the Old Whitney Boating Access Area near the Stanly-
10 Montgomery County line;

11 (B) Old Whitney Boating Access Area on Old Whitney Road in New London; and

12 (C) Badin Lake Boat Ramp, 293 NC Highway 740 in Badin.

13 (2) Lake Tillery.

14 (A) Turner Beach Cove shore to shore, south of a point at 35.22529 N, 80.09318 W; ~~and~~

15 (B) ~~The the~~ waters within 50 yards of the fuel docks at the Boathouse and Marina at 712 Berry
16 Hill Drive in ~~Norwood, Norwood;~~

17 (C) the waters within 50 yards of the shoreline at Morrow Mountain State Park, from a point
18 north of the Morrow Mountain Boathouse at a point at 35.38256 N, 80.06221 W, to a point
19 south of the Morrow Mountain Boat Launch at 35.37919 N, 80.06114 W;

20 (D) Norwood Boating Access Area, 307-A Lakeshore Drive in Norwood; and

21 (E) Stony Mountain Boating Access Area, 22682-A Lake Tillery Road in Albemarle.

22 (3) Tuckertown Reservoir, within 50 yards of the NC Highway 49 Boat Ramp at 36824 NC Highway
23 49 in New London.

24 ~~(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any~~
25 ~~public boat launching ramp while on the waters of a regulated area described in Paragraph (a) of this Rule.~~

26 ~~(c)(b) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any~~
27 ~~marked public swimming area on the waters of a regulated area described in Paragraph (a) of this Rule. the waters of~~
28 ~~the Badin Swim Area.~~

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

31 ~~(e) Placement of Markers. The North Carolina Wildlife Resources Commission shall be the designated agency for~~
32 ~~placement and maintenance of the markers implementing Subparagraph (a)(1) of this Rule. The Board of~~
33 ~~Commissioners of Stanly County shall be the designated agency for placement of markers implementing Parts~~
34 ~~(a)(2)(A) and (B) of this Rule.~~

35 ~~(e)(d) Placement of Markers.~~

- (1) The North Carolina Wildlife Resources Commission shall be the designated agency for placement and maintenance of the markers implementing Subparagraphs (a)(1)(A), (B), (C), (a)(2)(D), (E), and (a)(3) of this Rule.
- (2) The Board of Commissioners of Stanly County shall be the designated agency for placement of markers implementing Subparagraphs (a)(2)(A), (B) and Paragraph (b) of this Rule.
- (3) Morrow Mountain State Park shall be the designated agency for placement of markers implementing Subparagraph (a)(2)(C) of this Rule.

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

Eff. February 1, 1976;

Amended Eff. July 1, 1995; March 25, 1978; November 1, 1977;

Temporary Amendment Eff. June 1, 1998;

Amended Eff. July 1, 2000; April 1, 1999; July 1, 1998;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;

Amended Eff. October 1, 2018;

Emergency Amendment Eff. July 30, 2019;

Temporary Amendment Eff. June 1, 2020; October 1, 2019;

Temporary Amendment Expired February 26, 2021;

Amended Eff. June 1, 2022; October 1, 2021; February 1, 2021.

1 15A NCAC 10F .0318 is repealed as published in 36:14 NCR 1251 as follows:

2
3 **15A NCAC 10F .0318 WARREN COUNTY**

4
5 *History Note: Authority G.S. 75A-3; 75A-15;*

6 *Eff. February 1, 1976;*

7 *Amended Eff. October 1, 1992; March 25, 1978;*

8 *Temporary Amendment Eff. June 17, 2002;*

9 *Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on February*
10 *20, 2003;*

11 *Amended Eff. May 1, 2013;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
13 *6, 2016;*

14 *Amended Eff. October 1, 2018.*

15 *Repealed Eff. June 1, 2022.*
16
17

1 15A NCAC 10F .0323 is amended as published in 36:14 NCR 1251-1252 as follows:

2
3 **15A NCAC 10F .0323 BURKE COUNTY**

4 (a) Regulated Areas. This Rule applies ~~only~~ to the following waters ~~or portions of waters~~ in Burke County:

5 (1) ~~Lake Hickory;~~ Hickory.

6 (2) ~~Lake James, delineated by markers consistent with Paragraph (e) of this Rule, at the following~~
7 ~~locations;~~ Lake James at the following locations:

8 (A) Holiday Shores Subdivision;

9 (B) Lake James Campground;

10 (C) Laurel Pointe Subdivision;

11 (D) ~~The the~~ waters of Boyd Moore Cove shore to shore, north of a line from a point on the
12 northwest shore at 35.76667 N, 81.82337 W to a point on the southeast shore at 35.76558
13 N, 81.82245 W;

14 (E) East Shores development;

15 (F) ~~Eastern shore of Lake James at Mallard Cove;~~ Mallard Cove shore to shore, southwest of
16 a point at 35.74437 N, 81.87053 W;

17 (G) ~~That the~~ portion of Lake James shore to shore, beginning 385 yards northeast of the NC
18 Highway 126 bridge at a line from a point on the north shore at 35.74652 N, 81.88231 W
19 to a point on the south shore at 35.74440 N, 81.88017 W, and ending at a line 550 yards
20 southwest of the NC Highway 126 bridge and 50 yards south of the Canal Bridge Boating
21 Access Area dock from a point on the northwest shore at 35.74163 N, 81.88943 W to a
22 point on the southeast shore at 35.73869 N, 81.88652 W;

23 (H) ~~The the~~ waters within 50 yards of the end of the South Pointe Subdivision peninsula from
24 a point east of the peninsula at 35.76399 N, 81.83768 W, and surrounding the peninsula
25 from a point east of the peninsula at 35.76399 N, 81.83768 W, and surrounding the
26 peninsula to a point west of the peninsula at 35.76307 N, 81.83648 W; ~~and~~

27 (I) ~~The the~~ waters of Sherman's Hollow Cove shore to shore, and contiguous with those waters
28 beginning at a point on the west shore of the mouth of Sherman's Hollow Cove at 35.76423
29 N, 81.82748 W, extending northeast within 50 yards of Linville Point to a point on the
30 northeast shore of Linville Point at 35.76596 N, 81.82432 ~~W.~~ W; and

31 (J) the waters of Mills Creek at Lake James State Park, shore to shore from a point 50 yards
32 northwest of the Cove bridge at 35.76469 N, 81.87703 W to a point 50 yards southeast of
33 the bridge at 35.76406 N, 81.87637 W.

34 (3) Lake Rhodhiss.

35 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within ~~50 yards of any designated~~
36 ~~public boat launching ramp, bridge, marina, boat storage structure, boat service area, dock, or pier; or while on~~

~~designated waters of the areas described in Paragraph (a) of this Rule. the regulated areas described in Paragraph (a) of this rule.~~

(c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area on the regulated areas described in Paragraph (a) of this Rule.

~~(d) Restricted Swimming Areas. Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area on the regulated areas described in Paragraph (a) of this Rule. person operating or responsible for the operation of a vessel shall permit it to enter the waters of Paddy's Creek Swim Area at Lake James State Park Road in Nebo.~~

~~(e) Placement of Markers. The Board of Commissioners of Burke County is the designated agency for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.~~

(e) Placement of Markers. The following agencies shall be responsible for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- (1) the Board of Commissioners of Burke County, for the regulated areas designated in Subparagraphs (a)(2)(A) through (I) of this Rule; and
- (2) Lake James State Park for the regulated areas designated in Subparagraph (a)(2)(J) and paragraph (d) of this Rule.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. July 1, 1976;
Amended Eff. December 1, 1995; December 1, 1994; December 1, 1992; March 1, 1992;
Temporary Amendment Eff. April 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. August 15, 2001;
Amended Eff. July 1, 2009; May 1, 2009; August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Amended Eff. November 1, 2017;
Emergency Amendment Eff. November 2, 2020;
Temporary Amendment Eff. December 30, 2020; Temporary Amendment Expired September 26, 2021;
Amended Eff. June 1, 2022; February 1, 2021.

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0327

DEADLINE FOR RECEIPT: Friday, May 13, 2022

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

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

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

In Subparagraph (e)(2), please add "for" between "Commission" and "placement" on line 24, page 2.

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

Lawrence R. Duke
Commission Counsel
Date submitted to agency: May 9, 2022

1 15A NCAC 10F .0327 is amended as published in 36:14 NCR 1252-1253 as follows:

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)(A)~~ 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)(B)~~ 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;

13 ~~(D)(C)~~ 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; ~~and~~

17 ~~(E)(D)~~ within 50 yards of the fueling station at the Old North State Marina at the entrance to a
18 cove within the Uwharrie Point ~~community.~~ community;

19 (E) within 50 yards of the Circle Drive Boating Access Area, at 724 Shoreline Drive in New
20 London;

21 (F) within 50 yards of Lakemont Boating Access Area, at 241 Lakemont Road in New London;
22 and

23 (G) within 50 yards of the Cove Boat Ramp at 400 Cove Road in New London.

24 (2) Lake Tillery.

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

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

31 (C) Lilly's Bridge Boating Access Area shore to shore, from line 25 feet north of the SR 1110
32 bridge otherwise known as Lillys Bridge Road at a point on the east shore at 35.23223 N,
33 80.06166 W, to a point on the west shore at 35.23289 N, 80.06318 W, to a line 200 feet
34 southwest of the Lilly's Bridge Boating Access Area, from a point on the east shore at
35 35.23067 N; 80.06262 W, to a point on the west shore at 35.23156 N; ~~80.06437 W.~~
36 80.06437 W; and

(D) within 50 yards of Swift Island Boating Access Area at 4917 NC Highway 24/27 in Mount Gilead.

(3) Tuckertown Reservoir. Pee Dee River, within 50 yards of the Clarks Creek Boating Access Area at 177 Tillery Dam Road in Mount Gilead.

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

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

~~(d)(c) Badin Lake Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the marked swimming area on Badin Lake at the Pinehaven Village beach area at 370 Pinehaven Drive in New London, within 50 feet of the shoreline between points at 35.49927 N, 80.11428 W; and 35.49934 N, 80.11437 W.~~

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

(e) Placement of Markers. The following agencies shall be responsible for placement or placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers:

(1) The Board of Commissioners of Montgomery County for placement of the markers implementing Subparagraphs (a)(1)(A), (B), (C), (D), and (a)(2)(A), and (B) of this Rule;

(2) The North Carolina Wildlife Resources Commission placement and maintenance of the markers implementing Subparagraphs (a)(1)(E), (F), (a)(2)(C), (D), and (a)(4) of this Rule;

(3) The Board of Commissioners of Montgomery County shall be the designated agency for placement and maintenance of the ropes and markers implementing Paragraph (c) of this Rule; and

(4) The U.S. Forest Service for placement and maintenance of the markers implementing Subparagraph (a)(1)(G) of this Rule.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. November 1, 1977;
Amended Eff. December 1, 1990; May 1, 1989; March 25, 1978;
Temporary Amendment Eff. June 1, 1998;
Amended Eff. April 1, 1999; July 1, 1998;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2006; June 1, 2005; April 1, 2003;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Amended Eff. October 1, 2018; April 1, 2017;
Emergency Amendment Eff. July 30, 2019;
Temporary Amendment Eff. October 1, 2019;
Amended Eff. May 1, 2020;
Temporary Amendment Eff. June 1, 2020;
Temporary Amendment Expired March 12, 2021;
Amended Eff. June 1, 2022; October 1, 2021.

1 15A NCAC 10F .0333 is amended as published in 36:14 NCR 1253-1254 as follows:

2
3 **15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES**

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

- 6 (1) McDowell Park. The waters of the coves adjoining McDowell Park and the Southwest Nature
7 Preserve in Mecklenburg County shore to shore, east of the mouth of the cove at a line from a point
8 on the south shore at 35.10272 N, 81.03026 W to a point on the north shore at 35.10556 N, 80.02964
9 W;
- 10 (2) Gaston County Wildlife Club Cove. The waters of the cove west of the Gaston County Wildlife
11 Club on South Point Road in Belmont, north of a line at the mouth of the cove from a point on the
12 east shore at 35.15628 N, 81.01427 W to a point on the west shore at 35.15628 N, 81.01615 W;
- 13 (3) Buster Boyd Bridge. The waters from a point 250 feet east of the Buster Boyd Bridge on N.C.
14 Highway 49 in Mecklenburg County at 35.10293 N, 81.03932 W, to a point 150 feet west of the
15 Buster Boyd Bridge at 35.10242 N, 81.04089 W;
- 16 (4) N.C. Highway 27 bridge. The waters shore to shore, from a point 50 yards north of the N.C. Highway
17 27 bridge in Mecklenburg and Gaston counties at 35.29849 N, 81.00346 W to a point 190 yards
18 south of the N.C. Highway 27 bridge at 35.29635 N, 81.00424 W;
- 19 (5) Brown's Cove. The area beginning at the mouth of Brown's Cove in Mecklenburg County shore to
20 shore, at a point at 35.16453 N, 81.00474 W, west to a point at 35.16480 N, 81.00309 W;
- 21 (6) Paradise Point Cove. The waters of Paradise Point Cove in Gaston County between Paradise Circle
22 and Lake Front Drive, west of a line from a point on the south shore at 35.18853 N, 81.04036 W to
23 a point on the north shore at 35.18991 N, 81.04136 W;
- 24 (7) Withers Cove. The waters from a point 50 feet southeast of the Withers Bridge on SR 1116,
25 otherwise known as Shopton Road W. in Mecklenburg County at 35.14576 N, 81.00187 W, to a
26 point 50 feet northwest of the bridge at 35.14599 N, 81.00222 W;
- 27 (8) Sadler Island. The waters shore to shore beginning at a line from a point on the west shore of Lake
28 Wylie in Gaston County at 35.27481 N, 81.0138 W east to a point on the east shore of the Lake in
29 Mecklenburg County at 35.27423 N, 81.01111 W, extending south on the Lake west of Sadler Island
30 to a line from a point on the west shore of the Lake in Gaston County at 35.27079 N, 81.01525 W,
31 east to a point on the west side of Sadler Island in Mecklenburg County at 35.27051 N, 81.01396
32 W, and the waters shore to shore east of Sadler Island in Mecklenburg County from a point at
33 35.27441 N, 81.01185 W, south-southwest to a line from a point on the south shore of Sadler Island
34 at 35.26635 N, 81.01432 W, south to a point on the Lake shore at 35.26494 N, 81.01368 W;
- 35 (9) Other bridges. The areas within 50 feet of any bridge in North Carolina that crosses the waters of
36 Lake Wylie that is not otherwise specifically mentioned in this Paragraph; and

(10) Yachtsman on Lake Wylie Community. The waters within 50 yards of the community piers near the terminus of Waterside Drive in Mecklenburg County, and northward to include the waters east of the island that is west of Point Lookout Road, ending at a line from a point on the northern end of the island at 35.12226 N, 81.03306 W, east to a point on the shore at 35.12253 N, ~~81.03190 W~~. 81.03190 W; and

(11) Brown's Cove. The waters of Brown's Cove beginning at a line from a point on the east shore at 35.16892 N, 80.99702 W to a point on the west shore at 35.16948 N, 80.99783 W, northeast to a line from a point on the south shore at 35.16913 N, 80.99556 W to a point on the north shore at 35.17043 N, 80.99684 W.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat-launching ramp, dock, pier, marina, boat storage structure, or boat service area.

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

(d) Placement and Maintenance of Markers. The Lake Wylie Marine Commission shall be the designated agency for placement and maintenance of markers implementing this Rule.

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

Eff. July 1, 1980;

Amended Eff. July 1, 1994; June 1, 1985; June 1, 1984; March 1, 1983;

Temporary Amendment Eff. January 1, 1998;

Amended Eff. July 1, 1998;

Temporary Amendment Eff. February 4, 2000;

Amended Eff. April 1, 2009; June 1, 2004; July 1, 2000;

Temporary Amendment Eff. May 1, 2015;

Amended Eff. October 1, 2015;

Readopted Eff. October 1, 2018;

Amended Eff. June 1, 2022; May 1, 2019.

1 15A NCAC 10F .0336 is amended as published in 36:14 NCR 1254-1255 as follows:

2
3 **15A NCAC 10F .0336 NORTHAMPTON AND WARREN COUNTIES**

4 (a) ~~Regulated Area. This Rule shall apply to the waters of Lake Gaston in Northampton and Warren counties. No~~
5 person shall operate a vessel at greater than no-wake speed in the following waters of Lake Gaston and the Roanoke
6 River in Northampton and Warren counties.

7 (1) Lake Gaston:

8 (A) the cove on the north shore of Lake Gaston in Northampton County east of SR 1252

9 otherwise known as Vincent Lane, shore to shore from a point on the north shore at

10 36.51660 N, 77.82226 W to a point on the south shore at 36.51578 N, 77.82269 W;

11 (B) Jimmies Creek in Northampton County shore to shore, north of a line from a point on the

12 east shore at 36.52450 N, 77.82600 W to a point on the west shore at 36.52445 N, 77.82810

13 W;

14 (C) within 50 yards of the Henrico Boating Access Area in Northampton County, 142 Wildlife

15 Landing Road, Henrico, N.C.;

16 (D) within 50 yards of the Vulture Boating Access Area in Northampton County, 773 Old

17 Gaston Road, Gaston, N.C.;

18 (E) within 50 yards east and west of the N.C. Highway 903 Eaton Ferry Road Bridge in Warren

19 County;

20 (F) within 50 yards of the Hawtree Creek Boating Access Area in Warren County, 1200 Peete

21 Farm Road, Warrenton, N.C.;

22 (G) within 50 yards of the Salmons Landing Boating Access area in Warren County, 129

23 Salmon Landing Road, Littleton, N.C.;

24 (H) within 50 yards of the Wildwood Point boat ramp in Warren County, 184 N. Oak Drive,

25 Littleton, N.C.;

26 (I) within 50 yards of the Lizard Creek boat ramp in Warren County, 417 Lizard Creek Road,

27 Littleton, N.C.;

28 (J) Songbird Creek in Warren County within 50 yards of the culvert under N.C. Highway 903

29 at 36.53260 N, 77.97330 W; and

30 (K) Sixpound Creek in Warren County within 50 yards of the culvert under SR 1704 otherwise

31 known as Nocarva Road at 36.52950 N, 78.07283 W;

32 (L) Lizard Creek in Warren County within 50 yards of the culvert under SR 1362 otherwise

33 known as Lizard Creek Road at 36.52501 N, 77.91187 W;

34 (M) within 50 yards of the Waters View Restaurant adjacent to the northwest end of the N.C.

35 Highway 903 bridge in Warren County;

36 (N) the cove west of the Pointe at Lake Gaston at the southwest end of the N.C. Highway 903

37 bridge in Warren County, south of a point at 36.50937 N, 77.96644 W;

(O) Camp Willow Run Canoe and Sail Cove in Warren County, beginning at a line shore to shore from a point on the southwest shore at 36.49355 N, 77.91795 W, to a point on the north shore at 36.49534 N, 77.91508 W; and

(P) the cove on Hubquarter Creek in Warren County, shore to shore beginning at a line from a point on the northeast shore at 36.50030 N, 78.00474 W to a point on the southwest shore at 36.49947 N, 78.00553 W.

(2) Roanoke River. No person shall operate a vessel at greater than no-wake speed in Roanoke River in Northampton County within 50 yards of the Gaston Boating Access Area, 601 Roanoke Rapids Road, Gaston, N.C.

(b) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area on the waters of Lake Gaston within Northampton and Warren counties.

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

~~(d) Speed Limit in specific waters. No person shall operate a vessel at greater than no-wake speed within the following bodies of water:~~

~~(1) the cove on the north shore of Lake Gaston in Northampton County east of SR 1252 otherwise known as Vincent Lane, shore to shore from a point on the north shore at 36.51660 N, 77.82226 W to a point on the south shore at 36.51578 N, 77.82269 W;~~

~~(2) Big Stone House Creek in Warren County within 50 yards of the culvert under N.C. Highway 903 at 36.48789 N, 77.95009 W;~~

~~(3) Songbird Creek in Warren County within 50 yards of the culvert under N.C. Highway 903 at 36.53260 N, 77.97330 W;~~

~~(4) Sixpound Creek in Warren County within 50 yards of the culvert under SR 1704 otherwise known as Nocarva Road at 36.52950 N, 78.07283 W;~~

~~(5) Lizard Creek in Warren County within 50 yards of the culvert under SR 1362 otherwise known as Lizard Creek Road at 36.52501 N, 77.91187 W; and~~

~~(6) Jimmies Creek in Northampton County shore to shore, north of a line from a point on the east shore at 36.52450 N, 77.82600 W to a point on the west shore at 36.52445 N, 77.82810 W.~~

~~(e) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area on the waters of Lake Gaston in Northampton and Warren counties.~~

~~(f)~~(c) Placement of Markers. The Boards of Commissioners of Northampton County and Warren County shall be the designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers.

*History Note: Authority G.S. 75A-3; 75A-15;
Eff. March 29, 1981;*

1 *Amended Eff. June 1, 1994; March 1, 1993; September 1, 1989;*
2 *Temporary Amendment Eff. March 15, 2003;*
3 *Temporary Amendment Expired October 12, 2003;*
4 *Amended Eff. May 1, 2014; May 1, 2004;*
5 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
6 *6, 2016;*
7 *Amended Eff. June 1, 2022; February 1, 2020; October 1, 2018.*
8
9

1 15A NCAC 10F .0354 is amended as published in 36:14 NCR 1255 as follows:

2
3 **15A NCAC 10F .0354 PITT COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the waters described in this Paragraph:

- 5 (1) the waters of Tar River, known as Hardee Creek, shore to shore, west of a line at its confluence with
6 the main course of Tar River from a point on the north shore at 35.59878 N, 77.31168 W to a point
7 on the south shore at 35.59813 N, 77.31157 W; ~~and~~
8 (2) the portion of Tranters Creek east of a line from a point on the north shore at 35.56961 N, 77.09159
9 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the
10 east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, ~~77.09029 W.~~
11 77.09029 W; and
12 (3) the waters of Barber Creek at Wildwood Park in the City of Greenville shore to shore, north of its
13 confluence with Tar River at a point at 35.60719 N, 77.32890 W.

14 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated areas described
15 in Paragraph (a) of this Rule.

16 ~~(c) Placement of Markers. The Board of Commissioners of Pitt County shall be the designated agency for placement~~
17 ~~and maintenance of markers implementing this Rule, subject to the approval of the United States Coast Guard and~~
18 ~~United States Army Corps of Engineers.~~

19 (c) Placement of Markers. The following agencies shall be responsible for placement of the markers implementing
20 this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- 21 (1) The Board of Commissioners of Pitt County for those waters listed in Subparagraphs (a)(1) and
22 (a)(2) of this rule; and
23 (2) The City of Greenville for the waters listed in Subparagraph (a)(3) of this rule.
24

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

26 *Eff. May 1, 1988;*

27 *Amended Eff. May 1, 2014; September 1, 2010; July 1, 1995; April 1, 1992;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
29 *6, 2016;*

30 *Amended Eff. June 1, 2022; October 1, 2018.*
31
32

1 15A NCAC 10F .0378 is adopted as published in 36:14 NCR 1255 as follows:

2
3 **15A NCAC 10F .0378 HALIFAX COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the following waters in Halifax County:

5 (1) Roanoke Rapids Lake.

6 (A) within 50 yards north and south of the abandoned railroad trestle at the location where
7 Deep Creek meets Roanoke Raids Lake in Roanoke Rapids, northwest of Windsong
8 Drive;

9 (B) within 50 yards of the Thelma Boating Access Area, 1011 Van Warren Road, Roanoke
10 Rapids; and

11 (C) within 50 yards of the Fifth Street Landing Boating Access Area, 1919 W. Fifth Street,
12 Roanoke Rapids.

13 (2) Roanoke River.

14 (A) Within 50 yards of the Weldon Boating Access Area, 1090 Rockfish Lane,
15 Weldon; and

16 (B) within 50 yards of the Edwards Ferry Boating Access Area, 89 U.S. Highway 258,
17 Scotland Neck.

18 (3) Lake Gaston within 50 yards of Summit Boating Access Area at 432 Bluebird Lane, Littleton.

19 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated areas
20 described in Paragraph (a) of this Rule.

21 (c) Placement of Markers. The North Carolina Wildlife Resources Commission shall be the designated agency for
22 placement and maintenance of the markers implementing this Rule, subject to the approval of the United States
23 Coast Guard and United States Army Corps of Engineers.

24
25 History Note: Authority G.S. 75A-3; 75A-15;

26 Eff. June 1, 2022.