

02 NCAC 60B .1002 is amended with changes as published in 35:20 NCR 2176-2177 as follows:

02 NCAC 60B .1002 DEFINITIONS OF TERMS

As used in this ~~Rule~~ Section the following terms have the following meanings:

- (1) "Bike Trail" means any road or trail maintained for bicycles.
- (2) "Bridle Trail" means any road or trail maintained for persons riding on horseback.
- (3) ~~"Commissioner" means the Commissioner of the North Carolina Department of Agriculture and Consumer Services.~~
- ~~(3) (4)~~ (4) "Department" means the ~~NC~~ North Carolina Department of ~~Environment~~ Agriculture and Natural Resources. ~~Consumer Services.~~
- ~~(4)~~ (4) ~~"Division" means the NC Division of Forest Resources.~~
- (5) "Educational State Forest" refers to any ~~state forest~~ State Forest property operated by the North Carolina Forest Service ~~Division of Forest Resources~~ for the purpose of educating schoolchildren and the public.
- (6) ~~"Emergency Aircraft" means aircraft operated by an emergency response agency.~~
- ~~(6) (7)~~ (7) "Forest Supervisor" means an employee of the ~~Division of North Carolina Forest Resources Service~~ who is a forest supervisor and provides supervision to other ~~DFR~~ North Carolina Forest Service employees of the forest.
- ~~(7) (8)~~ (8) "Group" means a number of individuals related by a common factor, having structured organization, defined leadership, and activities directed by a charter or written bylaws.
- ~~(8) (9)~~ (9) "Hiking Trail" means any road or trail maintained for pedestrians.
- ~~(9) (10)~~ (10) "Multi-use Trail" means any road or trail maintained for use by the following: horseback riding, bicycle ~~or pedestrian, riding, and hiking or other foot traffic.~~
- ~~(10) (11)~~ (11) "Hunting" means the lawful hunting of game animals as defined by the ~~N.C.~~ North Carolina Wildlife Resources Commission.
- ~~(11) (12)~~ (12) "Motorized vehicle" means ~~every any~~ vehicle which is self-propelled, or which is pulled by a self-propelled ~~vehicle, vehicle (such such as a camping trailer, fifth-wheel travel trailer, motor home, travel trailer, and truck camper, camper).~~ A self-propelled vehicle shall ~~include include, but is not limited to~~ passenger automobiles, mopeds, off-road vehicles (ORV), golf carts, motorcycles, mini-bikes, all-terrain vehicles, Segways, 2 or 3 wheeled personal transporters, battery assisted bicycles (E-Bikes), and go-carts. This "Motorized vehicle" does not include accommodations made in accordance with the Americans with Disabilities Act of 1990 and Chapter 168A of the North Carolina General Statutes, motorized wheel chairs or other similar vehicles designed for and used by persons with disabilities. (G.S. 20-4.01)
- (13) "Registered Motor Vehicle" is any vehicle that has been legally registered and tagged from a state department of motor vehicles or department of transportation.

- (12) (14) "Permit" means any written license issued by or under the authority of the ~~Division of North~~
Carolina Forest Service or Department permitting the performance of a specified act or acts.
- (13) (15) "Permittee" means any person, corporation, ~~company~~ company, or association in possession of a
valid permit.
- (14) (16) "Person" means any individual, firm, partnership, corporation, company, association, public or
private institution, political subdivision, or government agency. ~~(G.S. 113-60.22(4))~~
- (15) (17) "Public building" means a climate-controlled structure primarily for human habitation or use, and
does not include barns, ~~shelters~~ shelters, or sheds.
- (16) (18) "Public nudity" means a person's intentional failure to cover with ~~an a fully~~ opaque covering the
person's genitals, pubic area, anal area, or areola on female breasts except for breastfeeding below
~~a point from the top of the areola~~ while in a public place.
- (19) "State Recreational Forest" is a State Forest designation that refers to any State Forest property
operated by the North Carolina Forest Service primarily for natural resource preservation, scenic
enjoyment and recreational purposes, while also managing for the purposes of education,
demonstration, training, forest research, wildlife habitat, and forest products, including the DuPont
State Forest.
- (17) (20) "Rock climbing" means traversing a rock face that is steep enough to require the use of hands and
feet to get up or down.
- (18) — "Secretary" means the Secretary of the Department.
- (19) (21) "State Forest" means any land owned by the State of North Carolina, under the jurisdiction of the
~~Division of North Carolina Forest Service, Forest Resources~~, that is ~~sustainably~~ managed ~~under a~~
~~State Forest Management Plan approved by the Division Director~~ for the purposes of education,
demonstration, training, forest research, wildlife habitat, forest products and recreation. ~~recreation~~
~~as identified in the approved forest management plan.~~
- (20) — "State Forest Management Plan" is a plan prepared by a forester of the N.C. Division of Forest
Resources and approved by the Division Director. Such plan shall include management practices to
ensure forest productivity and environmental protection of the land to be treated under the
management plan.
- (21) — "Swimming area" means any beach or water area designated by the Division as a swimming, wading
and bathing area.

History Note: Authority G.S. 106-22; ~~106-900~~; 106-877; 106-887; 143-116.8;

Eff. November 1, 2009;

Transferred from 15A NCAC 09C .1229 Eff. May 1, 2012;

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September
19, ~~2015~~; 2015;*

Amended Eff. September 1, 2021.

02 NCAC 60B .1006 is amended with changes as published in 35:20 NCR 2178 as follows:

02 NCAC 60B .1006 HUNTING

(a) ~~A person shall not hunt on any Educational State Forest lands without obtaining a permit and must obey all State hunting laws set forth in G.S. 113 and rules in effect.~~ Hunting in and upon all State Forests, State Recreational Forests, and Educational State Forests shall be by ~~[permit, license, or stamp only,]~~ **permit or license only,** or a combination thereof, depending on the requirements of the individual State Forest, State Recreational Forest, or Educational State Forest. Interested parties shall contact the State Forest office, State Recreational Forest, or Educational State Forest in question. The contact and additional information for each State Forest, State Recreational Forest, or Educational State Forest office can be found at <https://www.ncforestservice.gov/>.

(b) A person hunting in and upon State Forests, State Recreational Forests, or Educational State Forests under the Game Lands Program ~~may hunt on a State Forest or State recreational forest that is in the Game Land program if the person obtains~~ shall first obtain a **Game Land permit license** from a NC North Carolina Wildlife Resources Commission designated licensing agent and shall obey ~~obeys~~ all State hunting laws set forth in ~~G.S. Chapter 113 of the North Carolina General Statutes~~ and rules in effect for the applicable Game Land, pursuant to **Title 15A NCAC of the North Carolina Administrative Code, Chapter 10. 10D .0102 and [.0103,]** .0103, which are incorporated by reference ~~including subsequent amendments, and may be accessed free of charge at~~ <http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2010%20-%20wildlife%20resources%20and%20water%20safety/subchapter%20d/subchapter%20d%20rules.html>."

(c) For State Forests, State Recreational Forests, and Educational State Forests that are not in the Game Lands Program, hunting shall be allowed only if a person first obtains a permit from the Forest Supervisor's office and complies with all State hunting laws and rules in effect, including Chapter 113 of the North Carolina General Statutes and **Title 15A [NCAC] of the North Carolina Administrative Code, Chapter 10. [10D .0102 and .0103,]**

*History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887;
 Eff. November 1, 2009;
 Transferred from 15A NCAC 09C .1233 Eff. May 1, 2012;
 Readopted Eff. April 1, 2018. 2018;
 Amended Eff. September 1, 2021.*

02 NCAC 60B .1007 is amended with changes as published in 35:20 NCR 2178 as follows:

02 NCAC 60B .1007 FISHING

~~(a) Except in areas designated as non-fishing, A~~ a person may fish in any waters in State Forests, State Recreational Forests, or Educational State Forests ~~Forests or State recreational forests if the person obeys all State fishing laws as set forth in G.S. 113.~~

~~(b) A person may fish in any waters of any Educational State Forest if the person first obtains a permit from the Forest Supervisor's office and provided the person~~ obeys all State fishing laws as set forth in ~~G.S. 113. Chapter 113 of the North Carolina General Statutes.~~ Statutes and Title 15A of the North Carolina Administrative Code, Chapter 10.

History Note Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1234 Eff. May 1, 2012;
Readopted Eff. April 1, 2018. 2018;
Amended Eff. September 1, 2021.

02 NCAC 60B .1008 is amended with changes as published in 35:20 NCR 2179 as follows:

02 NCAC 60B .1008 ANIMALS AT LARGE

(a) ~~Except in designated areas, no~~ No person shall have any dog, cat, or other pet upon a State Forest, State Recreational Forest, or Educational State Forest unless the animal is on a physical leash and under the control of the owner or ~~some other person.~~ person possessing the animal.

(b) Hunting dogs used in accordance with ~~NC~~ North Carolina Wildlife Commission Game Land Rules pertaining to State Forests pursuant to Title 15A of the North Carolina Administrative Code, Chapter 10, NCAC 10D .0102 and .0103 shall be exempt from Paragraph (a) of this Rule.

~~(b)~~ (c) No dog, cat, or other pet shall be allowed to enter any public building on State Forests, State Recreational Forest, or Educational State Forest, or designated swimming areas, except ~~assistance~~ service animals for persons with disabilities in accordance with the Americans with Disabilities Act of 1990 and Chapter 168 of the North Carolina General Statutes, as set forth in G.S. 14-163.1.

(d) Any owned animal or pet causing a threat or nuisance as determined on a case-by-case basis within any State Forest, State Recreational Forest, or Educational State Forest shall be removed.

*History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1235 Eff. May 1, 2012;
Readopted Eff. April 1, 2018. 2018;
Amended Eff. September 1, 2021.*

02 NCAC 60B .1012 is amended with changes as published in 35:20 NCR 2179 as follows:

02 NCAC 60B .1012 HORSES

(a) ~~In a State Forest, State recreational forest, or Educational State Forest, no~~ No person shall use, ride, or drive a horse except to, from, or along a designated bridle path, multi-use trail designated for ~~horses~~ horses, or designated watering point.

(b) Each ~~equestrian user~~ person bringing a horse in or upon any State Forest, State Recreational Forest, or Educational State Forest shall remove from designated parking areas, ~~areas~~ sidewalks, covered bridges, paved surfaces, and wooden surfaces all ~~residues~~ residues, including manure, (including manure) generated by his or her ~~their~~ horse.

(c) ~~When dismounted, horses shall be tied in such a manner as to prevent damage to trees and other plants. Anytime a horse is constrained in a State Forest, State Recreational Forest, or Educational State Forest, it shall be done in a manner so as to prevent damage to trees or plants nearby.~~

(d) Horses shall ~~not be steered or led across~~ cross rivers and streams using ~~bridges or culverts if available. preexisting crossings along designated trails.~~

(e) Horses shall not be allowed to wade in lakes.

(f) ~~Equestrian users~~ A person bringing a horse in or upon any State Forest, State Recreational Forest, or Educational State Forest shall possess valid negative Equine Infectious Anemia test, also known as a Coggins ~~papers~~ test for each horse and make them available for inspection upon ~~request.~~ request by North Carolina Forest Service employees or employees of the Department.

(g) No horse-drawn carts, carriages, or other apparatus shall be allowed in or upon State Forests, State Recreational Forests, or Educational State Forests except by permit.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887;

Eff. November 1, 2009;

Transferred from 15A NCAC 09C .1239 Eff. May 1, 2012;

Readopted Eff. April 1, ~~2018~~ 2018;

Amended Eff. September 1, 2021.

02 NCAC 60B .1018 is amended with changes as published in 35:20 NCR 2180 as follows:

02 NCAC 60B .1018 DISORDERLY CONDUCT

(a) No person visiting ~~on~~ a State ~~Forest, State Recreational Forest, Forest, State recreational forest,~~ or Educational State Forest shall disobey a lawful order of a ~~Division employee, Forest Ranger,~~ law enforcement officer, or any other Department official or endanger him or herself or endanger or disrupt others, as defined in G.S. 14-~~288.4, 14-288.4~~ and G.S. 14-132.

(b) No person shall use, walk, or run on or along a road or trail that is designated closed for maintenance, tree removal or any other purpose, ~~or~~ nor shall ~~they~~ he or she enter an area that is designated "No Entry," "Do Not Enter," or "Authorized Personnel Only," except for ~~Division North Carolina Forest Service employees or employees,~~ contractors working under the direction of ~~a Division the North Carolina Forest Service, employee, volunteers~~ volunteers under the direction of the North Carolina Forest Service, or and individuals or groups under permit, permit, and at such places and for such periods as may be designated in order to protect public safety, peace, or natural resources.

*History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1245 Eff. May 1, 2012;
Readopted Eff. April 1, ~~2018, 2018;~~
Amended Eff. September 1, 2021.*

02 NCAC 60B .1022 is amended as published in 35:20 NCR 2180 with changes as follows:

02 NCAC 60B .1022 NOISE REGULATIONS

(a) The production or emission of ~~noises~~ noises, speech, music, or other sound, that is ~~[annoying, disturbing, or frightening to a reasonable person]~~ unreasonably loud or disturbing over the level of 85 decibels, at a distance of 10 feet, ~~on~~ in or upon a State Forest, State Recreational Forest, or Educational State Forest ~~Forest, State recreational forest, by a person or Educational State Forest~~ animal under the control of a person is prohibited.

(b) For the purposes of this Rule, the following definitions apply.

(1) "Unreasonably loud" means a noise which is incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace, order, or calm of the area, or which is obnoxious to, or unreasonably disturbing to, a person whose residence, work, or commercial enterprise is within a reasonable proximity to the point, place, or person from whom the noise is emanating, or emanated, and the noise is of such a kind, nature, duration, or extent that a reasonable person would consider the noise to be unreasonably loud or disturbing.

(2) "Disturbing" means a noise which is perceived by a person of reasonable and ordinary firmness and sensibilities as interrupting the normal peace, order, and calm of such person, or persons, or tending to annoy, disturb, or frighten such persons in such proximity to the point, place, or person from whom the noise is emanating, or emanated.

*History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. December 1, 2009;
Transferred from 15A NCAC 09C .1249 Eff. May 1, 2012;
Readopted Eff. April 1, 2018. 2018;
Amended Eff. September 1, 2021.*

02 NCAC 60B .1028 is amended with changes as published in 35:20 NCR 2181 as follows:

02 NCAC 60B .1028 FLOWERS, PLANTS, MINERALS, ETC.

(a) A person shall not remove, destroy, cut down, scar, mutilate, take, gather, or injure any tree, flower, artifact, fern, shrub, rock, fungi, or other plant or mineral in or upon any ~~State Forest, State recreational forest, or Educational State Forest~~ Forest, State Recreational Forest, or Educational State Forest. ~~area. Silvicultural activities performed in accordance with an approved State Forest Management Plan are exempt from this Rule.~~

(b) A person shall not collect plants, animals, minerals, fungi, or other artifacts from any State Forest, State Recreational Forest, ~~State recreational forest~~, or Educational State Forest ~~area~~ without first having obtained a permit. permit from the Forest Supervisor or designee.

(c) No person shall use a metal detector ~~[The use of metal detectors]~~ on a State Forest, State Recreational Forest, or Educational State Forest ~~[is prohibited]~~ without a permit.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1255 Eff. May 1, 2012;
Readopted Eff. April 1, 2018- 2018;
Amended Eff. September 1, 2021.

02 NCAC 60B .1030 is amended with changes as published in 35:20 NCR 2181-2182 as follows:

02 NCAC 60B .1030 FEES AND CHARGES

(a) ~~The following fee schedule shall apply at DuPont State Recreational Forest and the Community Building at Jordan Lake Educational State Forest:~~

~~(1) CAMPING.~~

~~(A) Primitive, unimproved campsite with portable toilets and fresh water available, \$9.00 per campsite, daily.~~

~~(B) Primitive group tent camping, unimproved campsite with portable toilets, \$1.00 per person, daily, with \$9.00 minimum.~~

~~(C) Improved group camping with water, restrooms and shower facilities available, \$40.00 per day, and maximum capacity of 35 people.~~

~~(2) PICNIC SHELTER RENTALS.~~

~~(A) Are by reservations only.~~

~~(B) Rate: 1-2 tables, \$25.00; 3-4 tables, \$40.00; 5-8 tables, \$60.00.~~

~~(3) CLASSROOM OR COMMUNITY BUILDING (DuPont State Recreational Forest and Jordan Lake Educational State Forest).~~

~~(A) Fee may be waived for government agencies and natural resource related non-profit groups.~~

~~(B) Rates: One half day, \$75.00; Full day, \$150.00.~~

~~(4) EQUESTRIAN FACILITIES.~~

~~(A) Barn or paddocks (fee may be waived for volunteer work groups), \$10.00 per horse, daily.~~

~~(B) Use is limited to non-profit groups and area summer camps.~~

~~(5) PERMITS FOR SPECIAL EVENTS. Permits for use of the forest for events involving large groups or special privileges and requiring staff assistance: Rate: \$1.00 per person plus the cost of staff time and equipment use involved in monitoring the permit.~~

~~(6) PERMITS FOR THE REMOVAL OF FIREWOOD, VEGETATIVE MATERIAL, ROCKS, ETC. Fees for these items are based on the value of the material as determined by local market conditions. The required admission [Admission] fees or related activity fees at State Forests, State Recreational Forests, and Educational State Forests, including permits, facility use, special events, or the removal of firewood or vegetative material, may be obtained online at <https://www.ncforestservice.gov/> or by contacting the office of each State Forest. The contact information for each State Forest, State Recreational Forest, and Educational State Forest may be found online at <https://www.ncforestservice.gov/>.~~

(b) Payment of the ~~appropriate fee~~ required fees shall be a prerequisite for the use of the public service facility or convenience provided.

(c) ~~Unless otherwise provided in this Rule, the~~ The number of persons camping at a particular site may be limited by the forest supervisor or designee depending upon the size of the group and the size and nature of the campsite.

(d) Reservations ~~must~~ shall be canceled 30 days prior to the event in order to receive a refund. ~~Permit~~ Activity fees are non-refundable.

*History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; 150B-1(d)(26)
Eff. June 14, 2010;
Transferred from 15A NCAC 09C .1257 Eff. May 1, 2012;
Readopted Eff. April 1, ~~2018~~ 2018;
Amended Eff. September 1, 2021.*

02 NCAC 60B .1032 is amended with changes as published in 35:20 NCR 2182 as follows:

02 NCAC 60B .1032 ENFORCEMENT

Departmental ~~forest~~ law enforcement officers, ~~Forest Rangers, and other~~ sworn law enforcement, and Forest Rangers ~~enforcement~~ may enforce the rules of this Section.

History Note: Authority G.S. 106-22; ~~106-900;~~ 106-877; 106-887; 106-897; 106-899; 106-900; 106-901;

Eff. November 1, 2009

Transferred from 15A NCAC 09C .1259 Eff. May 1, 2012;

Readopted Eff. April 1, ~~2018;~~ 2018;

Amended Eff. September 1, 2021.