

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0105

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a)(1), how is the federally-announced season communicated? Is this information available online?

In (a)(1), line 7, please change "which" to "that."

In (a)(2), where can the annual limitations imposed by the U.S. Fish and Wildlife Service be found? Are these available online?

In (a)(2), lines 12-13, please consider making "Only one swan may be taken under each permit..." a new sentence for purposes of clarity. Also, please change "must" to "shall" on line 13.

In (a)(2), what do you mean by "properly affixed"? Please delete or define "properly."

In (b)(2)(B), line 32, please add a comma in between "over" and "or within" for purposes of consistency and clarity.

In (b)(2)(B), line 35, what do you mean by "properly shocked"?

In (3), did you mean that crippled waterfowl may be taken "from a motorboat"? Did you mean "by a motorboat"?

In (4), where can the waterfowl management areas established by WRC be found? Is this information available on your website?

In (6), to what "Federal frameworks" are you referring? Is your regulated public familiar with these?

In (c), line 27, please change "must" to "shall."

In (c), line 28 and 29, what do you mean by "applicable season"?

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

In (c), line 30, what is your website?

In (c), lines 30-31, what do you mean by “when this option is available by April 1 following the end of the applicable season”? When would this option not be available?

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0105 Migratory game birds is amended as published in 29:11 NCR 1308-1309 as follows:

3 **15A NCAC 10B .0105 MIGRATORY GAME BIRDS**

4 (a) Cooperative State Rules:

5 (1) The taking of sea ducks (scoter, eider and old squaw) during any federally-announced season for
6 only these species shall be limited to the waters of the Atlantic Ocean, and to those coastal waters
7 south of US 64 which are separated by a distance of at least 800 yards of open water from any
8 shore, island or marsh.

9 (2) Tundra swans may be taken during the open season by permit only subject to annual limitations
10 imposed by the U.S. Fish and Wildlife Service. Based upon the annual limitations imposed by the
11 U.S. Fish and Wildlife Service, the Wildlife Resources Commission shall issue nontransferable
12 swan permits to applicants who will be selected at random by computer, and only one swan may
13 be taken under each permit which must be cancelled at the time of the kill by cutting out the
14 month and day of the kill. Accompanying the permit is a tag which must be affixed to the swan at
15 the time and place of the kill. The tag must be affixed in accordance with instructions provided
16 with the permit. In addition, a preaddressed post-paid card is supplied to each permittee on which
17 to report the number of days hunted and the details of the kill if made. It is unlawful to hunt swans
18 without having the permit and the tag in possession or to possess a swan without the cancelled
19 permit in possession and the tag properly affixed to the swan. It is unlawful to possess a swan
20 permit or tag while hunting that was assigned to another person or to alter the permit or tag in any
21 way other than cutting out the proper month and day of kill.

22 (b) Notwithstanding the provisions of G.S. 113-291.1(a) and (b), the following restrictions apply to the taking of
23 migratory game birds:

24 (1) No migratory game bird may be taken:

25 (A) With a rifle;

26 (B) With a shotgun of any description capable of holding more than three shells, unless it is
27 plugged with a one-piece filler, incapable of removal without disassembling the gun, so
28 as to limit its total capacity to not more than three shells.

29 (2) No migratory game bird may be taken:

30 (A) From or by the use of a sinkbox or any other type of low floating device affording the
31 hunter a means of concealment beneath the surface of the water;

32 (B) With the aid of bait, or on, over or within 300 yards of any place where any grain, salt or
33 other feed is exposed so as to constitute an attraction to migratory game birds or has been
34 so exposed during any of the 10 consecutive days preceding the taking, except that this
35 Part shall not apply to standing crops, flooded croplands, grain crops properly shocked on
36 the field where grown, or grains found scattered solely as the result of normal agricultural
37 planting or harvesting;

(C) With the aid of live decoys, or on, over or within 300 yards of any place where tame or captive migratory game birds are present, unless such birds are and have been for a period of 10 consecutive days prior to such taking confined within an enclosure which eliminates the audibility of their calls and totally conceals them from the sight of wild migratory game birds.

(3) Crippled waterfowl may be taken from a motorboat under power in those areas described, delineated, and designated as special sea duck hunting areas in Subparagraph (a)(1) of this Rule.

~~(3)~~(4) Waterfowl hunting and harassment and other unauthorized activities is prohibited on posted waterfowl management areas established by the Wildlife Resources Commission for Canada Geese and ducks restoration.

~~(4)~~(5) In that area of Roanoke Sound adjacent to and immediately Northeast of Roanoke Island as marked by buoys designating the waterfowl rest area, it is unlawful to harass or take any waterfowl.

~~(5)~~(6) The area east of US 17 is designated as an experimental September teal season zone as referenced by the Federal frameworks calling for state rules designating experimental areas.

~~(6) It is unlawful to harass or take any geese during established goose hunting season that occurs after October 1 in each year in the Gaddy Goose Refuge, which is in that area of Anson County starting at the NC 109 bridge over the Pee Dee River and following NC 109 south to Dennis Road (SR1650); west on Dennis Road to Pleasant Grove Church Road (SR 1649); continue west on Pleasant Grove Church Road to US 52; south on US 52 to Lockhart Road (SR 1652); west on Lockhart Road to Brown Creek Church Cox Road (SR 1641); west on Brown Creek Church Cox Road to NC 742; northwest on NC 742 to Lanes Creek; Lanes Creek north (downstream) to Rocky River; Rocky River downstream to the Pee Dee River; and from Pee Dee River downstream to the beginning of the NC 109 bridge.~~

(c) Reporting Requirements: For tundra swan and Canada goose seasons where a permit is required to hunt by Memorandum of Agreement with the U.S. Fish & Wildlife Service, hunter questionnaires supplied on preaddressed, postage-paid cards must be returned to the Commission and postmarked no later than April 1 following the end of the applicable season. Failure to return the questionnaire and animal parts, if required, by this date shall make the individual ineligible to receive a permit for the following applicable season. In lieu of returning a hard copy, individuals may fill out a questionnaire on-line through the Wildlife Commission web site when this option is available by April 1 following the end of the applicable season.

History Note: Authority G.S. 113-134; 113-274; 113-291.1; 113-291.2; 50 C.F.R. 20.21; 50 C.F.R. 20.105; Eff. February 1, 1976;
Amended Eff. July 1, 1995; April 1, 1992; February 1, 1990; September 1, 1989;
Temporary Amendment Eff. September 10, 1998;
Amended Eff. August 1, 2015; May 1, 2007; June 1, 2005; May 1, 2004; July 1, 2000.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0106

DEADLINE FOR RECEIPT: Friday, April 10, 2015

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In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a), line 7, where can this form be found? Is this available on your website?

Did you intend for the text on line 11 to be a new paragraph? It seems as though it would make sense as (b).

On line 17, I assume by other species, you mean non-endangered and non-threatened species?

In (a)(1), line 22, I assume you mean if required by the U.S. Fish and Wildlife Service? Is your regulated public familiar with these requirements?

In (a)(1), line 23, when may there be limitations and conditions? Is this dependent upon the type of species being taken?

In (a)(2), line 29, please change "must" to "shall."

In (b), line 16, to what normal business hours are you referring? The normal business hours of the Commission or the WDCA?

In (c), how is the expiration date determined?

In (d)(2), how are trapping restrictions determined? Is this based on the species for which the permit is being sought?

In (e)(1), is your regulated public familiar with what constitutes a "safe and sanitary manner" of disposal?

In (e)(1), line 18, please delete "of" in between "Subparagraphs" and "(d)(2)."

In (f), please add a comma in between "bear" and "or wild turkey" for purposes of consistency.

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

In (f), line 13, please delete the extra period, following "Commission."

In (f), line 14, please add a comma in between "Tyrrell" and "and Washington" for purposes of consistency. Also, did you mean "or" rather than "and"? Please note that you have used "or" on lines 16-17.

In (f), line 16, did you mean "alligator, bear, or coyote" rather than "alligator and bear, or coyote"?

In (f), line 16, please add a comma in between "Tyrrell" and "or Washington" for purposes of consistency.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0106 Wildlife taken for depredation is amended with changes as published in 29:14 NCR 1695-
2 1697 as follows:

3
4 **15A NCAC 10B .0106 WILDLIFE TAKEN FOR DEPREDATIONS**

5 (a) Depredation permits allow the taking take of undesirable or excess wildlife resources as described in
6 Subparagraphs (1) and (2) of this Paragraph. Only employees of the Wildlife Resources Commission and Wildlife
7 Damage Control Agents may issue depredation permits. Each permit shall must be written on a form supplied by the
8 Commission. No permit is needed for the owner or lessee of a property to take wildlife while committing
9 depredations on the property; property; however the manner of taking, disposition of dead wildlife, wildlife and
10 reporting requirements as described in this Rule still apply. apply
11 No permit shall be issued to take any endangered or threatened species of wildlife listed under 15A NCAC 10I,
12 except alligators, by reason of depredations to property. Only the Executive Director may issue depredation permits
13 for Special Concern species listed in 15A NCAC 10I .0105 40I .0103 and for alligators. An individual may take an
14 endangered or threatened species in immediate defense of his own life or of the lives of others without a permit.
15 Any endangered or threatened species that may constitute a demonstrable but non-immediate threat to human safety
16 shall be reported to a federal or state wildlife enforcement officer, who, upon verification of the report, may take or
17 remove the specimen as provided by 15A NCAC 10I .0102. Depredation permits for other species shall be issued
18 under the following conditions:

- 19 (1) for taking wildlife that is or has been damaging or destroying property provided there is evidence
20 of property damage. No permit may be issued for the taking of any migratory birds and other
21 federally-protected federally protected animals unless a corresponding valid U.S. Fish and
22 Wildlife Service depredation permit, if required, has been issued. The permit shall name the
23 species allowed to be taken and may contain limitations as to age, sex, sex or any other condition
24 within the species so named. The permit shall must be issued to a landholder or an authorized
25 representative of a unit of local government for depredations on public property; and the property;
26 The permit shall be used only by individuals named on the permit.
27 (2) for taking of wildlife resources in circumstances of overabundance or when the wildlife resources
28 present a danger to human safety. Cities as defined in G.S. 160A-1(2) seeking such a depredation
29 permit must apply to the Executive Director using a form supplied by the Commission requesting
30 the following information:
31 (A) the name and location of the city;
32 (B) the acreage of the affected property;
33 (C) a map of the affected property;
34 (D) the signature of an authorized city representative;
35 (E) the nature of the overabundance or the threat to public safety; and
36 (F) a description of previous actions taken by the city to ameliorate the problem.

(b) Wildlife Damage Control Agents: Upon completion of a training course designed for the purpose of reviewing and updating information on wildlife laws and safe, humane wildlife handling techniques, techniques and demonstration of a knowledge of wildlife laws and safe, humane wildlife handling techniques, an individual with no record of wildlife law violations may apply to the Wildlife Resources Commission (Commission) to become a Wildlife Damage Control Agent (WDCA). Those persons who demonstrate knowledge of wildlife laws and safe, humane wildlife handling techniques by a passing score of at least 85 percent on a written examination provided by a representative of the Wildlife Resources Commission, Commission in cooperation with the training course provider, provider shall be approved. Those persons failing to obtain a passing score shall be given one chance for re-testing without re-taking the course. Those persons approved as agents by the Commission may then issue depredation permits for depredation as defined in Subparagraph (a)(1) of this Rule to landholders and be listed as a second party to provide the control service. WDCAs may not issue depredation permits for coyotes in the counties of Beaufort, Dare, Hyde, Tyrrell, Washington, Washington, Tyrrell, and Beaufort, big game animals; bats; animals, bats, or species listed as endangered, threatened, threatened or special concern under 15A NCAC 10I .0103, .0104 and .0105 of this Chapter. WDCAs shall must report to the Wildlife Resources Commission the number and disposition of animals taken, by county, annually. Records shall must be available for inspection by a Wildlife Enforcement officer at any time during normal business hours. Wildlife Damage Control Agent status shall be revoked at any time by the Executive Director when there is evidence of violations of wildlife laws, failure to report, or inhumane treatment of animals by the WDCA. A WDCA may not charge for the permit, but may charge for his or her investigations and control services. In order to maintain a knowledge of current laws, rules, and techniques, each WDCA shall must renew his or her agent status every three years by showing proof of having attended at least one training course provided for the purpose of reviewing and updating information on wildlife laws, laws and safe, humane wildlife handling techniques within the previous 12 months.

(c) Each depredation permit shall have an expiration date or time after which the depredation permit is no longer valid. The depredation permit authorizes possession of any wildlife resources taken under the permit and shall-must be retained as long as the wildlife resource is in the permittee's possession. All individuals taking wildlife resources under the authority of a depredation permit are obligated to the conditions written on the permit and the requirements specified in this Rule.

(d) Manner of Taking:

- (1) Taking Without a Permit. Wildlife taken without a permit while committing depredations to property may, during the open season on the species, be taken by the landholder by any lawful method. During the closed season, season such depredating wildlife may be taken without a permit only by the use of firearms or archery equipment as defined in 15A NCAC 10B .0116.
- (2) Taking With a Permit. Wildlife taken under a depredation permit may be taken only by the method or methods authorized by the permit. When trapping is authorized, in order to limit the taking to the intended purpose, the permit may specify a reasonable distance from the property sought to be protected, according to the particular circumstances, within which the traps shall must be set. The Executive Director or agent may also state in a permit authorizing trapping whether or

not bait may be used and the type of bait, if any, that is authorized. In addition to any trapping restrictions that may be contained in the ~~permit, permit~~ the method of trapping ~~shall must~~ be in accordance with the requirements and restrictions imposed by G.S. 113-291.6 and other local laws passed by the General Assembly. No depredation permit shall authorize the use of poisons or pesticides in taking wildlife except in accordance with the provisions of the North Carolina Pesticide Law of 1971, the Structural Pest Control Act of 1955, and G.S. 113, Article 22A. No depredation permit shall authorize the taking of wildlife by any method by any landholder upon the lands of another except when the individual is listed as a second party on a depredation permit.

- (3) Intentional Wounding. It is unlawful for any landholder, with or without a depredation permit, intentionally to wound a wild animal in a manner so as not to cause its immediate death as suddenly and humanely as the circumstances permit.

(e) Disposition of Wildlife Taken:

- (1) Generally. Except as provided by the succeeding Subparagraphs of this Paragraph, any wildlife killed without a permit while committing depredations shall be buried or otherwise disposed of in a safe and sanitary manner on the property. Wildlife killed under a depredation permit may be transported to an alternate disposal site if desired. Anyone in possession of carcasses of animals being transported under a depredation permit ~~shall must~~ have the depredation permit in his or her possession. Except as provided by ~~the succeeding~~ Subparagraphs of (d)(2) through (5) of this Rule, all wildlife killed under a depredation permit ~~shall must~~ be buried or otherwise disposed of as stated on the permit.
- (2) Deer and feral swine. The edible portions of feral swine and deer may be retained by the landholder for consumption but ~~shall must~~ not be transported from the property where the depredations took place without a valid depredation permit. The landholder may give a second party the edible portions of the feral swine and deer taken under the depredation permit. The receiver of the edible portions ~~shall must~~ hold a copy of the depredation permit. The nonedible portions of any deer carcass, including head, hide, feet, and antlers, shall be disposed of as specified in Subparagraph (1) of this Paragraph or turned over to a wildlife enforcement officer for disposition.
- (3) Fox. Any fox killed under a depredation permit may be disposed of as described in Subparagraph (1) of this Paragraph or, upon compliance with the fur tagging requirements of 15A NCAC 10B .0400, the carcass or pelt thereof may be sold to a licensed fur dealer.
- (4) Furbearing Animals. The carcass or pelt of any furbearing animal killed during the open season for taking such furbearing animal for control of depredations to property, whether with or without a permit, may be sold to a licensed fur dealer provided that the person offering such carcass or pelt for sale has a valid hunting or trapping ~~license; license,~~ provided further that, bobcats and otters may only be sold upon compliance with any required fur tagging requirement set forth in 15A NCAC 10B .0400.

(5) Animals Taken Alive. Wild animals in the order Carnivora, armadillos, groundhogs, nutria, and beaver shall be humanely euthanized either at the site of capture or at a facility designed to humanely handle the euthanasia or released on the property where captured. Feral swine shall ~~must~~ be euthanized while still in the trap in accordance with G.S. 113-291.12. For all other animals taken alive, the animal shall ~~must~~ be euthanized or ~~else~~ released on property with permission of the landowner. When the relocation site is public property, written permission must be obtained from an appropriate local, state, state or federal official before any animal may be released. Animals transported or held for euthanasia must be euthanized within 12 hours of capture. Anyone in possession of live animals being transported for relocation or euthanasia under a depredation permit shall ~~must~~ have the depredation permit in his or her possession.

(f) Reporting Requirements. Any landholder who kills an alligator, deer, Canada goose, bear or wild turkey under a valid depredation permit shall report such kill on the form provided with the permit and mail the form upon the expiration date to the Wildlife Resources Commission. . Any landowner who kills a coyote in the counties of Beaufort, Dare, Hyde, Tyrrell and Washington ~~[Dare, Washington, Beaufort, Tyrrell, and Hyde]~~ shall report such kill as directed on the form provided with the depredation permit. [provided.] The killing and method of disposition of every ~~alligator~~ [alligator, alligator and bear, or coyote in the counties of Beaufort, Dare, Hyde, Tyrrell or Washington ~~[Dare, Washington, Beaufort, Tyrrell, and Hyde,] and bear~~ taken without a permit shall be reported to the Wildlife Resources Commission within 24 hours following the time of such killing.

History Note: Authority G.S. 113-134; 113-273; 113-274; 113-291.4; 113-291.6; 113-300.1; 113-300.2; 113-307; 113-331; 113-333; 113-334(a); 113-337;
Eff. February 1, 1976;
Amended Eff. May 1, 2015; August 1, 2013; January 1, 2012; August 1 2010; July 1, 2010; May 1, 2008; August 1, 2002; July 1, 1997; July 1, 1995; January 1, 1995; January 1, 1992; August 1, 1990.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0114

DEADLINE FOR RECEIPT: Friday, April 10, 2015

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In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a)(1), by whom is the field trial authorized? How is the decision whether to authorize a field trial made? Is there another rule or statute that you can cross-reference to provide additional information as to the process and determining factors? This information may be better suited to be provided in (h).

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0114 Dog training and field trials is amended as published in 29:11 NCR 1359-1360 as follows::

2
3 **15A NCAC 10B .0114 DOG TRAINING AND FIELD TRIALS**

4 (a) For purposes of Subchapters B and D, the following definitions apply:

5 (1) "Commission-sanctioned field trial" means a field trial that, pursuant to a written request from the
6 sponsoring organization, has been authorized in writing and scheduled for occurrence by an
7 authorized representative of the Wildlife Resources Commission.

8 (2) "Active participant" means a person participating in a field trial who handles dogs or uses a
9 firearm.

10 ~~(b) (a) Except as provided in Paragraphs (b) and (c) of this Rule, each~~ Each person using wildlife to train or run
11 ~~engaged in training or running a dog or dogs and each active participant in a field trial shall have obtained shall~~
12 ~~possess a North Carolina hunting license. The term "active participant" as used herein includes each person who~~
13 ~~owns or handles dogs, carries a firearm, or is a member of an organized group engaged in the conduct of a field trial,~~
14 ~~but does not include a person who is observing a field trial incidentally or who has stopped to witness a part of it.~~

15 ~~(c) (b) A person serving as judge of a commission-sanctioned field trial is exempted from any license requirements.~~
16 ~~and any nonresident participating therein may do so without having a North Carolina license, provided the~~
17 ~~nonresident has in his possession a valid hunting license issued by the state of his residence. A "commission-~~
18 ~~sanctioned" field trial is one that, pursuant to a written request from the sponsoring organization, has been~~
19 ~~authorized in writing and scheduled for occurrence by an authorized representative of the Wildlife Resources~~
20 ~~Commission. Judges of non-sanctioned field trials using wildlife shall possess a North Carolina hunting license.~~

21 (d) Except as exempted in Paragraph e of this Rule, the following applies to active participants in field trials:

22 (1) North Carolina residents participating in any field trial that uses wildlife shall have a N.C. hunting
23 license;

24 (2) non-residents participating in a commission- sanctioned field trial that uses wildlife shall possess a
25 N.C. hunting license or a hunting license from his or her state of residence; and

26 (3) non-residents participating in other types of field trials that use wildlife shall possess a N.C.
27 hunting license

28 ~~(e) (e)~~ Persons without a license may participate in commission-sanctioned field trials for beagles conducted
29 without firearms on private field trial areas that are fenced in accordance with G.S. 113-276(k).

30 ~~(f) (d)~~ Except as allowed by rules pertaining to authorized field trials, it is unlawful to carry axes, saws or climbing
31 irons while training or running dogs during closed season on game animals.

32 ~~(g) (e)~~ On a commission-sanctioned field trial for retrievers or bird dogs, shotguns containing live ammunition or
33 firearms using only blank ammunition may be used only when the application for and the authorization of the field
34 trial so provide. No wild waterfowl, quail or pheasant shall be used in field trials when shotguns with live
35 ammunition are permitted. All waterfowl, quail and pheasants so used shall be obtained from a licensed game bird
36 propagator. Each specimen of waterfowl so obtained shall be marked by one of the methods provided by 50 C.F.R.
37 21.13. Each pheasant or quail so obtained shall be banded by the propagator prior to delivery with a leg band that is

1 imprinted with the number of his or her propagation license. The purchaser of the birds shall obtain a copy of the
2 receipt from the propagator showing the date and the number and species of birds purchased. The copy of the
3 receipt shall be available for inspection by any authorized agent of the Wildlife Resources Commission during the
4 time and at the place where the trial is being held.

5 ~~(h)(f)~~ Applications for authorization of a field trial shall be submitted in writing to a Wildlife Enforcement Officer
6 at least 30 days prior to the scheduled event.

7 ~~(i)(g)~~ Pursuant to G.S. 113-291.1(d), hunters may train dogs using shotguns with shot of number 4 size or smaller
8 during the closed season using domestically raised waterfowl and domestically raised game birds. Only nontoxic
9 shot shall be used when training dogs using domestically raised waterfowl. All domestically raised waterfowl shall
10 be individually tagged on one leg with a seamless band stamped with the number of the propagation license for the
11 facility from which the domestically raised waterfowl originated. All other domestically raised game birds shall be
12 individually tagged on one leg with a band indicating the propagation license number for the facility from which the
13 birds originated.

14
15 *History Note:* Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 C.F.R. 21.13;
16 Eff. February 1, 1976;

17 Amended Eff. May 1, 2015, January 1, 2013; January 1, 2012; May 1, 2006; July 1, 1995; July 1,
18 1994; July 1, 1991; May 1, 1990.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0202

DEADLINE FOR RECEIPT: Friday, April 10, 2015

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In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a)(3), please add commas in between "Brunswick" and "Columbus" and "Columbus" and "and Robeson."

In (b)(2), please delete the "or" at the end of (b)(2)(A) and (b)(2)(B).

In (b)(2)(D), please add a comma in between "scent balls" and "and scent powders" for purposes of consistency.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0202 Bear is amended as published in 29:11 NCR 1309-1310 as follows:

3 **15A NCAC 10B .0202 BEAR**

4 (a) Open Seasons for hunting bear shall be from the:

- 5 (1) Monday on or nearest October 15 to the Saturday before Thanksgiving and the third Monday after
6 Thanksgiving to January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland counties.
- 7 (2) Second Monday in November to January 1 in all of Bladen, Carteret, Cumberland, Duplin, New
8 Hanover, Onslow, Pamlico, Pender, and Sampson counties.
- 9 (3) First Monday in December to the third Saturday thereafter in Brunswick Columbus and Robeson
10 counties.
- 11 (4) Second Monday in November to the following Saturday and the third Monday after Thanksgiving
12 to the fifth Saturday after Thanksgiving in all of Beaufort, Camden, Chowan, Craven, Dare,
13 Edgecombe, Greene, Halifax, Hyde, Jones, Lenoir, Martin, Nash, Northampton, Pasquotank, Pitt,
14 Tyrrell, Washington, Wayne, and Wilson counties.
- 15 (5) Saturday preceding the second Monday in November to the following Saturday and the third
16 Monday after Thanksgiving to the fifth Saturday after Thanksgiving in Bertie, Currituck, Gates,
17 Hertford, and Perquimans counties.
- 18 (6) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A
19 NCAC 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham,
20 Davie, Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell,
21 Johnston, Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph,
22 Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Warren, Wake, and
23 Yadkin counties.

24 (b) Restrictions

- 25 (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain,
26 fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw
27 components. ~~not a processed food product as defined in G.S. 113-294(r) and is not a bear bait~~
28 ~~attractant, including scented sprays, aerosols, scent balls, and scent powders.~~
- 29 (2) Bears shall not be taken with the use or aid of:
- 30 (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or
31 product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum,
32 candy block, oils, spices, peanut butter, or grease; or
- 33 (B) any extracts of substances identified in Part A of this Subparagraph; or
- 34 (C) any substances modified by substances identified in Part A of this Subparagraph,
35 including any extracts of those substances; or
- 36 (D) any bear bait attractant, including sprays, aerosols, scent balls and scent powders.

~~(2)(3)~~ Bears may be taken with the aid of bait from the first open Monday through the following Saturday only in the counties in Subparagraphs (a)(1) through (a)(5) of this Rule. In counties with a season split into two or more segments, this Subparagraph applies only to the first segment.

~~(3)(4)~~ Bears shall not be taken while in the act of consuming bait.

~~(4)(5)~~ Bears may be taken with the aid of bait during the entire open season in the counties identified in Subparagraph (a)(6) of this Rule.

~~(5)(6)~~ Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85, Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.

(c) No Open Season. There is no open season in those parts of counties included in the following posted bear sanctuaries:

Avery, Burke, and Caldwell counties--Daniel Boone bear sanctuary except by permit only

Beaufort, Bertie, and Washington counties--Bachelor Bay bear sanctuary

Beaufort and Pamlico counties--Gum Swamp bear sanctuary

Bladen County--Suggs Mill Pond bear sanctuary

Brunswick County--Green Swamp bear sanctuary

Buncombe, Haywood, Henderson, and Transylvania counties--Pisgah bear sanctuary

Carteret, Craven, and Jones counties--Croatan bear sanctuary

Clay County--Fires Creek bear sanctuary

Columbus County--Columbus County bear sanctuary

Currituck County--North River bear sanctuary

Dare County--Bombing Range bear sanctuary except by permit only

Haywood County--Harmon Den bear sanctuary

Haywood County--Sherwood bear sanctuary

Hyde County--Gull Rock bear sanctuary

Hyde County--Pungo River bear sanctuary

Jackson County--Panther town-Bonas Defeat bear sanctuary

Macon County--Standing Indian bear sanctuary

Macon County--Wayah bear sanctuary

Madison County--Rich Mountain bear sanctuary

McDowell and Yancey counties--Mt. Mitchell bear sanctuary except by permit only

Mitchell and Yancey counties--Flat Top bear sanctuary

Wilkes County--Thurmond Chatham bear sanctuary

(d) The daily bag limit is one, the possession limit is one, and the season limit is one.

(e) Kill Reports. The carcass of each bear shall be ~~tagged and the kill~~ reported as provided by 15A NCAC 10B .0113.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002;
Amendment Eff. August 1, 2002;
Temporary Amendment Eff. September 1, 2003;
Temporary Amendment Expired Eff. December 27, 2003;
Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May
1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0203

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In the history note, please remove the space between August 1 and the comma on line 15.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0203 Deer (White-tailed) is amended as published in 29:11 NCR 1310-1313 as follows:

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

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

5 (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as
6 distinguished from knobs or buttons covered by skin or velvet, may be taken during the following
7 seasons:

8 (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bertie, Bladen,
9 Brunswick, Camden, Carteret, Chowan, Columbus*, Cumberland, Craven, Currituck,
10 Dare, Duplin, Edgecombe, Franklin, Gates, Greene, Halifax, Harnett, Hertford, Hoke,
11 Hyde, Johnston, Jones, Lenoir, Martin, Moore, Nash, New Hanover, Northampton,
12 Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond**, Robeson,
13 Sampson, Scotland**, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson
14 counties.

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

16 **Refer to 15A NCAC 10D .0103(h) for seasons on Nicholson Creek, Rockfish Creek,
17 and Sandhills Game Lands.

18 (B) Saturday before Thanksgiving through January 1 in all of Alexander, Alleghany, Ashe,
19 Catawba, Davie, Forsyth, Gaston, Iredell, Lincoln, Stokes, Surry, Watauga, Wilkes*, and
20 Yadkin counties.

21 *Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove game land.

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

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

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

1 (F) Monday of Thanksgiving week through ~~January 1 the fifth Saturday after Thanksgiving~~
2 ~~Day~~ in all of Cleveland, Polk, and Rutherford counties, except for South Mountain Game
3 Land.

4 (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open
5 seasons and in the counties and portions of counties listed in Parts A, B, C, D, E, F, and G of this
6 Subparagraph: (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game ~~Lands~~);
7 Lands). Deer of either sex may be taken during the open season identified in Part H of this
8 Subparagraph.

9 (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service
10 during the period from the Saturday on or nearest September 10 through January 1 in
11 those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp
12 National Wildlife Refuge; in those parts of Hyde, Tyrrell and Washington counties
13 known as the Pocosin Lakes National Wildlife Refuge; in those parts of Anson and
14 Richmond counties known as the Pee Dee National Wildlife Refuge; and in those parts of
15 Currituck County known as the Currituck National Wildlife Refuge and the Mackay
16 Island National Wildlife Refuge.

17 (B) The open either-sex deer hunting dates established by the appropriate military commands
18 during the period from Saturday on or nearest October 15 through January 1 in that part
19 of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of
20 Craven County known and marked as Cherry Point Marine Base, in that part of Onslow
21 County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military
22 Reservation, and on Camp Mackall Military Reservation.

23 (C) Youth either-sex deer hunts. First Saturday in October for youth either-sex deer hunting
24 by permit only on a portion of Belews Creek Steam Station in Stokes County designated
25 by agents of the Commission; the third Saturday in October for youth either-sex deer
26 hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties;
27 and the second Saturday in November for youth either-sex deer hunting by permit only
28 on apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County
29 designated by agents of the Commission. A youth is defined as a person under 16 years
30 of age.

31 (D) The last open day of the Deer with Visible Antlers season described in Subparagraph
32 (a)(1) of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and
33 Transylvania counties.**

34 *Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers,
35 west of US 25, and north of NC 280

36 **Refer to 15A NCAC 10D .0103 for either-sex deer seasons on game lands that differ
37 from the days identified in this Subparagraph

- 1 (E) The last six open days of the Deer With Visible Antlers season described in
2 Subparagraph (a)(1) of this Rule in all of Avery, Burke, Caldwell, McDowell, Mitchell,
3 and Yancey counties.
- 4 (F) The first six open days and the last ~~seven~~ ~~six~~ open days of the Deer with Visible Antlers
5 season described in Subparagraph (a)(1) of this Rule in all of Cleveland, Polk, and
6 Rutherford counties.
- 7 (G) All the open days of the Deer With Visible Antlers season described in Subparagraph
8 (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln,
9 and Gaston counties and in the following parts of counties:
10 Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers,
11 west of US 25, and north of NC 280; and
12 Henderson. That part east of NC 191 and north and west of NC 280.
- 13 (H) The fourth Saturday in September, subject to the following restriction: only persons
14 under the age of 16 years may hunt.

15 (b) Open Seasons (Bow and Arrow) for hunting deer:

- 16 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag
17 limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow
18 during the following seasons:
- 19 (A) Saturday on or nearest September 10 to the third Friday thereafter in the counties and
20 parts of counties having the open season for Deer With Visible Antlers specified by Part
21 (A) of Subparagraph (a)(1) of this Rule, except on Nicholson Creek, Rockfish Creek, and
22 Sandhills Game Lands.
- 23 (B) Saturday on or nearest September 10 to the third Friday before Thanksgiving in the
24 counties and parts of counties having the open seasons for Deer with Visible Antlers
25 specified by Part (B) of Subparagraph (b)(1) of this Rule except for that portion of
26 Buffalo Cove Game Land in Wilkes County.
- 27 (C) Saturday on or nearest September 10 to the Sunday prior to the opening of the
28 blackpowder firearms and bow and arrow season identified in Part (c)(1)(C) of this Rule;
29 and the Sunday immediately following the closing of blackpowder firearms and bow and
30 arrow season identified in Part (c)(1)(C) of this Rule to the Sunday before Thanksgiving
31 in the counties and parts of counties having the open seasons for Deer With Visible
32 Antlers specified by Part (C) of Subparagraph (a)(1) of this Rule and in Cleveland, Polk,
33 and Rutherford counties.
- 34 (D) Saturday on or nearest September 10 to the fourth Friday before Thanksgiving in the
35 counties and parts of counties having the open season for Deer With Visible Antlers
36 specified by Part (D) of Subparagraph (b)(1) of this Rule, and on Nicholson Creek,
37 Rockfish Creek, and Sandhills Game Lands.

1 (2) Restrictions

2 (A) Dogs may not be used for hunting deer during the bow and arrow season, except a single
3 dog on a leash may be used to retrieve a wounded deer in accordance with G.S. 113-
4 291.1(k).

5 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
6 may be used during the bow and arrow deer hunting season.

7 (c) Open Seasons (Blackpowder Firearms and Bow and Arrow) for hunting deer:

8 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may
9 be taken only with blackpowder firearms and bow and arrow during the following seasons:

10 (A) The Saturday on or nearest October 1 to the Friday of the second week thereafter in the
11 counties and parts of counties having the open seasons for Deer With Visible Antlers
12 specified by Part (A) of Subparagraph (a)(1) of this Rule, except on Nicholson Creek,
13 Rockfish Creek, and Sandhills Game Lands.

14 (B) The third Saturday preceding Thanksgiving until the Friday of the second week thereafter
15 in the counties* and parts of counties having the open seasons for Deer With Visible
16 Antlers specified by Part (B) of Subparagraph (a)(1) of this Rule.

17 *Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove game land.

18 (C) Monday on or nearest October 1 to the Saturday of the second week thereafter in
19 Cleveland, Polk, and Rutherford counties and in the counties and parts of counties having
20 the open seasons for Deer With Visible Antlers specified by Part C of Subparagraph
21 (a)(1) of this Rule.

22 (D) The fourth Saturday preceding Thanksgiving until the Friday of the second week
23 thereafter in the counties and parts of counties having the open season for Deer With
24 Visible Antlers specified by Part (D) of Subparagraph (a)(1) of this Rule, and on
25 Nicholson Creek, Rockfish Creek, and Sandhills Game Lands.

26 (2) Restrictions

27 (A) Deer of either sex may be taken during blackpowder firearms and bow and arrow season
28 in and east of the following counties: Polk, Rutherford, McDowell, Burke, Caldwell,
29 Watauga, and Ashe. Deer of either sex may be taken on the last day of this season only
30 in all other counties.

31 (B) Dogs shall not be used for hunting deer during the blackpowder firearms and bow and
32 arrow seasons, except a single dog on a leash may be used to retrieve a wounded deer in
33 accordance with G.S. 113-291.1(k).

34 (3) As used in this Paragraph, blackpowder firearms means "Any firearm - including any firearm with
35 a matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or
36 before 1898; any replica of this type of firearm if such replica is not designed or redesigned for
37 using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-

1 loading shotgun, or muzzle-loading handgun that is designed to use blackpowder, blackpowder
2 substitute, or any other propellant loaded through the muzzle and that cannot use fixed
3 ammunition."

4 (d) Open Season (Urban Season) for hunting deer:

5 (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag
6 limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow in
7 participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following
8 January 1 to the fifth Saturday thereafter. Deer shall not be taken on any game land or part thereof
9 that occurs within a city boundary.

10 (2) Participation. Cities that intend to participate in the urban season must send a letter to that effect
11 no later than April 1 of the year prior to the start of the urban season to the Executive Director or
12 his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1722. Cities must also submit a
13 map of the city's boundaries within which the urban season shall apply.

14 (3) Restrictions:

15 (A) Dogs shall not be used for hunting deer during the urban season, except a single dog on a
16 leash may be used to retrieve a wounded deer in accordance with G.S. 113-291.1(k).

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

19 (e) Bag limits. In and east of Vance, Franklin, Wake, Harnett, Moore, and Richmond counties, the possession limit
20 is six deer, up to four of which may be deer with visible antlers. In all other counties of the state the possession limit
21 is six deer, up to two of which may be deer with visible antlers. The season limit in all counties of the State, is six
22 deer. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report
23 cards from the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional
24 antlerless deer per card on lands others than lands enrolled in the Commission's game land program during any open
25 deer season in all counties and parts of counties of the State identified in Part (G) of Subparagraph (a)(2) of this
26 Rule. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the
27 possession and season limit. Hunters may also use the bonus antlerless harvest report cards for deer harvested
28 during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities,
29 except on State-owned game lands. Antlerless deer include males with knobs or buttons covered by skin or velvet as
30 distinguished from spikes protruding through the skin. The bag limits described above do not apply to deer
31 harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e)
32 for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP
33 license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer
34 harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported
35 as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card
36 provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the
37 DMAP and not tagged with DMAP tags may only be harvested during the regularly established deer seasons subject

1 to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or
2 the bonus antlerless harvest report card.

3
4 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2;*
5 *Eff. February 1, 1976;*
6 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1, 1994; July 1,*
7 *1994; July 1, 1993;*
8 *Temporary Amendment Eff. July 1, 1999;*
9 *Amended Eff. July 1, 2000;*
10 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*
11 *Amended Eff. August 1, 2002 (Approved by RRC on 06/21/01 and 04/18/02);*
12 *Temporary Amendment Eff. June 1, 2003;*
13 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July*
14 *17, 2003);*
15 *Amended Eff. August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011;*
16 *July 10, 2010; June 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0219

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (b), please add a comma in between "Tyrell" and "and Washington" for purposes of consistency.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0219 Coyote is amended with changes as published in 29:14 NCR 1697 as follows:

2
3 **15A NCAC 10B .0219 COYOTE**

4 (a) This Rule applies to hunting coyotes. In all counties of the State, except those counties specified in Paragraph b,
5 the following apply:

6 (1) There is no closed season for taking coyotes.

7 (2) Coyotes may be taken on private lands anytime during the day or night.

8 (3) Coyotes may be taken on public lands without a permit from the hours of one-half hour before
9 sunrise until one-half hour after sunset, and from one-half hour after sunset to one-half hour before
10 sunrise by permit only.

11 (b) In the counties of Beaufort, Dare, Hyde, Tyrell and Washington, [Washington, Tyrell and Beaufort,] the
12 following apply:

13 (1) Coyote hunting on public lands is prohibited, except that coyotes may be taken on State-owned
14 game lands by the holder of a permit for a specific special hunt opportunity for coyotes authorized
15 by G.S. 113-264(d). Any special hunt for coyotes pursuant to G.S. 113-264(d) shall only allow
16 hunting from the hours of one-half hour before sunrise until one-half hour after sunset. Contests or
17 competition coyote hunts on public lands are prohibited. If, within a calendar year, two or more
18 red wolves are shot by one or more hunters with a valid special hunt permit for coyotes on State
19 game lands within the five counties identified in this Paragraph, all special hunts for coyotes on
20 State game lands within those five counties shall be suspended for one calendar year.

21 (2) There is no closed season for taking coyotes on private lands. Coyotes may be taken on private
22 lands from hours of one-half hour before sunrise until one-half hour after sunset only.

23 (3) Coyotes may be taken on private lands by permit only, and any take shall be reported within 24
24 hours to the Commission.

25 (4) Coyote hunting permits are in addition to hunting licenses. Individuals exempted from license
26 requirements under the provisions specified in G.S. 113-276 shall [muststill] acquire the coyote
27 hunting permits to hunt coyotes in the counties specified in this Paragraph. Coyote hunting
28 permits are valid for one calendar year and are subject to annual renewal. These permits are non-
29 transferable. Permit holders shall [must] submit their harvest reports in order to be eligible for
30 permit renewal.

31 ~~(b)(c)~~ There are no bag limit restrictions on coyotes.

32 ~~(c)(d)~~ Manner of Take. Hunters may use electronic calls and artificial lights.

33
34 *History Note: Authority G.S. 113-134; 113-264; 113-291.1; 113-291.2;*

35 *Eff. July 1, 1993;*

36 *Temporary Amendment Eff. October 1, 2011;*

37 *Amended Eff. January 1, 2012;*

- 1 *Temporary Amendment Eff. August 1, 2012;*
- 2 *Amended Eff. May 1, 2015 July 26, 2013.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0223

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (c), is "Manner of take" as an introduction necessary as you do not have any other introductory statements in this Rule.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0223 Feral swine is amended as published in 29:11 NCR 1313 as follows:

2
3 **15A NCAC 10B .0223 FERAL SWINE**

4 (a) This Rule applies to hunting feral swine. There is no closed season for taking feral swine. Feral swine may be
5 taken on private lands anytime during the day or night. Feral swine may be taken on public lands without a permit
6 from the hours of one-half hour before sunrise until one-half hour after sunset, and from one-half hour after sunset to
7 one-half hour before sunrise by permit only.

8 (b) There are no bag limit restrictions on feral swine.

9 (c) Manner of take. Hunters may use artificial ~~lights.~~ lights and electronic calls.

10
11 *History Note: Authority G.S. 113-129; 113-134; 113-264; 113-291; 113-291.1; 113-291.2;*

12 *Temporary Adoption Eff. October 1, 2011;*

13 *Eff. February 1, 2012;*

14 *Temporary Amendment Eff. August 1, 2012;*

15 *Amended Eff. August 1, 2015; March 21, 2013.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0404

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a), how shall the fox be tagged? Is there a rule of statute that could be cross-referenced?

In (b), what is considered a "proper tag"? Is your regulated public familiar with this? Is there a rule or statute that can be cross-referenced?

In (b)(2), is the "appropriate tag" the same as the "proper tag" on line 6?

In (b), line 22-23, how will your regulated public know when the U.S. Fish and Wildlife Service repeals its tagging requirements?

In (c), line 25, please add a comma following "open season" for purposes of clarity.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10B .0404 Trappers and hunters is amended as published in 29:11 NCR 1313-1314 as follows:

2
3 **15A NCAC 10B .0404 TRAPPERS AND HUNTERS**

4 (a) Every fox taken in an area of open season as provided by G.S. 113-291.4 shall be tagged at the scene of taking.

5 (b) Every person taking any bobcat or otter in this State, or any foxes under a depredation permit, general statute,
6 rule, or local law that permits taking, shall obtain and affix the proper tag to each carcass or pelt before selling or
7 transferring the same to any person or transporting the same for any purpose, except that:

8 (1) A person may transport the same from the place of taking to his North Carolina residence and
9 from his North Carolina residence to a fur tag agent or taxidermist's place of business.

10 (2) A person may transport the same from the place of taking to the nearest place in this State where
11 the appropriate tag may be obtained.

12 (3) The carcass, pelt or mounted specimen is exempt from tagging requirements while in the
13 taxidermist's place of business or after the mount is completed.

14 (4) A licensed trapper may take live foxes during any legal trapping season, except foxes taken under
15 G.S. 113-291.4, without tagging them and sell them to a licensed controlled hunting preserve for
16 fox in accordance with G.S. 113-273(g).

17 No carcass or pelt of any bobcat, otter or fox taken within this State may be removed from the state without a proper
18 fur tag having been affixed thereto, except a licensed taxidermist may ship the same to a tannery for processing.

19 Any carcass or pelt remaining in a person's possession after the end of the season, except those in a licensed
20 taxidermist's place of business or his or her taxidermy preservation facility, shall be properly tagged by him or her
21 within 30 ~~40~~ days following the close of such ~~season~~ season, provided that no tags shall be shipped from the
22 Commission to a person 23 consecutive days from the close of the season. When the U.S. Fish and Wildlife Service
23 repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

24 (c) In any case where the taking of foxes with weapons or traps and the sale thereof is authorized by local
25 legislation, except live foxes taken by licensed trappers who live-trap foxes for sale during any open season the
26 hunter or trapper taking any such fox shall, in the absence of a specific provision to the contrary, obtain and affix the
27 carcass or pelt with a proper tag before selling or transferring the same to any other person, or transporting the same
28 for any purpose than as authorized by Paragraph (a) of this Rule.

29
30 *History Note: Authority G.S. 113-134; 113-276.1; 113-291.4; S.L. 1985, chs. 108, 179, 180, 664 and 722;*

31 *Eff. November 14, 1978;*

32 *Amended Eff. August 1, 2015; August 1, 2010; July 10, 2010; May 1, 2008; July 1, 1994; January*
33 *1, 1992; December 1, 1985; October 1, 1980.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0205

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (b)(5), line 8, please change "which" to "that."

In (b)(6), what are "watercourse-specific regulations"? Where can these be found?

In (b)(7), line 13, should "a" or "one" be before "single hook." Please note that in (b)(8), it is "only one single hook."

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

15A NCAC 10C .0205 Public mountain trout waters is amended as published in 29:11 NCR 1314-1333 as follows:

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS

~~(a) Designation of Public Mountain Trout Waters. For the purposes of this Rule, "artificial lure" means a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell. "Natural bait" means any living or dead organism (plant or animal), or parts thereof, or prepared substances designed to attract fish by the sense of taste or smell. The waters listed herein or in 15A NCAC 10D .0104 are designated as Public Mountain Trout Waters and further classified as Wild Trout Waters or Hatchery Supported Waters. For specific classifications, see Subparagraphs (1) through (6) of this Paragraph. These waters are posted and lists thereof are filed with the clerks of superior court of the counties in which they are located:~~

~~(1) Hatchery Supported Trout Waters. The listed waters in the counties in Subparagraphs (a)(1)(A) through (Y) are classified as Hatchery Supported Public Mountain Trout Waters. Where specific watercourses or impoundments are listed, indentation indicates that the watercourse or impoundment listed is tributary to the next preceding watercourse or impoundment listed and not so indented. This classification applies to the entire watercourse or impoundment listed except as otherwise indicated in parentheses following the listing. Other clarifying information may also be included parenthetically. The tributaries of listed watercourses or impoundments are not included in the classification unless specifically set out therein.~~

~~(A) Alleghany County:~~

~~— New River (not trout water)~~

~~Little River (Whitehead to McCann Dam) [Delayed Harvest Regulations apply to portion between Whitehead and a point 275 yards downstream of the intersection of SR 1128 and SR 1129 as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]~~

~~Brush Creek (NC 21 bridge to confluence with Little River, except where posted against trespass)~~

~~Big Pine Creek~~

~~(Big) Glade Creek~~

~~Bledsoe Creek~~

~~Pine Swamp Creek~~

~~South Fork New River (not trout water)~~

~~Prather Creek~~

~~Cranberry Creek~~

~~Piney Fork~~

~~Meadow Fork~~

~~(B) Ashe County:~~

~~— New River (not trout waters)~~

~~North Fork New River (Watauga County line to Sharp Dam)~~

~~Helton Creek (Virginia State line to New River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~Big Horse Creek (Mud Creek at SR 1363 to confluence with North Fork New River) [Delayed Harvest Regulations apply to portion between SR 1324 bridge and North Fork New River. See Subparagraph (a)(5) of this Rule.]~~

~~Buffalo Creek (SR 1133 bridge to NC 194-88 bridge)~~

~~Big Laurel Creek~~

~~Three Top Creek (portion not on game lands)~~

~~South Fork New River (Todd Island park) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule]~~

~~Cranberry Creek (Alleghany County line to South Fork New River)~~

~~Nathans Creek~~

~~Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)~~

~~Trout Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~Roan Creek~~

~~Beaver Creek~~

~~Old Fields Creek~~

~~(C) — Avery County:~~

~~— Nolichucky River (not trout waters)~~

~~North Toe River — upper (Watauga Street to Roby Shoemaker Wetlands and Family Recreational Park, except where posted against trespass)~~

~~North Toe River — lower (SR 1164 to Mitchell County line, except where posted against trespass)~~

~~— Squirrel Creek~~

~~Elk River (SR 1305 crossing immediately upstream of Big Falls to the Tennessee State line)~~

~~Wildcat Lake~~

~~Catawba River (not trout water)~~

~~Johns River (not trout water)~~

~~Wilson Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]~~

~~Lost Cove Creek [not Hatchery Supported trout water, see Subparagraph (a)(4) of this Rule.]~~

1 ~~Buck Timber Creek [Not Hatchery Supported trout water. See Subparagraph~~
2 ~~(a)(2) of this Rule.]~~
3 ~~Cary Flat Branch [Not Hatchery Supported trout water. See Subparagraph (a)(2)~~
4 ~~of this Rule.]~~
5 ~~Boyde Coffey Lake~~
6 ~~—— Linville River [Land Harbor line (below dam) to Blue Ridge Parkway boundary line,~~
7 ~~except where posted against trespass]~~
8 ~~Milltimber Creek~~
9 (D) ~~—— Buncombe County:~~
10 ~~—— French Broad River (not trout water)~~
11 ~~Ivy Creek (Ivy River) (Dillingham Creek to US 19 23 bridge)~~
12 ~~Dillingham Creek (Corner Rock Creek to Ivy Creek)~~
13 ~~Stony Creek~~
14 ~~Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)~~
15 ~~—— Reems Creek (Sugar Camp Fork to US 19 23 bridge, except where posted against~~
16 ~~trespass)~~
17 ~~Swannanoa River (SR 2702 bridge near Ridgecrest to Wood Avenue Bridge,~~
18 ~~intersection of NC 81W and US 74A in Asheville, except where posted against~~
19 ~~trespass)~~
20 ~~Bent Creek (headwaters to N.C. Arboretum boundary line)~~
21 ~~—— Lake Powhatan~~
22 ~~Rich Branch (downstream from confluence with Rocky Branch)~~
23 ~~Cane Creek (headwaters to SR 3138 bridge)~~
24 (E) ~~—— Burke County:~~
25 ~~—— Catawba River (Muddy Creek to the City of Morganton water intake dam) [Special~~
26 ~~Regulations apply. See Subparagraph (a)(7) of this Rule.]~~
27 ~~South Fork Catawba River (not trout water)~~
28 ~~Henry Fork (lower South Mountains State Park line downstream to SR 1919~~
29 ~~at Ivy Creek)~~
30 ~~Jacob Fork (Shinny Creek to lower South Mountain State Park~~
31 ~~boundary) [Delayed Harvest Regulations apply. See Subparagraph~~
32 ~~(a)(5) of this Rule.]~~
33 ~~Johns River (not trout water)~~
34 ~~—— Parks Creek (portion not on game lands not trout water)~~
35 ~~—— Carroll Creek (game lands portion above SR 1405)~~

- 1 ~~Linville River (portion within Linville Gorge Wilderness Area, and portion~~
2 ~~below Lake James powerhouse from upstream bridge on SR 1223 to Muddy~~
3 ~~Creek)~~
- 4 (F) ~~Caldwell County:~~
- 5 ~~—— Catawba River (not trout water)~~
- 6 ~~Johns River (not trout water)~~
- 7 ~~Wilson Creek (game lands portion downstream of Lost Cove Creek to~~
8 ~~Brown Mountain Beach dam, except where posted against trespass)~~
9 ~~[Delayed Harvest Regulations apply to game lands portion between Lost~~
10 ~~Cove Creek and Phillips Branch. See Subparagraph (a)(5) of this Rule.]~~
- 11 ~~—— Estes Mill Creek (not trout water)~~
- 12 ~~Mulberry Creek (portion not on game lands not trout water)~~
- 13 ~~Boone Fork [Not Hatchery Supported trout water. See Subparagraph (a)(2)~~
14 ~~of this Rule.]~~
- 15 ~~—— Boone Fork Pond~~
- 16 ~~—— Yadkin River (Happy Valley Ruritan Community Park to SR 1515)~~
- 17 ~~Buffalo Creek (mouth of Joes Creek to McCloud Branch)~~
- 18 ~~Joes Creek (first falls upstream of SR 1574 to confluence with Buffalo~~
19 ~~Creek)~~
- 20 (G) ~~Cherokee County:~~
- 21 ~~—— Hiwassee River (not trout water)~~
- 22 ~~Shuler Creek (Joe Brown Highway (SR 1325) bridge to Tennessee line)~~
- 23 ~~Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)~~
- 24 ~~Valley River (headwaters to US 19 business bridge in Murphy)~~
- 25 ~~—— Hyatt Creek (Big Dam Branch to Valley River)~~
- 26 ~~—— Junaluska Creek (Ashturn Creek to Valley River)~~
- 27 (H) ~~Clay County:~~
- 28 ~~—— Hiwassee River (not trout water)~~
- 29 ~~Fires Creek (USFS Road 340A to the foot bridge in the US Forest Service Fires~~
30 ~~Creek Picnic Area) [Delayed Harvest Regulations apply. See Subparagraph~~
31 ~~(a)(5) of this Rule.]~~
- 32 ~~Fires Creek (foot bridge in the US Forest Service Fires Creek Picnic Area to SR~~
33 ~~1300)~~
- 34 ~~Tusquitee Creek (headwaters to lower SR 1300 bridge)~~
- 35 ~~Nantahala River (not trout water)~~
- 36 ~~—— Buck Creek (game land portion downstream of US 64 bridge)~~
- 37 (I) ~~Graham County:~~

~~—— Little Tennessee River (not trout water)~~
~~Calderwood Reservoir (Cheoah Dam to Tennessee State line)~~
~~Cheoah River (not trout water)~~
~~—— Yellow Creek (Lake Santeelah hydropower pipeline to Cheoah River)~~
~~—— Santeelah Reservoir (not trout water)~~
~~—— West Buffalo Creek~~
~~Santeelah Creek (Johns Branch to Lake Santeelah)~~
~~Big Snowbird Creek (USFS foot bridge at the old railroad junction to~~
~~USFS Road 2579) [Delayed Harvest Regulations apply. See~~
~~Subparagraph (a)(5) of this Rule.]~~
~~(Big) Snowbird Creek (USFS Road 2579 to SR 1127 bridge)~~
~~—— Tulula Creek (headwaters to lower bridge on SR 1275)~~
~~—— Cheoah Reservoir~~
~~—— Fontana Reservoir (not trout water)~~
~~—— Stecoah Creek~~
~~—— Panther Creek (confluence of Stand Creek and Rock Creek to Lake~~
~~Fontana)~~

(J) ~~—— Haywood County:~~

~~—— Pigeon River (Stamey Cove Branch to upstream US 19 23 bridge)~~
~~Cold Springs Creek (Fall Branch to Pigeon River)~~
~~Jonathan Creek (upstream SR 1302 bridge to Pigeon River, except where posted~~
~~against trespass)~~
~~Richland Creek (Russ Avenue (US 276) bridge to US 19 bridge)~~
~~West Fork Pigeon River (Tom Creek to the first game land boundary upstream~~
~~of Lake Logan) [Delayed Harvest Regulations apply to the portion from Queen~~
~~Creek to the first game land boundary upstream of Lake Logan. See~~
~~Subparagraph (a)(5) of this Rule.]~~

(K) ~~—— Henderson County:~~

~~(Rocky) Broad River (Rocky River Lane to Rutherford County line)~~
~~Green River (Lake Summit Powerhouse to game land boundary)~~
~~—— (Big) Hungry River (SR 1885 to Green River)~~
~~—— French Broad River (not trout water)~~
~~Cane Creek (railroad bridge upstream of SR 1551 to US 25 bridge)~~
~~Mud Creek (not trout water)~~
~~—— Clear Creek (Laurel Fork to SR 1582)~~
~~Mills River (not trout water)~~

~~North Fork Mills River (Hendersonville watershed to the lower game land boundary). [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~(L) Jackson County:~~

~~Tuckasegee River (confluence with West Fork Tuckasegee River to SR 1534 bridge at Wilmot) [Delayed Harvest Regulations apply to that portion between the downstream NC 107 bridge and the falls located 275 yards upstream of US 23 441 bridge as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]~~

~~Scott Creek (entire stream, except where posted against trespass)~~

~~Dark Ridge Creek (Jones Creek to Scotts Creek)~~

~~Savannah Creek (Headwaters to Bradley's Packing House on NC 116)~~

~~Greens Creek (Greens Creek Baptist Church on SR 1730 to Savannah Creek)~~

~~Cullowhee Creek (Tilley Creek to Tuckasegee River)~~

~~Cedar Cliff Lake~~

~~Bear Creek Lake~~

~~Wolf Creek [Not Hatchery Supported trout water. See Subparagraph (a)(2) of this Rule.]~~

~~Wolf Creek Lake~~

~~Balsam Lake~~

~~Tanasee Creek [Not Hatchery Supported trout water. See Subparagraph (a)(2) of this Rule.]~~

~~Tanasee Creek Lake~~

~~(M) Macon County:~~

~~Little Tennessee River (not trout water)~~

~~Nantahala River (Nantahala Dam to Swain County line) [Delayed Harvest Regulations apply to the portion from Whiteoak Creek to the Nantahala hydropower discharge canal. See Subparagraph (a)(5) of this Rule.]~~

~~Queens Creek Lake~~

~~Burningtown Creek (Left Prong to Little Tennessee River)~~

~~Cullasaja River (Sequoyah Dam to US 64 bridge near junction of SR 1672)~~

~~Cliffside Lake~~

~~Cartoogechaye Creek (downstream US 64 bridge to Little Tennessee River)~~

~~(N) Madison County:~~

~~French Broad River (not trout water)~~

~~Shut in Creek~~

~~West Fork Shut in Creek (lower game land boundary to confluence with East Fork Shut in Creek)~~

~~Spring Creek — upper (junction of NC 209 and NC 63 to US Forest Service road 223)~~

~~Spring Creek — lower (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Avenue) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~—— Meadow Fork Creek~~

~~—— Roaring Fork (Fall Branch to Meadow Fork)~~

~~—— Max Patch Pond~~

~~Big Laurel Creek (Mars Hill Watershed boundary to the SR 1318 bridge, also known as Big Laurel Road bridge, downstream of Bearpen Branch)~~

~~Big Laurel Creek (NC 208 bridge to US 25 70 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~—— Spillecorn Creek~~

~~—— Shelton Laurel Creek (confluence of Big Creek and Mill Creek to NC 208 bridge at Belva)~~

~~Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~—— Puncheon Fork (Hampton Creek to Big Laurel Creek)~~

~~Big Pine Creek (SR 1151 bridge to French Broad River)~~

~~Ivy Creek (not trout waters)~~

~~Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence with Ivy Creek at Forks of Ivy)~~

(O) ~~—— McDowell County:~~

~~—— Catawba River — upper (Catawba Falls Campground to Old Fort Recreation Park)~~

~~—— Catawba River — lower (portion adjacent to Marion Greenway) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~Buck Creek (portion not on game lands, not trout water)~~

~~—— Little Buck Creek (game land portion)~~

~~—— Curtis Creek game lands portion downstream of US Forest Service boundary at Deep Branch. [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~North Fork Catawba River (headwaters to SR 1569 bridge)~~

~~—— Armstrong Creek (Cato Holler line downstream to upper Greenlee line)~~

~~Mill Creek (upper railroad bridge to I 40 bridge, except where posted against trespass) [Delayed Harvest Regulations apply to that portion between US 70 bridge and I 40 bridge. See Subparagraph (a)(5) of this Rule.]~~

(P) — Mitchell County:

— Nolichucky River (not trout water)

Big Rock Creek (headwaters to NC 226 bridge at SR 1307 intersection)

~~Little Rock Creek (Green Creek Bridge to Big Rock Creek, except where posted against trespass)~~

~~Cane Creek (SR 1219 to SR 1189 bridge) [Delayed Harvest Regulations apply to that portion from NC 226 bridge to SR 1189 bridge. See Subparagraph (a)(5) of this Rule.]~~

~~Grassy Creek (East Fork Grassy Creek to mouth)~~

— East Fork Grassy Creek

North Toe River (Avery County line to SR 1121 bridge)

~~North Toe River (US 19E bridge to NC 226 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

(Q) — Polk County:

— Broad River (not trout water)

North Pacolet River (Joels Creek to NC 108 bridge)

~~Green River (Fishtop Falls Access Area to the natural gas pipeline crossing) [Delayed Harvest Regulations apply to the portion from Fishtop Falls Access Area to Cove Creek. See Subparagraph (a)(5) of this Rule.]~~

(R) — Rutherford County:

~~(Rocky) Broad River (Henderson County line to US 64/74 bridge, except where posted against trespass)~~

(S) — Stokes County:

— Dan River (Virginia State line downstream to a point 200 yards below the end of SR 1421)

(T) — Surry County:

— Yadkin River (not trout water)

Big Elkin Creek (dam 440 yards upstream of NC 268 bridge to a point 265 yards downstream of NC 268 bridge as marked by a sign on each bank)

Ararat River (SR 1727 bridge downstream to the NC 103 bridge)

~~Araat River (NC 103 bridge to US 52 bridge) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

— Stewarts Creek (not trout water)

~~Pauls Creek (Virginia State line to 0.3 mile below SR 1625 bridge—lower Caudle property line)~~

— Fisher River (Cooper Creek) (Virginia State line to Interstate 77)

— Little Fisher River (Virginia State line to NC 89 bridge)

~~Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge below Kapps Mill Dam) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~(U) — Swain County:~~

~~— Little Tennessee River (not trout water)~~

~~Calderwood Reservoir (Cheoah Dam to Tennessee State line)~~

~~Cheoah Reservoir~~

~~Fontana Reservoir (not trout water)~~

~~Alarka Creek (game lands boundary to Fontana Reservoir)~~

~~Nantahala River (Macon County line to existing Fontana Reservoir water level)~~

~~Tuckasegee River (not trout water)~~

~~Deep Creek (Great Smoky Mountains National Park boundary line to Tuckasegee River)~~

~~Connelly Creek (Camp Branch to Tuckasegee River)~~

~~(V) — Transylvania County:~~

~~— French Broad River (confluence of North Fork French Broad River and West Fork French Broad River to the Island Ford Road (SR 1110) Access Area)~~

~~Davidson River (Avery Creek to lower US Forest Service boundary line)~~

~~East Fork French Broad River (Glady Fork to French Broad River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~Little River (confluence of Lake Dense outflow to 100 yards downstream of Hooker Falls) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

~~Middle Fork French Broad River~~

~~West Fork French Broad River (Camp Cove Branch to confluence with North Fork French Broad River)~~

~~(W) — Watauga County:~~

~~— New River (not trout waters)~~

~~— South Fork New River (canoe launch 70 yards upstream of US 421 bridge to lower boundary of Brookshire Park)~~

~~— Meat Camp Creek~~

~~— Norris Fork Creek~~

~~Middle Fork New River (Lake Chetola Dam to South Fork New River)~~

~~— Yadkin River (not trout water)~~

~~Stony Fork (headwaters to Wilkes County line)~~

~~Elk Creek (SR 1510 bridge at Triplett to Wilkes County line, except where posted against trespass)~~
~~Watauga River upper (SR 1114 bridge to NC 194 bridge at Valle Crucis). [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~
~~Watauga River lower (SR 1103 bridge to confluence with Laurel Creek) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule]~~
~~Beech Creek~~
~~Buckeye Creek Reservoir~~
~~Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)~~
~~Coffee Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~
~~Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an unnamed tributary adjacent to the intersection of SR 1201 and SR 1203)~~
~~Laurel Creek~~
~~Cove Creek (SR 1233 bridge at Zionville to SR 1233 bridge at Amantha)~~
~~Dutch Creek (second bridge on SR 1134 to mouth)~~
~~(X) Wilkes County:~~
~~Yadkin River (not trout water)~~
~~Roaring River (not trout water)~~
~~East Prong Roaring River (from Bullhead Creek downstream to Stone Mountain State Park lower boundary) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~
~~East Prong Roaring River (Stone Mountain State Park lower boundary to Brewer's Mill on SR 1943)~~
~~Stone Mountain Creek [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~
~~Middle Prong Roaring River (headwaters to second bridge on SR 1736)~~
~~Bell Branch Pond~~
~~Boundary Line Pond~~
~~West Prong Roaring River (not trout waters)~~
~~Pike Creek~~
~~Pike Creek Pond~~
~~Cub Creek (0.5 miles upstream of SR 2460 bridge to SR 1001 bridge)~~
~~Reddies River (Town of North Wilkesboro water intake dam to confluence with Yadkin River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~

- 1 ~~—Middle Fork Reddies River (Clear Prong) (headwaters to bridge on SR~~
- 2 ~~1580)~~
- 3 ~~South Fork Reddies River (SR 1355 bridge to confluence with Middle~~
- 4 ~~Fork Reddies River)~~
- 5 ~~North Fork Reddies River (Vannoy Creek) (headwaters to Union~~
- 6 ~~School bridge on SR 1559)~~
- 7 ~~Darnell Creek (North Prong Reddies River) (downstream ford on~~
- 8 ~~SR 1569 to confluence with North Fork Reddies River)~~
- 9 ~~—Lewis Fork Creek (not trout water)~~
- 10 ~~South Prong Lewis Fork (Fall Creek to SR 1155 bridge)~~
- 11 ~~—Fall Creek (SR 1300 bridge to confluence with South Prong Lewis Fork~~
- 12 ~~except portions posted against trespass)~~
- 13 ~~Elk Creek—upper (Watauga County line to lower boundary of Blue Ridge~~
- 14 ~~Mountain Club) [Delayed Harvest Regulations apply. See Subparagraph (a)(5)~~
- 15 ~~of this Rule.]~~
- 16 ~~Elk Creek—lower (portion on Leatherwood Mountains development) [Delayed~~
- 17 ~~Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]~~
- 18 (Y) ~~—Yancey County:~~
- 19 ~~—Nolichucky River (not trout water)~~
- 20 ~~Cane River [Bee Branch (SR 1110) to Bowlens Creek]~~
- 21 ~~Bald Mountain Creek (except portions posted against trespass)~~
- 22 ~~—Indian Creek (not trout water)~~
- 23 ~~—Price Creek (junction of SR 1120 and SR 1121 to Indian Creek)~~
- 24 ~~North Toe River (not trout water)~~
- 25 ~~South Toe River (Clear Creek to lower boundary line of Yancey County~~
- 26 ~~recreation park except where posted against trespass)~~
- 27 (2) ~~—Wild Trout Waters. All waters designated as Public Mountain Trout Waters on the game lands~~
- 28 ~~listed in Subparagraph (b)(2) of 15A NCAC 10D .0104, are classified as Wild Trout Waters unless~~
- 29 ~~classified otherwise in Subparagraph (a)(1) of this Rule. The trout waters listed in this~~
- 30 ~~Subparagraph are also classified as Wild Trout Waters.~~
- 31 (A) ~~—Alleghany County:~~
- 32 ~~—Big Sandy Creek (portion on Stone Mountain State Park)~~
- 33 ~~—Stone Mountain Creek (that portion on Stone Mountain State Park)~~
- 34 (B) ~~—Ashe County:~~
- 35 ~~—Big Horse Creek (Virginia State Line to Mud Creek at SR 1363) [Catch and~~
- 36 ~~Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]~~

- 1 ~~—— Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game~~
- 2 ~~Land) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph~~
- 3 ~~(a)(3) of this Rule.]~~
- 4 (C) ~~—— Avery County:~~
- 5 ~~Birchfield Creek (entire stream)~~
- 6 ~~Cow Camp Creek (entire stream)~~
- 7 ~~Cranberry Creek (headwaters to US 19E/NC 194 bridge)~~
- 8 ~~Elk River (portion on Lees McRae College property, excluding the millpond) [Catch and~~
- 9 ~~Release/Artificial Flies Only Regulations apply. See Subparagraph (a)(4) of this~~
- 10 ~~Rule.]~~
- 11 ~~Gragg Prong (entire stream)~~
- 12 ~~Horse Creek (entire stream)~~
- 13 ~~Jones Creek (entire stream)~~
- 14 ~~Kentucky Creek (entire stream)~~
- 15 ~~North Harper Creek (entire stream)~~
- 16 ~~Plumtree Creek (entire stream)~~
- 17 ~~Roaring Creek (entire stream)~~
- 18 ~~Rockhouse Creek (entire stream)~~
- 19 ~~Shawneehaw Creek (portion adjacent to Banner Elk Greenway)~~
- 20 ~~South Harper Creek (entire stream)~~
- 21 ~~Webb Prong (entire stream)~~
- 22 ~~Wilson Creek [Catch and Release/Artificial Lures Only Regulations apply. See~~
- 23 ~~Subparagraph (a)(3) of this Rule.]~~
- 24 (D) ~~—— Buncombe County:~~
- 25 ~~—— Carter Creek (game land portion) [Catch and Release/Artificial Lures only Regulations~~
- 26 ~~apply. See Subparagraph (a)(3) of this Rule.]~~
- 27 (E) ~~—— Burke County:~~
- 28 ~~—— All waters located on South Mountain State Park, except Clear Creek Reservoir, the main~~
- 29 ~~stream of Jacob Fork between the mouth of Shinny Creek and the lower park~~
- 30 ~~boundary where Delayed Harvest Regulations apply, and Henry Fork and tributaries~~
- 31 ~~where Catch and Release/Artificial Lures Only Regulations apply. See~~
- 32 ~~Subparagraphs (a)(3) and (a)(5) of this Rule.~~
- 33 ~~—— Nettle Branch (game land portion)~~
- 34 (F) ~~—— Caldwell County:~~
- 35 ~~—— Buffalo Creek (Watauga County line to Long Ridge Branch including tributaries on game~~
- 36 ~~lands)~~
- 37 ~~—— Joes Creek (Watauga County line to first falls upstream of the end of SR 1574)~~

- 1 ~~—Rockhouse Creek (entire stream)~~
- 2 (G) ~~—Cherokee County:~~
- 3 ~~—Bald Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters~~
- 4 ~~Regulations apply. See Subparagraph (a)(6) of this Rule.]~~
- 5 ~~—Dockery Creek (game land portions, including tributaries) [Wild Trout/Natural Bait~~
- 6 ~~Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]~~
- 7 ~~—North Shoal Creek (game land portions, including tributaries) [Wild Trout/Natural Bait~~
- 8 ~~Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]~~
- 9 (H) ~~—Graham County:~~
- 10 ~~Franks Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See~~
- 11 ~~Subparagraph (a)(6) of this Rule.]~~
- 12 ~~Little Buffalo Creek (entire stream)~~
- 13 ~~South Fork Squally Creek (entire stream)~~
- 14 ~~Squally Creek (entire stream)~~
- 15 (I) ~~—Haywood County~~
- 16 ~~—Hemphill Creek [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph~~
- 17 ~~(a)(6) of the Rule.]~~
- 18 ~~—Hurricane Creek (including portions of tributaries on game lands) [Wild Trout/Natural~~
- 19 ~~Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]~~
- 20 (J) ~~—Jackson County:~~
- 21 ~~Buff Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See~~
- 22 ~~Subparagraph (a)(6) of this Rule.]~~
- 23 ~~—Gage Creek (entire stream)~~
- 24 ~~—North Fork Scott Creek (entire stream)~~
- 25 ~~—Tanasee Creek (entire stream)~~
- 26 ~~—Whitewater River (downstream from Silver Run Creek to South Carolina State line)~~
- 27 ~~—Wolf Creek (entire stream, except Balsam Lake and Wolf Creek Lake)~~
- 28 (K) ~~—Madison County:~~
- 29 ~~—Big Creek (headwaters to the lower game land boundary, including tributaries) [Wild~~
- 30 ~~Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]~~
- 31 (L) ~~—Mitchell County:~~
- 32 ~~—Green Creek (headwaters to Green Creek Bridge, except where posted against trespass)~~
- 33 ~~—Little Rock Creek (headwaters to Green Creek Bridge, including all tributaries, except~~
- 34 ~~where posted against trespass)~~
- 35 ~~—Wiles Creek (game land boundary to mouth)~~
- 36 (M) ~~—Transylvania County:~~
- 37 ~~—All waters located on Gorges State Park~~

- 1 ~~——Whitewater River (downstream from Silver Run Creek to South Carolina State line)~~
- 2 (N) ~~——Watauga County:~~
- 3 ~~Dugger Creek (portions on Blue Ridge Mountain Club, including tributaries) [Catch and~~
- 4 ~~Release/Artificial Lure Only Trout Waters Regulations apply. See Subparagraph (a)(3)~~
- 5 ~~of this Rule.]~~
- 6 ~~——Dutch Creek (headwaters to second bridge on SR 1134)~~
- 7 ~~——Howard Creek (entire stream)~~
- 8 ~~Laurel Creek (portions on Blue Ridge Mountain Club and Powder Horn Mountain~~
- 9 ~~developments, including tributaries) [Catch and Release/Artificial Lure Only Trout~~
- 10 ~~Waters Regulations apply. See subparagraph (a)(3) of this Rule.]~~
- 11 ~~Maine Branch (headwaters to North Fork New River)~~
- 12 ~~North Fork New River (from confluence with Maine and Mine branches to Ashe County~~
- 13 ~~line)~~
- 14 ~~Pond Creek (headwaters to Locust Ridge Road bridge, excluding the pond adjacent to~~
- 15 ~~Coffee Lake) [Catch and Release/Artificial Lure Only Trout Waters Regulations Apply.~~
- 16 ~~See Subparagraph (a)(3) of this Rule.]~~
- 17 ~~——Watauga River (Avery County line to SR 1580 bridge)~~
- 18 ~~——Winkler Creek (lower bridge on SR 1549 to confluence with South Fork New River)~~
- 19 (O) ~~——Wilkes County:~~
- 20 ~~——Big Sandy Creek (portion on Stone Mountain State Park)~~
- 21 ~~Dugger Creek (portions on Blue Ridge Mountain Club, including tributaries) [Catch and~~
- 22 ~~Release/Artificial Lure Only Trout Waters Regulations apply. See Subparagraph (a)(3)~~
- 23 ~~of this Rule.]~~
- 24 ~~——Garden Creek (portion on Stone Mountain State Park)~~
- 25 ~~——Harris Creek and tributaries (portions on Stone Mountain State Park) [Catch and Release~~
- 26 ~~Artificial Lures Only Regulations apply. See Subparagraph (a)(4) of this Rule.]~~
- 27 ~~——Widow Creek (portion on Stone Mountain State Park)~~
- 28 (P) ~~——Yancey County:~~
- 29 ~~——Cattail Creek (Bridge at Mountain Farm Community Road (Private) to NC 197 bridge)~~
- 30 ~~——Lickskillet Creek (entire stream)~~
- 31 ~~——Middle Creek (game land boundary to mouth)~~
- 32 (3) ~~——Catch and Release/Artificial Lures Only Trout Waters. Those portions of designated wild trout~~
- 33 ~~waters as listed in this Subparagraph, including tributaries except as noted, are further classified as~~
- 34 ~~Catch and Release/Artificial Lures Only waters. Only artificial lures having one single hook may~~
- 35 ~~be used. No trout may be harvested or be in possession while fishing these streams:~~
- 36 (A) ~~——Ashe County:~~
- 37 ~~——Big Horse Creek (Virginia State line to Mud Creek at SR 1363 excluding tributaries)~~

- 1 ~~— Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game~~
- 2 ~~— Lands)~~
- 3 (B) ~~— Avery County:~~
- 4 ~~— Wilson Creek (game land portion)~~
- 5 (C) ~~— Buncombe County:~~
- 6 ~~— Carter Creek (game land portion)~~
- 7 (D) ~~— Burke County:~~
- 8 ~~— Henry Fork (portion on South Mountains State Park)~~
- 9 (E) ~~— Jackson County:~~
- 10 ~~— Flat Creek~~
- 11 ~~— Tuckasegee River (upstream of Clarke property)~~
- 12 (F) ~~— McDowell County:~~
- 13 ~~— Newberry Creek (game land portion)~~
- 14 (G) ~~— Watauga County:~~
- 15 ~~Dugger Creek (portions on Blue Ridge Mountain Club, including tributaries)~~
- 16 ~~Laurel Creek (portions on Blue Ridge Mountain Club and Powder Horn Mountain~~
- 17 ~~developments, including tributaries)~~
- 18 ~~Pond Creek (headwaters to Locust Ridge bridge, excluding the pond adjacent to Coffee~~
- 19 ~~Lake)~~
- 20 (H) ~~— Wilkes County:~~
- 21 ~~— Dugger Creek (portions on Blue Ridge Mountain Club, including tributaries)~~
- 22 (4) ~~— Catch and Release/Artificial Flies Only Trout Waters. Those portions of designated wild trout~~
- 23 ~~waters as listed in this Subparagraph, including tributaries except as noted, are further classified as~~
- 24 ~~Catch and Release/Artificial Flies Only waters. Only artificial flies having one single hook may~~
- 25 ~~be used. Harvest or possession of trout while fishing these streams is prohibited;~~
- 26 (A) ~~— Avery County:~~
- 27 ~~— Elk River (portion on Lees McRae College property, excluding the millpond)~~
- 28 ~~— Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)~~
- 29 (B) ~~— Transylvania County:~~
- 30 ~~— Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass~~
- 31 ~~Creek~~
- 32 ~~— and Grogan Creek)~~
- 33 (C) ~~— Yancey County:~~
- 34 ~~— South Toe River (headwaters to Upper Creek, including tributaries)~~
- 35 ~~— Upper Creek (entire stream)~~
- 36 (5) ~~— Delayed Harvest Trout Waters. Those portions of designated Hatchery Supported Trout Waters as~~
- 37 ~~listed in this Subparagraph, excluding tributaries except as noted, are further classified as Delayed~~

~~Harvest Waters. Between 1 October and one half hour after sunset on the Friday before the first Saturday of the following June, inclusive, it is unlawful to possess natural bait, use more than a single hook on an artificial lure, or harvest or possess trout while fishing these waters. These waters are closed to fishing between one half hour after sunset on the Friday before the first Saturday in June and 6:00 a.m. on the first Saturday in June. At 6:00 a.m. on the first Saturday in June these waters are open for fishing under Hatchery Supported Waters rules for youth anglers only. Youth is defined as a person under 16 years of age. At 12:00 p.m. on the first Saturday in June these streams open for fishing under Hatchery Supported Waters rules for all anglers:~~

~~(A) — Alleghany County:~~

~~— Little River (Whitehead to a point 275 yards downstream of the intersection of SR 1128 and SR 1129 as marked by a sign on each bank)~~

~~(B) — Ashe County:~~

~~— Trout Lake~~

~~— Helton Creek (Virginia state line to New River)~~

~~— South Fork New River (Todd Island Park)~~

~~— Big Horse Creek (SR 1324 bridge to North Fork New River)~~

~~(C) — Burke County:~~

~~— Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)~~

~~(D) — Caldwell County:~~

~~— Wilson Creek (game lands portion downstream of Lost Cove Creek to Phillips Branch)~~

~~(E) — Clay County:~~

~~— Fires Creek (USFS Road 340A to the foot bridge in the US Forest Service Fires Creek Picnic Area)~~

~~(F) — Graham County:~~

~~— (Big) Snowbird Creek (USFS foot bridge at the old railroad junction to USFS Road 2579)~~

~~(G) — Haywood County:~~

~~— West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)~~

~~(H) — Henderson County:~~

~~— North Fork Mills River (Hendersonville watershed to the lower game land boundary)~~

~~(I) — Jackson County:~~

~~— Tuckasegee River (downstream NC 107 bridge falls located 275 yards upstream of the US 23 441 bridge as marked by a sign on each bank)~~

~~(J) — Macon County:~~

~~— Nantahala River (Whiteoak Creek to the Nantahala hydropower discharge canal)~~

~~(K) — Madison County:~~

~~— Big Laurel Creek (NC 208 bridge to the US 25 70 bridge)~~

- 1 ~~— Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek)~~
- 2 ~~— Spring Creek (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews~~
- 3 ~~Avenue~~
- 4 (L) ~~— McDowell County:~~
- 5 ~~— Catawba River (portion adjacent to Marion Greenway)~~
- 6 ~~— Curtis Creek (game lands portion downstream of U.S. Forest Service boundary at Deep~~
- 7 ~~Branch~~
- 8 ~~— Mill Creek (US 70 bridge to I 40 bridge)~~
- 9 (M) ~~— Mitchell County:~~
- 10 ~~— Cane Creek (NC 226 bridge to SR 1189 bridge)~~
- 11 ~~— North Toe River (US 19E bridge to NC 226 bridge)~~
- 12 (N) ~~— Polk County:~~
- 13 ~~— Green River (Fishtop Falls Access Area to confluence with Cove Creek)~~
- 14 (O) ~~— Surry County:~~
- 15 ~~— Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge below~~
- 16 ~~Kapps Mill Dam)~~
- 17 ~~— Ararat River (NC 103 bridge to US 52 bridge)~~
- 18 (P) ~~— Transylvania County:~~
- 19 ~~— East Fork French Broad River (Glady Fork to French Broad River)~~
- 20 ~~— Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)~~
- 21 (Q) ~~— Watauga County:~~
- 22 ~~— Watauga River upper (SR 1114 bridge to NC 194 bridge at Valle Crucis)~~
- 23 ~~— Watauga River lower (SR 1103 bridge to confluence with Laurel Creek)~~
- 24 ~~— Coffee Lake~~
- 25 (R) ~~— Wilkes County:~~
- 26 ~~— East Prong Roaring River (from Bullhead Creek downstream to the Stone Mountain State~~
- 27 ~~Park lower boundary)~~
- 28 ~~— Stone Mountain Creek (from falls at Allegheny County line to confluence with East~~
- 29 ~~Prong~~
- 30 ~~— Roaring River and Bullhead Creek in Stone Mountain State Park)~~
- 31 ~~Reddies River (Town of North Wilkesboro water intake dam to confluence with Yadkin~~
- 32 ~~River)~~
- 33 ~~Elk Creek—upper (Watauga County line to lower boundary of Blue Ridge Mountain~~
- 34 ~~Club)~~
- 35 ~~Elk Creek—lower (portion on Leatherwood Mountains development)~~
- 36 (6) ~~— Wild Trout/Natural Bait Waters. Those portions of designated Wild Trout Waters as listed in this~~
- 37 ~~Subparagraph, including tributaries except as noted, are further classified as Wild Trout/Natural~~

~~Bait Waters. All artificial lures and natural baits, except live fish, are allowed provided they are fished using only one single hook. The creel limit, size limit, and open season are the same as other Wild Trout Waters [see 15A NCAC 10C .0316(b)]:~~

~~(A) — Cherokee County:~~

~~—— Bald Creek (game land portions)~~

~~—— Dockery Creek (game land portions)~~

~~—— North Shoal Creek (game land portions)~~

~~(B) — Graham County:~~

~~—— Deep Creek~~

~~—— Long Creek (game land portion)~~

~~—— Franks Creek~~

~~(C) — Haywood County:~~

~~—— Hemphill Creek (including tributaries)~~

~~—— Hurricane Creek (including portions of tributaries on game lands)~~

~~(D) — Jackson County:~~

~~—— Buff Creek~~

~~—— Chattooga River (SR 1100 bridge to South Carolina state line)~~

~~—— (lower) Fowler Creek (game land portion)~~

~~—— Scotsman Creek (game land portion)~~

~~(E) — Macon County:~~

~~—— Chattooga River (SR 1100 bridge to South Carolina state line)~~

~~—— Jarrett Creek (game land portion)~~

~~—— Kimsey Creek~~

~~—— Overflow Creek (game land portion)~~

~~—— Park Creek~~

~~—— Tellico Creek (game land portion)~~

~~—— Turtle Pond Creek (game land portion)~~

~~(F) — Madison County:~~

~~—— Big Creek (headwaters to the lower game land boundary, including tributaries)~~

~~(G) — Transylvania County:~~

~~—— North Fork French Broad River (game land portions downstream of SR 1326)~~

~~—— Thompson River (SR 1152 to South Carolina state line, except where posted against trespass, including portions of tributaries within this section located on game lands)~~

~~(7) — Special Regulation Trout Waters. Those portions of Designated Public Mountain Trout Waters as listed in this Subparagraph, excluding tributaries as noted, are further classified as Special Regulation Trout Waters. Regulations specific to each water are defined below:~~

~~Burke County~~

~~Catawba River (Muddy Creek to City of Morganton water intake dam).~~

~~Regulation: The daily creel limit is 7 trout and only one of which may be greater than 14 inches in length. There are no bait restrictions and no closed season.~~

~~(b) Fishing in Trout Waters~~

~~(1) Hatchery Supported Trout Waters. It is unlawful to take fish of any kind by any manner from designated public mountain trout waters during the closed seasons for trout fishing. The seasons, size limits, creel limits, and possession limits apply in all waters, whether designated or not, as public mountain trout waters. Except in power reservoirs and city water supply reservoirs so designated, it is unlawful to fish in designated public mountain trout waters with more than one line. Night fishing is not allowed in most hatchery supported trout waters on game lands [see 15A NCAC 10D .0104(b)(1)].~~

~~(2) Wild Trout Waters. Except as otherwise provided in Subparagraphs (a)(3), (a)(4), and (a)(6) of this Rule, the following rules apply to fishing in wild trout waters.~~

~~(A) Open Season. There is a year round open season for the licensed taking of trout.~~

~~(B) Creel Limit. The daily creel limit is four trout.~~

~~(C) Size Limit. The minimum size limit is seven inches.~~

~~(D) Manner of Taking. Only artificial lures having only one single hook may be used. No person shall possess natural bait while fishing wild trout waters except those waters listed in Subparagraph (a)(6) of this Rule.~~

~~(E) Night Fishing. Fishing on wild trout waters is not allowed between one half hour after sunset and one half hour before sunrise.~~

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

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

(2) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell.

(3) "Youth anglers" are individuals under 16 years of age.

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

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

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

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

- (4) “Delayed Harvest Trout Waters” are Public Mountain Trout Waters where between October 1 and one-half hour after sunset on the Friday before the first Saturday of the following June it is unlawful to possess natural bait, use more than a single hook on an artificial lure, or harvest or possess trout while fishing. From 6 a.m. on the first Saturday in June until noon that same day only youth anglers may fish and these waters have no bait or lure restrictions. From noon on the first Saturday in June until October 1 anglers of all ages may fish and these waters have no bait or lure restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- (5) “Hatchery Supported Trout Waters” are Public Mountain Trout Waters which have no bait or lure restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- (6) “Special Regulation Trout Waters” are Public Mountain Trout Waters where watercourse-specific regulations apply. Waters designated as such do not include tributaries unless otherwise noted.
- (7) “Wild Trout Waters” are Public Mountain Trout Waters which are identified as such in this Rule or 15A NCAC 10D .0104. Only artificial lures having only single hook may be used. No person shall possess natural bait while fishing these waters. Waters designated as such do not include tributaries unless otherwise noted.
- (8) “Wild Trout Waters/Natural Bait” are Public Mountain Trout Waters where all artificial lures and natural baits, except live fish, may be used provided they are fished using only one single hook. Waters designated as such include tributaries unless otherwise noted.
- (9) “Undesignated Waters” are all other waters in the state. These waters have no bait or lure restrictions. Trout may not be possessed while fishing these waters from March 1 until 7 a.m. on the first Saturday in April.

(c) Seasons, creel and size limits. Seasons, creel and size limits for trout in all waters are listed in 15A NCAC 10C .0316.

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

(1) Alleghany

(A) Delayed Harvest Trout Waters are as follows:

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

(B) Hatchery Supported Trout Waters are as follows:

Big Pine Creek

Bledsoe Creek

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

Cranberry Creek

(Big) Glade Creek

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

Meadow Fork

Pine Swamp Creek

Piney Fork

Prathers Creek

(C) Wild Trout Waters are as follows:

Big Sandy Creek (portion on Stone Mountain State Park)

Stone Mountain Creek (portion on Stone Mountain State Park)

(2) Ashe County

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

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

(B) Delayed Harvest Trout Waters are as follows:

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

Helton Creek (Virginia state line to New River)

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

Trout Lake

(C) Hatchery Supported Trout Waters are as follows:

Beaver Creek (N.C. 221 to South Fork New River)

Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)

Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)

Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)

Cranberry Creek (Alleghany Co. line to South Fork New River)

Nathans Creek

North Fork New River (Watauga Co. line to Sharp Dam)

Old Fields Creek (N.C. 221 to South Fork New River)

Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)

Roan Creek

Three Top Creek (except game land portion)

(3) Avery County

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

Elk River (portion on Lees-McRae College property, excluding the millpond)

Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)

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

Wilson Creek (game land portion)

(C) Hatchery Supported Trout Waters are as follows:

Boyde Coffey Lake

Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state line)

Linville River (Land Harbor line [below dam] to the Blue Ridge Parkway boundary line, except where posted against trespassing)

Milltimber Creek

North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park, except where posted against trespassing)

North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against trespassing)

Squirrel Creek

Wildcat Lake

(D) Wild Trout Waters are as follows:

Birchfield Creek

Cow Camp Creek

Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)

Gragg Prong

Horse Creek

Kentucky Creek

North Harper Creek

Plumtree Creek

Roaring Creek

Rockhouse Creek

Shawneehaw Creek (portion adjacent to Banner Elk Greenway)

South Harper Creek

Webb Prong

(4) Buncombe County

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

Carter Creek (game land portion)

(B) Hatchery Supported Trout Waters are as follows:

Bent Creek (headwaters to N.C. Arboretum boundary line)

Cane Creek (headwaters to S.R. 3138 bridge)

Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)

Dillingham Creek (Corner Rock Creek to Ivy Creek)

Ivy Creek (Ivy River) (Dillingham Creek to U.S. 19-23 bridge)

Lake Powhatan

Reems Creek (Sugar Camp Fork to U.S. 19-23 bridge, except where posted against trespassing)

Rich Branch (downstream from the confluence with Rocky Branch)

Stony Creek

Swannanoa (S.R. 2702 bridge near Ridgecrest to Wood Avenue bridge [intersection of N.C. 81 and U.S. 74A in Asheville], except where posted against trespassing)

(5) Burke County

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

Henry Fork (portion on South Mountains State Park)

(B) Delayed Harvest Trout Waters are as follows:

Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)

(C) Hatchery Supported Trout Waters are as follows:

Carroll Creek (game land portion above S.R. 1405)

Henry Fork (lower South Mountain State Park line downstream to S.R. 1919 at Ivy Creek)

Linville River (portion within Linville Gorge Wilderness area and portion below Lake James powerhouse from upstream bridge on S.R. 1223 to Muddy Creek)

(D) Special Regulation Trout Waters are as follows:

Catawba River (Muddy Creek to City of Morganton water intake dam)

(E) Wild Trout Waters are as follows:

All waters located on South Mountains State Park, except those waters identified in parts A and B of this Subparagraph

(6) Caldwell County

(A) Delayed Harvest Trout Waters are as follows:

Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)

(B) Hatchery Supported Trout Waters are as follows:

Boone Fork Pond

Buffalo Creek (mouth of Joes Creek to McCloud Branch)

Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)

Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted against trespassing)

Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)

(C) Wild Trout Waters are as follows:

Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)

Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)

Rockhouse Creek

(7) Cherokee County

(A) Hatchery Supported Trout Waters are as follows:

Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)

- 1 Hyatt Creek (Big Dam Branch to Valley River)
- 2 Junaluska Creek (Ashturn Creek to Valley River)
- 3 Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)
- 4 Valley River (S.R. 1359 to U.S. 19 business bridge in Murphy)
- 5 (B) Wild Trout Waters/Natural Bait are as follows:
- 6 Bald Creek (game land portion)
- 7 Dockery Creek (game land portion)
- 8 North Shoal Creek (game land portion)
- 9 (8) Clay County
- 10 (A) Delayed Harvest Trout Waters are as follows:
- 11 Fires Creek (USFS Rd. 340A to the foot bridge in the USFS Fires Creek Picnic Area)
- 12 (B) Hatchery Supported Trout Waters are as follows:
- 13 Buck Creek (game land portion downstream of U.S. 64 bridge)
- 14 Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)
- 15 Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- 16 (9) Graham County
- 17 (A) Delayed Harvest Trout Waters are as follows:
- 18 (Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)
- 19 (B) Hatchery Supported Trout Waters are as follows:
- 20 Calderwood Reservoir (Cheoah Dam to Tennessee state line)
- 21 Cheoah Reservoir
- 22 Panther Creek (confluence of Stand Creek and Rock Creek to Lake Fontana)
- 23 Santeelah Creek (Johns Branch to Lake Santeelah)
- 24 (Big) Snowbird Creek (USFS Road 2579 to S.R. 1127 bridge)
- 25 Stecoah Creek (upper game land boundary to Lake Fontana)
- 26 Tulula Creek (S.R. 1201 to lower bridge on S.R. 1275)
- 27 West Buffalo Creek
- 28 Yellow Creek (Lake Santeelah hydropower pipeline to Cheoah River)
- 29 (C) Wild Trout Waters are as follows:
- 30 Little Buffalo Creek
- 31 South Fork Squally Creek
- 32 Squally Creek
- 33 (D) Wild Trout Waters/Natural Bait are as follows:
- 34 Deep Creek
- 35 Franks Creek
- 36 Long Creek (game land portion)
- 37 (10) Haywood County

- (A) Delayed Harvest Trout Waters are as follows:
West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)
- (B) Hatchery Supported Trout Waters are as follows:
Cold Springs Creek (Fall Branch to Pigeon River)
Jonathan Creek (upstream S.R. 1302 bridge to Pigeon River, except where posted against trespassing)
Pigeon River (Stamey Cove Branch to upstream U.S. 19-23 bridge)
Richland Creek (Russ Avenue [U.S. 276] bridge to U.S. 19 bridge)
West Fork Pigeon River (Tom Creek to Queen Creek, including portions on game lands, except Middle Prong)
- (C) Wild Trout Waters/Natural Bait are as follows:
Hemphill Creek
Hurricane Creek
- (11) Henderson County
- (A) Delayed Harvest Trout Waters are as follows:
North Fork Mills River (game land portion below the Hendersonville watershed dam)
- (B) Hatchery Supported Trout Waters are as follows:
(Rocky) Broad River (end of S.R. 1611 to Rutherford Co. line)
Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)
Clear Creek (Laurel Fork to S.R. 1582)
Green River (Lake Summit powerhouse to game land boundary)
(Big) Hungry River
- (12) Jackson County
- (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
Flat Creek
Tuckasegee River (upstream from the Clark property)
- (B) Delayed Harvest Trout Waters are as follows:
Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream of the U.S. 23-441 bridge [marked by a sign on each bank])
- (C) Hatchery Supported Trout Waters are as follows:
Balsam Lake
Bear Creek Lake
Cedar Cliff Lake
Cullowhee Creek (Tilley Creek to Tuckasegee River)
Dark Ridge Creek (Jones Creek to Scott Creek)
Greens Creek (Greens Creek Baptist Church on S.R. 1730 to Savannah Creek)

Savannah Creek (downstream of S.R. 1300 bridge to Cagle Branch)
Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against trespassing)
Tanasee Creek Lake
Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)
Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)
Wolf Creek Lake

(D) Wild Trout Waters are as follows:

Gage Creek
North Fork Scott Creek
Tanasee Creek
Whitewater River (downstream from Silver Run Creek to South Carolina state line)
Wolf Creek (except Balsam Lake and Wolf Creek Lake)

(E) Wild Trout Waters/Natural Bait are as follows:

Buff Creek
Chattooga River (S.R. 1100 bridge to the South Carolina state line)
Lower Fowler Creek (game land portion)
Scotsman Creek (game land portion)

(13) Macon County

(A) Delayed Harvest Trout Waters are as follows:

Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)

(B) Hatchery Supported Trout Waters are as follows:

Burningtown Creek (Left Prong to Little Tennessee River)
Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
Cliffside Lake
Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)
Nantahala River — upper (Dicks Creek to Whiteoak Creek)
Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
Queens Creek Lake

(C) Wild Trout Waters/Natural Bait are as follows:

Chattooga River (S.R. 1100 bridge to South Carolina state line)
Jarrett Creek (game land portion)
Kimsey Creek
Overflow Creek (game land portion)
Park Creek
Tellico Creek (game land portion)

Turtle Pond Creek (game land portion)

(14) Madison County

(A) Delayed Harvest Trout Waters are as follows:

Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)

Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)

Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Ave.)

(B) Hatchery Supported Trout Waters are as follows:

Big Laurel Creek (Mars Hill watershed boundary to the S.R. 1318 [Big Laurel Rd.] bridge downstream of Bearpen Branch)

Big Pine Creek (S.R. 1151 bridge to French Broad River)

Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence with Ivy Creek at Forks of Ivy)

Max Patch Pond

Meadow Fork Creek (S.R. 1165 to Spring Creek)

Puncheon Fork (Hampton Creek to Big Laurel Creek)

Roaring Fork (Fall Branch to Meadow Fork)

Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at Belva)

Shut-in Creek

Spillcorn Creek

Spring Creek (junction of N.C. 209 and N.C. 63 to USFS Rd. 223)

West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-in Creek)

(C) Wild Trout Waters/Natural Bait are as follows:

Big Creek (headwaters to the lower game land boundary)

(15) McDowell County

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

Newberry Creek (game land portion)

(B) Delayed Harvest Trout Waters are as follows:

Catawba River (portion adjacent to Marion Greenway)

Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)

Mill Creek (U.S. 70 bridge to I-40 bridge)

(C) Hatchery Supported Trout Waters are as follows:

Armstrong Creek (Cato Holler line downstream to upper Greenlee line)

Catawba River (Catawba Falls Campground to Old Fort Recreation Park)

Little Buck Creek (game land portion)

- 1 Mill Creek (upper railroad bridge to U.S. 70 bridge, except where posted against
- 2 trespassing)
- 3 North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- 4 (16) Mitchell County
- 5 (A) Delayed Harvest Trout Waters are as follows:
- 6 Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)
- 7 North Toe River (U.S. 19E bridge to N.C. 226 bridge)
- 8 (B) Hatchery Supported Trout Waters are as follows:
- 9 Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)
- 10 Cane Creek (S.R. 1219 to N.C. 226 bridge)
- 11 East Fork Grassy Creek
- 12 Grassy Creek (East Fork Grassy Creek to mouth)
- 13 Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against
- 14 trespassing)
- 15 North Toe River (Avery Co. line to S.R. 1121 bridge)
- 16 (C) Wild Trout Waters are as follows:
- 17 Green Creek (headwaters to Green Creek bridge, except where posted against
- 18 trespassing)
- 19 Little Rock Creek (above Green Creek bridge, including all tributaries, except where
- 20 posted against trespassing)
- 21 Wiles Creek (game land boundary to mouth)
- 22 (17) Polk County
- 23 (A) Delayed Harvest Trout Waters are as follows:
- 24 Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
- 25 (B) Hatchery Supported Trout Waters are as follows:
- 26 Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
- 27 North Pacolet River (Joels Creek to N.C. 108 bridge)
- 28 (18) Rutherford County
- 29 (A) Hatchery Supported Trout Waters are as follows:
- 30 (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted
- 31 against trespassing)
- 32 (19) Stokes County
- 33 (A) Hatchery Supported Trout Waters are as follows:
- 34 Dan River (Virginia state line downstream to a point 200 yards below the end of S.R.
- 35 1421)
- 36 (20) Surry County
- 37 (A) Delayed Harvest Trout Waters are as follows:

Ararat River (N.C. 103 bridge to U.S. 52 bridge)

Mitchell River (.6 mile upstream of the end of S.R. 1333 to the S.R. 1330 bridge below

Karps Mill Dam)

(B) Hatchery Supported Trout Waters are as follows:

Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)

Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards

downstream of N.C. 268 [marked by a sign on each bank])

Fisher River (Cooper Creek) (Virginia state line to I-77 bridge)

Little Fisher River (Virginia state line to N.C. 89 bridge)

Lovills Creek (U.S. 52 Business bridge to Ararat River)

Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)

(21) Swain County

(A) Hatchery Supported Trout Waters are as follows:

Alarka Creek (game land boundary to Fontana Reservoir)

Calderwood Reservoir (Cheoah Dam to Tennessee state line)

Cheoah Reservoir

Connelly Creek (Camp Branch to Tuckasegee River)

Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)

Nantahala River (Macon Co. line to existing Fontana Lake water level)

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

Tuckasegee River (U.S. 19 bridge to Slope Street bridge)

(22) Transylvania County

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

Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass

Creek and Grogan Creek)

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

East Fork French Broad River (Glady Fork to French Broad River)

Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)

(C) Hatchery Supported Trout Waters are as follows:

Davidson River (Avery Creek to lower USFS boundary)

French Broad River (confluence of North Fork French Broad River and West Fork)

French Broad River to the Island Ford Rd. [S.R. 1110] Access Area

Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)

West Fork French Broad River (Camp Cove Branch to confluence with North Fork

French Broad River)

(D) Wild Trout Waters are as follows:

All waters located on Gorges State Park

- 1 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
- 2 (E) Wild Trout Waters/Natural Bait are as follows:
- 3 North Fork French Broad River (game land portion downstream of S.R. 1326)
- 4 Thompson River (S.R. 1152 to South Carolina state line, except where posted against
- 5 trespassing)
- 6 (23) Watauga County
- 7 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 8 Dugger Creek (portions on Blue Ridge Mountain Club)
- 9 Laurel Creek (portions on Blue Ridge mountain Club and Powder Horn Mountain
- 10 Development)
- 11 Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to
- 12 Coffee Lake)
- 13 (B) Delayed Harvest Trout Waters are as follows:
- 14 Coffee Lake
- 15 Watauga River (adjacent to intersection of S.R. 1557 and S.R. 1558 to N.C. 105 bridge
- 16 and S.R. 1114 bridge to N.C. 194 bridge at Valle Crucis)
- 17 (C) Hatchery Supported Trout Waters are as follows:
- 18 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an
- 19 unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)
- 20 Beech Creek
- 21 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
- 22 Buckeye Creek Reservoir
- 23 Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1233 bridge at Amantha)
- 24 Dutch Creek (second bridge on S.R. 1134 to mouth)
- 25 Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against
- 26 trespassing)
- 27 Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)
- 28 Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)
- 29 Middle Fork New River (Lake Chetola dam to South Fork New River)
- 30 Norris Fork Creek
- 31 South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower
- 32 boundary of Brookshire Park)
- 33 Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co.line)
- 34 (D) Wild Trout Waters are as follows:
- 35 Dutch Creek (headwaters to second bridge on S.R. 1134)
- 36 Howard Creek
- 37 Maine Branch (headwaters to North Fork New River)

North Fork New River (from confluence with Maine and Mine branches to Ashe Co. line)

Watauga River (Avery Co. line to S.R. 1580 bridge)

Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)

(24) Wilkes County

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

Dugger Creek (portions on Blue Ridge Mountain club)

Harris Creek (portion on Stone Mountain State Park)

(B) Delayed Harvest Trout Waters are as follows:

East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park lower boundary)

Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain Club)

Elk Creek — lower (portion on Leatherwood Mountains development)

Reddies River (Town of North Wilkesboro water intake dam to confluence with the Yadkin River)

Stone Mountain Creek (from falls at Allegheny Co. line to confluence with East Prong Roaring River and Bullhead Creek)

(C) Hatchery Supported Trout Waters are as follows:

Bell Branch Pond

Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)

Darnell Creek (North Prong Reddies River) (downstream ford on S.R. 1569 to confluence with North Fork Reddies River)

Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where posted against trespassing)

Middle Fork Reddies River (Clear Prong) (headwaters to bridge on S.R. 1580)

Middle Prong Roaring River (headwaters to bridge on S.R. 1736)

North Fork Reddies River (Vannoy Creek) (headwaters to Union School bridge on S.R. 1559)

Pike Creek

Pike Creek Pond

South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies River)

South Prong Lewis Fork (Fall Creek to S.R. 1155 bridge)

(D) Wild Trout Waters are as follows:

Big Sandy Creek (portion on Stone Mountain State Park)

Garden Creek (portion on Stone Mountain State Park)

Widow Creek (portion on Stone Mountain State Park)

(25) Yancey County

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

South Toe River (headwaters to Upper Creek)

Upper Creek

(B) Delayed Harvest Trout Waters are as follows:

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

(C) Hatchery Supported Trout Waters are as follows:

Bald Mountain Creek (except where posted against trespassing)

Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)

Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)

South Toe River (Clear Creek to lower boundary line of Yancey Co. recreation park, except where posted against trespassing)

(D) Wild Trout Waters are as follows:

Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 187 bridge)

Lickskillet Creek

Middle Creek (game land boundary to mouth)

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0206

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (b), please add a comma in between "jug hooks" and "set-hooks" for purposes of consistency as you have used the serial comma in (c). Also, you have hyphenated "jug-hooks" in (a)(2) and (c). Please be consistent.

In (b), are the designated public mountain trout waters those designated in 15A NCAC 10C .0205?

In (b), line 17, did you mean "municipally-owned," rather than "municipally-owed"?

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

15A NCAC 10C .0206 Trotlines and set-hooks is amended as published in 29:11 NCR 1333 as follows:

15A NCAC 10C .0206 TROTTLINES, JUG HOOKS AND SET HOOKS ~~TROTTLINES AND SET HOOKS~~

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

(1) "set-hook" means ~~any~~ a fishing device consisting of a single hook and line having no more than three hooks that is attached at one end only to a stationary object or floating object and not under immediate control and attendance of the person using the device.

(2) "jug-hook" means a fishing device consisting of a single hook and line having no more than three hooks that is attached to a float.

(3) "trotline" means a fishing device consisting of a horizontal common line having multiple hooks attached.

~~(3) "untended" means no bait is present on the device.~~

(b) Except as otherwise prohibited in this Rule, trotlines, jug hooks ~~trotlines~~ and set-hooks may be set in the inland waters of North Carolina, provided no live bait is used. Trotlines, jug hooks ~~Trotlines~~ and set-hooks may not be set in any of the impounded waters on the Sandhills Game Land. Trotlines, jug hooks ~~Trotlines~~ and set-hooks may not be set in any designated public mountain trout waters except impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing. In Lake Waccamaw, trotlines, jug hooks ~~trotlines~~ or set-hooks may be set only from October 1 through April 30.

(c) Each trotline, set hook, and jug hook shall bear legible and indelible identification of the user's name and address or the user's Wildlife Resources Commission customer number. Each trotline shall be conspicuously marked at each end and each set-hook conspicuously marked at one end with a flag, float, or other prominent object so that its location is readily discernible by boat operators and swimmers. Trotlines shall be set parallel to the nearest shore in all inland fishing waters unless otherwise prohibited. The number of jug-hooks that may be fished is limited to 70 per boat. All trotlines, ~~throwlines~~, set-hooks, and jug-hooks shall be fished at least once daily and all fish removed at that time. Trotlines, Untended trotlines, set-hooks, and jug-hooks without bait or not labled as described in this Paragraph may be removed from the water by wildlife enforcement officers. ~~officers when located in areas of multiple water use.~~ It is unlawful to use metal cans or glass jugs as floats.

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

Eff. February 1, 1976;

Amended Eff. July 1, 1993; May 1, 1992; July 1, 1989; January 1, 1982;

Temporary Amendment Eff. July 1, 2002;

Amended Eff. August 1, 2015; August 1, 2014; August 1, 2013; May 1, 2008; June 1, 2005; August 1, 2002.

15A NCAC 10C .0306 Crappie is amended as published in 29:11 NCR 1333-1334 as follows:

15A NCAC 10C .0306 CRAPPIE

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

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

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

- (1) B. Everett Jordan Reservoir,
- (2) Roanoke River and its tributaries downstream of Roanoke Rapids dam,
- (3) Cashie River and its tributaries,
- (4) Middle River and its tributaries, and
- (5) Eastmost River and its tributaries.

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

- ~~(1) South Yadkin River downstream of Cooleemee Dam;~~
- ~~(2) Yadkin River downstream from Idols Dam;~~
- ~~(3)~~(1) Pee Dee River from Blewett Falls Dam to the South Carolina state line;
- ~~(4) High Rock Lake;~~
- ~~(5) Tuckertown Lake;~~
- ~~(6)~~(2) Badin Lake;
- ~~(7)~~(3) Falls Lake (Stanly and Montgomery counties);
- ~~(8)~~(4) Lake Tillery;
- ~~(9)~~(5) Blewett Falls Lake;
- ~~(10)~~(6) Lake Norman;
- ~~(11)~~(7) Lake Hyco;
- ~~(12)~~(8) Lake Ramseur;
- ~~(13)~~(9) Cane Creek Lake;
- ~~(14)~~(10) Tar River downstream of Tar River Reservoir Dam;
- ~~(15)~~(11) Neuse River downstream of Falls Lake Dam;
- ~~(16)~~(12) Haw River downstream of Jordan Lake Dam;
- ~~(17)~~(13) Deep River downstream of Lockville Dam;
- ~~(18)~~(14) Cape Fear River;
- ~~(19)~~(15) Waccamaw River downstream of Lake Waccamaw Dam;
- ~~(20)~~(16) Lumber River including Drowning Creek;
- ~~(21)~~(17) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and waters listed in Paragraph (c) of this Rule; and
- ~~(22)~~(18) all public waters west of Interstate 77.

1 For waters in Subparagraphs (10) ~~(14)~~ through (18), ~~(22)~~, the restrictions apply to all tributaries.

2

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

4 *Eff. November 1, 2013.*

5 *Amended Eff. August 1, 2015*

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0314

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (f), please add a comma in between "Pungo" and "and Tar Pamlico" and in (j), please add a comma in between "suspend" and "or extend" for purposes of consistency.

In (j), how are proclamations communicated? How will your regulated public know when this has occurred and what they are?

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10C .0314 Striped bass is amended as published in 29:11 NCR 1334 as follows:

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

4 (a) The daily creel limit for Striped Bass and its hybrids is ~~four~~^{eight} fish in the aggregate, except in waters
5 identified in Paragraphs (b), ~~(c), (d), (e), (f), (g), (h), and (i) (i), and (j)~~ of this Rule. ~~The~~^{There is no} minimum size
6 limit for these ~~fish is 20 inches, fish, but only two of them may be less than 16 inches,~~ except in waters identified in
7 Paragraphs (b), (c), (d), (e), (f), (g), (h), and (i) (i), and (j) of this Rule. There is no closed season, except for waters
8 identified in Paragraphs (f), (g), (h), (i), and (j) (j), and (k) of this Rule.

9 (b) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA
10 and in John H. Kerr Reservoir, the daily creel limit on Striped Bass and its hybrids is two in the aggregate and the
11 minimum size limit is 24 inches from October 1 through May 31. From June 1 through September 30, the daily
12 creel limit on Striped Bass and its hybrids is four in the aggregate with no minimum size limit.

13 ~~(c) In the Cape Fear River upstream of Buckhorn Dam, the Deep River to the first impoundment, the Haw River to~~
14 ~~the first impoundment, B. Everett Jordan Reservoir, Lake Rhodhiss, Lake Hickory, and Lookout Shoals Reservoir,~~
15 ~~the daily creel limit on Striped Bass and its hybrids is four in the aggregate and the minimum size limit is 20 inches.~~

16 ~~(c)(d) In Lake Gaston and Roanoke Rapids Reservoir, Reservoir, the daily creel limit on Striped Bass and its~~
17 ~~hybrids is four in the aggregate. The the minimum size limit for Striped Bass and its hybrids these fish is 20 inches~~
18 ~~from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.~~

19 ~~(d)(e) In Lake Norman, Arrowhead Lake (Anson Co.), High Rock Pond (Caswell Co.), Moss Lake, Mountain Island~~
20 ~~Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the daily creel limit on Striped~~
21 ~~Bass and its hybrids is four in the aggregate and the minimum size limit for Striped Bass and its hybrids these fish is~~
22 ~~16 inches.~~

23 ~~(e)(f) In Lake Matamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to~~
24 ~~the South Carolina state line, the daily creel limit is three fish in the aggregate, and the minimum size limit is 18~~
25 ~~inches.~~

26 ~~(f)(g) In the inland fishing waters of Neuse, Pungo and Tar Pamlico rivers and their tributaries extending upstream~~
27 ~~to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east~~
28 ~~of Interstate 95 not specified in Paragraphs (e), (f), (g), (h), and (i) (i), and (j) of this Rule, the daily creel limit for~~
29 ~~Striped Bass and its hybrids is two fish in the aggregate. The minimum size limit is 18 inches but no Striped Bass or~~
30 ~~hybrids between the lengths of 22 inches and 27 inches shall be possessed. In these waters, the season for taking and~~
31 ~~possessing Striped Bass is closed from May 1 through September 30.~~

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

34 ~~(h)(i) In the inland and joint fishing waters [as identified in 15A NCAC 10C .0107(1)(e)] of the Roanoke River~~
35 ~~Striped Bass Management Area, which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their~~
36 ~~tributaries, the open season for taking and possessing Striped Bass and its hybrids is March 1 through April 30 from~~
37 ~~the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the~~

open season, the daily creel limit for Striped Bass and its hybrids is two fish in the aggregate and the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be possessed in the daily creel limit. Only one fish larger than 27 inches may be possessed in the daily creel limit.

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

~~(j)(k)~~ The Executive Director may, by proclamation, suspend or extend the hook-and-line season for Striped Bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

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

Eff. November 1, 2013;

Amended Eff. August 1, 2015; August 1, 2014.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0316

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (e), is "are as follows" necessary? It looks like this Paragraph just sets the limits in the Catawba River. Could you just say "in Special Regulation Trout Waters in the Catawba River (Burke County) from Muddy..."? I understand that the "as follows" may be necessary when and if other special regulation trout waters are identified, but with only one specified, it's a bit awkward.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

15A NCAC 10C .0316 trout is amended as published in 29:11 NCR 1334-1335 as follows:

15A NCAC 10C .0316 TROUT

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

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

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

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

(e) The daily creel ~~limit~~ limits, size limits, and seasons for trout in Special Regulation Trout Waters are as follows: ~~is seven fish.~~ in the Catawba River (Burke County) from Muddy Creek to the City of Morganton water intake dam the daily creel limit is seven fish. There is no minimum size limit for these fish, but only one may be greater than 14 inches. There is no closed season.

(f) The daily creel limit for trout in undesignated trout waters is seven fish. There is no minimum size limit for these fish. ~~Trout may not be possessed while fishing these waters from March 1 until 7 a.m. on the first Saturday in April, except waters designated in Paragraph (g) of this Rule.~~

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

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

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

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

Eff. November 1, 2013.

Amended Eff. August 1, 2015

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0401

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a), what are considered "nongame fishes"? Is your regulated public familiar with these?

In (a)(2), line 12, is "in total" necessary?

In (b), is this the season referenced in 15A NCAC 10C .0316? Please consider providing a cross-reference.

In (e), who is responsible for posting the signs indicating the creel-limit?

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

15A NCAC 10C .0401 Manner of taking nongame fishes: purchase and sale is amended as published in 29:11 NCR 1335-1336 as follows:

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

(a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line or grabbling. Nongame fishes may be taken by hook and line or grabbling at any time without restriction as to size limits or creel limits, with the following exceptions:

- (1) 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.
- (2) While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and blueback) that are greater than six inches in total length or possess such herring regardless of origin in:
 - (A) Roanoke River downstream of Roanoke Rapids Dam;
 - (B) Tar River downstream of Rocky Mount Mill Dam;
 - (C) Neuse River downstream of Milburnie Dam;
 - (D) Cape Fear River downstream of Buckhorn Dam;
 - (E) Pee Dee River downstream of Blewett Falls Dam;
 - (F) Lumber River including Drowning Creek;
 - (G) all the tributaries to the rivers listed above; and
 - (H) all other inland fishing waters east of I-95.
- (3) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman, Mountain Island Reservoir, Lake Wylie, and John H. Kerr Reservoir, except that one fish per day may be taken with archery equipment.
- (4) No trotlines or set-hooks shall be used in the impounded waters located on the Sandhills Game Land or in designated public mountain trout waters.
- (5) In Lake Waccamaw, trotlines or set-hooks may be used only from October 1 through April 30.
- (6) 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.

(b) The season for taking nongame fishes by other hook and line methods in designated public mountain trout waters is the same as the trout fishing season.

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

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

(3) bowfin.

(d) Freshwater mussels, including the Asiatic clam (*Corbicula fluminea*), may be taken only from impounded waters, except mussels shall not be taken in Lake Waccamaw and in 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*).

(e) 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, white, or blue catfish (forked tail catfish) by means other than hook and line; the daily creel limit for forked tail catfish is six fish in aggregate. Waters where this creel limit applies shall be posted on-site with signs indicating the creel limit.

(f) In Lake Norman and Badin Lake, the daily creel limit for blue catfish greater than 32 inches is one fish.

(g) 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.

History Note: Authority G.S. 113-134; 113-272; 113-292;
Eff. February 1, 1976;
Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;
Temporary Amendment Eff. December 1, 1994;
Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002; July 1, 2001;
Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2015 August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011;
August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0402

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a)(11), you have indicated elsewhere that a WRC customer number would be sufficient in lieu of a user's name and address. Is that the case here as well?

In (d)(2), please change the commas at the end of the Parts to semi-colons.

In (g), please add a comma in between "ramps" and "and bridge crossings."

Please include the amended effective date in the history note.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10C .0402 Taking nongame fishes for bait or personal consumption is amended as published in 29:11
2 NCR 1336-1337 as follows:

4 **15A NCAC 10C .0402 TAKING NONGAME FISHES FOR BAIT OR PERSONAL CONSUMPTION**

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

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

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

31 (c) Game fishes taken while netting for bait shall be returned unharmed to the water, except white perch may be
32 taken when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all
33 impounded waters west of I-95 and in the Tar River Reservoir (Nash County).

34 (d) No person shall take or possess during one day more than 200 nongame fish in aggregate for bait or personal
35 consumption subject to the following restrictions:

- 1 (1) No more than 25 eels, none of which may be less than 9 inches in length, shall be taken from or
2 possessed, regardless of origin, while boating on or fishing in ~~or possessed from~~ inland fishing
3 waters;
- 4 (2) While boating on or fishing in the following inland fishing waters, no river herring (alewife and
5 blueback) that are greater than six inches in total length shall be taken and no such river herring
6 shall be possessed regardless of origin:
- 7 (A) Roanoke River downstream of Roanoke Rapids Dam,
8 (B) Tar River downstream of Rocky Mount Mill Dam,
9 (C) Neuse River downstream of Milburnie Dam,
10 (D) Cape Fear River downstream of Buckhorn Dam,
11 (E) Pee Dee River downstream of Blewett Falls Dam,
12 (F) Lumber River including Drowning Creek,
13 (G) the tributaries to the rivers listed above, and
14 (H) all other inland fishing waters east of Interstate 95.
- 15 (3) No more than 50 crabs per person per day or 100 per vessel per day with a minimum carapace
16 width of five inches (point to point) shall be taken.
- 17 (e) Any fishes taken for bait purposes are included within the daily possession limit for that species.
- 18 (f) It is unlawful to take nongame fish for bait or any other fish bait from designated public mountain trout waters
19 and from the bodies of water specified for the following counties:
- 20 (1) Chatham County:
21 Deep River
22 Rocky River
23 Bear Creek
- 24 (2) Lee County:
25 Deep River
- 26 (3) Moore County:
27 Deep River
- 28 (4) Randolph County:
29 Deep River below the Coleridge Dam
30 Fork Creek
- 31 (g) In the waters of the Little Tennessee River, including all the tributaries and impoundments thereof, and on
32 adjacent shorelines, docks, access ramps and bridge crossings, it is unlawful to transport, possess, or release live
33 alewife or live blueback herring.
- 34
- 35 *History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-272; 113-272.3; 113-292;*
36 *Eff. February 1, 1976;*
37 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1993; July 1, 1992; May 1, 1992; July 1, 1989;*

1 *Temporary Amendment Eff. July 1, 2001;*
2 *Amended Eff. July 18, 2002;*
3 *Temporary Amendment Eff. June 1, 2003;*
4 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July*
5 *17, 2003);*
6 *Amended Eff. August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2010; May 1, 2008; May*
7 *1, 2007; May 1, 2006.*

15A NCAC 10C .0407 Permitted special devices and open season is amended as published in 29:11 NCR 1337-1342 as follows:

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

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

- (1) Alamance:
 - (a) July 1 to August 31 with seines in Alamance Creek below NC 49 bridge and Haw River;
 - (b) July 1 to June 30 with gigs in all public waters;
- (2) Alexander: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lake Hickory and Lookout Shoals Reservoir;
- (3) Alleghany: July 1 to June 30 with gigs in New River, except designated public mountain trout waters;
- (4) Anson:
 - (a) July 1 to June 30 with traps and gigs in all public waters;
 - (b) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
 - (c) 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;
- (5) Ashe: July 1 to June 30 with gigs in New River (both forks), except designated public mountain trout waters;
- (6) Beaufort:
 - (a) July 1 to June 30 with traps in the Pungo River, and in the Tar and Pamlico Rivers above Norfolk and Southern Railroad bridge; and with gigs in all inland public waters;
 - (b) March 1 to April 30 with bow nets in all inland public waters;
- (7) Bertie:
 - (a) July 1 to June 30 with traps in the Broad Creek (tributary of Roanoke);
 - (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (8) Bladen:
 - (a) March 1 to April 30 with bow nets in Black River;
 - (b) July 1 to March 1 with hand-crank electrofishers (local law) in Cape Fear River between Lock and Dam 1 and 3 and in Black River, except that hand-crank electrofishing is prohibited within 400 yards of Lock and Dam 1, 2, and 3 on Cape Fear River;
- (9) Brunswick: March 1 to April 30 with bow nets in Alligator Creek, Hoods Creek, Indian Creek, 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
2 trout 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, excluding public lakes,
16 ponds, 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
33 trout waters;
- 34 (20) Chowan:
 - 35 (a) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes,
36 ponds, and other impounded waters;

- (b) July 1 to June 30 with traps in all inland public waters, excluding 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, excluding 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, excluding 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:

- 1 (a) December 1 to June 5 with seines in the main run of the Northeast Cape Fear River
- 2 downstream from a point one mile above Serecta Bridge;
- 3 (b) March 1 to April 30 with bow nets in the main run of the Northeast Cape Fear River
- 4 downstream from a point one mile above Serecta Bridge;
- 5 (30) Durham:
- 6 (a) July 1 to August 31 with seines in Neuse River;
- 7 (b) July 1 to June 30 with gigs in all public waters;
- 8 (31) Edgecombe: March 1 to April 30 with bow nets in all public waters;
- 9 (32) Forsyth: July 1 to June 30 with traps and gigs in all public waters, except traps may not be used in
- 10 Belews Creek Reservoir;
- 11 (33) Franklin:
- 12 (a) July 1 to August 31 with seines in Tar River;
- 13 (b) July 1 to June 30 with gigs in all public waters, except Parrish, Laurel Mill, Jackson,
- 14 Clifton, Moore's and Perry's Ponds, and in the Franklinton City ponds;
- 15 (34) Gaston:
- 16 (a) July 1 to August 31 with seines in all running public waters;
- 17 (b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- 18 (35) Gates: March 1 to April 30 with bow nets in all inland public waters, excluding public lakes,
- 19 ponds, and other impounded waters;
- 20 (36) Graham: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
- 21 waters;
- 22 (37) Granville:
- 23 (a) July 1 to June 30 with gigs in all public waters, except Kerr Reservoir;
- 24 (b) July 1 to August 31 with seines in ~~the Neuse River and~~ the Tar River below US 158
- 25 bridge;
- 26 (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- 27 (38) Greene: March 1 to April 30 with bow nets and reels in Contentnea Creek;
- 28 (39) Guilford:
- 29 (a) July 1 to August 31 with seines in Haw River, Deep River below Jamestown Dam, and
- 30 Reedy Fork Creek below US 29 bridge;
- 31 (b) July 1 to June 30 with gigs in all public waters;
- 32 (40) Halifax: March 1 to April 30 with bow nets in Beech Swamp, Clarks Canal, Conoconnara
- 33 Swamp, Fishing Creek below the Fishing Creek Mill Dam, Kehukee Swamp, Looking Glass Gut,
- 34 Quankey Creek, and White's Mill Pond Run;
- 35 (41) Harnett:
- 36 (a) January 1 to May 31 with gigs in Cape Fear River and tributaries;
- 37 (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
4 trout 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, excluding public lakes,
8 ponds, 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, excluding public lakes,
12 ponds, 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
18 Creek, 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, excluding public lakes,
- 10 ponds, 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
- 17 Dee 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
- 22 Game 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 30with bow nets in all inland public waters, except Sutton
- 28 (Catfish) 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 30with 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
- 2 the 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, excluding public lakes,
- 11 ponds, 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,
- 15 Moore's Creek approximately one mile upstream to New Moon Fishing Camp, and Black
- 16 River;
- 17 (c) July 1 to March 1 with hand-crank electrofishers (local law) in Black River;
- 18 (68) Perquimans:
- 19 (a) July 1 to June 30 with traps in all inland waters;
- 20 (b) March 1 to April 30 with bow nets in all inland public waters, excluding public lakes,
- 21 ponds, and other impounded waters;
- 22 (69) Person:
- 23 (a) July 1 to August 31 with seines in Hyco Creek and Mayo Creek;
- 24 (b) July 1 to June 30 with gigs in all public waters.
- 25 (70) Pitt:
- 26 (a) July 1 to June 30 with traps in Neuse River and in Tar River below the mouth of Hardee
- 27 Creek east of Greenville;
- 28 (b) March 1 to April 30 with bow nets in all inland public waters, except Grindle Creek, and
- 29 Contentnea Creek between NC 118 bridge at Grifton and the Neuse River;
- 30 (c) December 1 to June 5 with seines in Tar River;
- 31 (71) Polk: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
- 32 waters;
- 33 (72) Randolph:
- 34 (a) July 1 to August 31 with seines in Deep River above the Coleridge Dam and Uwharrie
- 35 River;
- 36 (b) July 1 to June 30 with gigs in all public waters;
- 37 (73) Richmond:

- 1 (a) July 1 to August 31 with seines in all running public waters, except Pee Dee River from
- 2 Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
- 3 (b) July 1 to June 30 with traps and gigs in all public waters, except lakes located on the
- 4 Sandhills Game Land;
- 5 (c) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
- 6 (74) Robeson: December 1 to March 1 with gigs in all inland public waters.
- 7 (75) Rockingham:
- 8 (a) July 1 to August 31 with seines in Dan River and Haw River;
- 9 (b) July 1 to June 30 with traps in Dan River; and with gigs in all public waters;
- 10 (76) Rowan:
- 11 (a) July 1 to August 31 with seines in all running public waters,
- 12 (b) July 1 to June 30 with traps and gigs in all public waters;
- 13 (77) Rutherford:
- 14 (a) July 1 to August 31 with seines in all running public waters, except designated public
- 15 mountain trout waters;
- 16 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
- 17 public mountain trout waters;
- 18 (78) Sampson:
- 19 (a) March 1 to April 30 with bow nets in Big Coharie Creek, Black River and Six Runs
- 20 Creek;
- 21 (b) July 1 to March 1 with hand-crank electrofishers (local law) in Black River downstream
- 22 of NC 1105 bridge;
- 23 (79) Stanly:
- 24 (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee
- 25 Dee River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
- 26 (b) July 1 to June 30 with traps and gigs in all public waters;
- 27 (80) Stokes: July 1 to June 30 with traps and gigs in all public waters, except designated public
- 28 mountain trout waters, and traps may not be used in Belews Creek Reservoir;
- 29 (81) Surry: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
- 30 waters; and with traps in the main stem of Yadkin River;
- 31 (82) Swain: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
- 32 waters;
- 33 (83) Transylvania: July 1 to June 30 with gigs in all public waters, except designated public mountain
- 34 trout waters;
- 35 (84) Tyrrell:
- 36 (a) July 1 to June 30 with traps in Scuppernong River and Alligator Creek;

- (b) March 1 to April 30 with bow nets in all inland public waters, excluding 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 Milburnie 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; excluding 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, excluding 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;
- (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, 2015; May 1, 2007; June 1, 2005; August 1, 2004.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0102

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

Please resubmit the Form for Permanent Rule with a notation that the change in effective date was published in the 1/15/15 Register, that the change in effective dates was done in response to public comments, and that your regulated public had notice of the change and an opportunity to comment.

In (a)(2), please add a comma in between "trapping" and "or self-defense" for purposes of consistency.

In (b)(7), please consider including a cross-reference to the applicable permitting rule.

In (b), by "official Commission meeting," do you mean regularly scheduled meeting?

In (e)(1), is there currently a rule specifically addressing the game lands license? Please consider including a cross-reference.

In (e)(2), is it necessary to keep the "the following persons shall possess a game lands license" being that you don't have a list, but only active participants and non-residents? Please consider rewriting to something like "For commission-sanctioned trials, active participants shall possess a game lands license in the addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege. Non-residents may substitute hunting licenses from that state of residence." This is only a suggestion.

In (f), line 18, what do you mean by "primary goals of the agency"?

In (h), please add a comma in between "maintained" and "and opened" for purposes of consistency.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

15A NCAC 10D .0102 General regulations regarding use is amended with changes as published in 29:11 NCR 1342-1345 as follows:

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE

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

(1) "Permanent Hunting Blind" means any structure that is used for hunter concealment, constructed from manmade or natural materials, and that is not disassembled and removed at the end of each day's hunt.

(2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping or self-defense.

(3) "Youth" are individuals under 16 years of age.

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

(1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open days of any applicable deer season.

(2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on any game land. Falconry is exempt from this provision.

(3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use of centerfire rifles is prohibited.

(4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person or persons requesting entry can demonstrate a valid need or such 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.

(5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. An area of a game land shall be declared a Temporary Restricted Zone when there is a danger to the health or welfare of the public due to topographical features or activities occurring on the area.

(6) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge of firearms or bow and arrow is prohibited.

(7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting Zones" the use of dogs for taking deer is prohibited, except as allowed by permit.

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

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

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

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

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

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

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any posted waterfowl impoundment on any game land, except shotgun shells containing lead buckshot may be used while deer hunting. Every individual carrying a concealed handgun must adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. On Buckhorn, Butner-Falls of Neuse, Chatham, Harris, Hyco, Jordan, Kerr Scott, Lee, Mayo, Sutton Lake, and Vance game lands and Pee Dee River Game Land north of U.S. 74, and that portion of R. Wayne Bailey- Caswell Game Land that is located north of U.S. 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days for game birds or game animals, except under the following conditions:

(1) the firearm is a .22 caliber pistol with a barrel not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition carried as a side arm;

(2) the firearm is cased or not immediately available for use;

(3) the firearm is used by persons participating in field trials on field trial areas; or

(4) the firearm is possessed in designated camping areas for defense of persons and property.

~~(e)(d)~~ Game Lands License: Hunting and Trapping

(1) Requirement. Except as provided in Subparagraph ~~(4)(2)~~ of this Paragraph, any person entering upon any game land for the purpose of hunting, trapping, ~~or running dogs or training dogs using wildlife participating in dog training or field trial activities~~ shall have in his or her possession a game lands license in addition to the appropriate hunting or trapping license, or a license that

conveys the game land use privilege licenses. ~~A field trial participant is defined as a judge, handler, scout or owner.~~

(2) For commission-sanctioned field trials, the following persons shall possess a game lands license in addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege: active participants (as defined in 15A NCAC 10B .0114) in a field trial using wildlife, except non-residents may substitute hunting licenses from their state(s) of residence.

(3) For any other field trial using wildlife occurring on game lands, judges and active participants shall possess a game lands license in addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege

(4)(2) Exceptions:

(A) a person under 16 years of age may hunt on game lands on the license of his parent or legal guardian;

~~(B) the resident and nonresident sportsman's licenses include game lands use privileges;~~

~~(C) judges and nonresidents participating in field trials under the circumstances set forth in Paragraph (e) of this Rule may do so without the game lands license; or~~

~~(B)(D)~~ on the game lands described in Rule .0103(e)(1) of this Section, the game lands license is required only for hunting doves; all other activities are subject to the control of the landowners.

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

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

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

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

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

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

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

~~(i)(4)~~ Camping. No person shall camp on any game land except on an area designated by the landowner for camping.

~~(j)(4)~~ Swimming. Swimming is prohibited in the lakes located on the Sandhills Game Land.

~~(k)(4)~~ Disabled Sportsman Program. In order to qualify for permit hunts for disabled sportsmen offered by the Commission and use of designated blinds during those hunts, an individual shall possess a Disabled Veteran Sportsman license, a Totally Disabled Sportsman license or a disabled sportsman hunt certification issued by the Commission. In order to qualify for the certification, the applicant shall provide medical certification of one or more of the following disabilities:

- (1) missing 50 percent or more of one or more limbs, whether by amputation or natural causes;
- (2) paralysis of one or more limbs;
- (3) dysfunction of one or more limbs rendering the person unable to perform the task of grasping and lifting with the hands and arms or unable to walk without mechanical assistance, other than a cane;
- (4) disease or injury or defect confining the person to a wheelchair, walker, or crutches; or
- (5) deafness.

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

- (1) on ungated or open-gated roads normally closed to vehicular traffic; and
- (2) on any Commission-maintained road open for vehicular travel and those trails posted for vehicular travel.

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

~~(l)(4)~~ Release of Animals and Fish. It is unlawful to release pen-raised animals or birds, wild animals or birds, domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes, or feral animals, or hatchery-raised fish on game lands without prior written authorization. It is unlawful to move wild fish from one stream to another on game lands without prior written authorization. Written authorization shall be given when release of such animals is determined by a Wildlife Resources Commission biologist not to be harmful to native wildlife in the area and such releases are in the public interest or advance the programs and goals of the Wildlife Resources Commission.

~~(m)(4)~~ Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (j) of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but must comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans with Disabilities Act, may use wheelchairs or other mobility devices designed for indoor pedestrian use on any area where foot travel is allowed.

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

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

~~(e) Definitions: For the purpose of this Subchapter "Permanent Hunting Blind" is defined as any structure that is used for hunter concealment, constructed from man made or natural materials, and that is not disassembled and removed at the end of each day's hunt.~~

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

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

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

History Note: Authority G.S. 113-129; 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 143-318.10;
Eff. February 1, 1976;
Amended Eff. July 1, 1993; April 1, 1992;
Temporary Amendment Eff. October 11, 1993;
Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. August 31, 2001;
Amended Eff. August 1, 2002;
Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. January 1, 2013; January 1, 2012; June 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; November 1, 2005;
Temporary Amendment Eff. July 1, 2014;
Amended Eff. May 1, 2015 [August 1, 2015]; August 1, 2014.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0103

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

Please resubmit the Form for Permanent Rule with a notation that the change in effective date was published in the 1/15/15 Register, that the change in effective dates was done in response to public comments, and that your regulated public had notice of the change and an opportunity to comment.

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

15A NCAC 10D .0103 Hunting on game lands is amended with changes as published in 29:11 NCR 1345-1358 as follows:

15A NCAC 10D .0103 HUNTING ON GAME LANDS

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

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

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

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

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

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 during the open seasons.

(f) Hunting with Dogs on Game Lands. Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with dogs is prohibited as described in 15A NCAC 10B .0109.

(g) Bear Sanctuaries. On Three Days per Week Areas and Six Days per Week Areas, bears shall not be taken on lands designated and posted as bear sanctuaries except when authorized by permit only elsewhere in this Chapter. Feral Swine shall not be taken with the use of dogs on bear sanctuaries. Dogs shall not be trained or allowed to run unleashed between March 1 and the Monday on or nearest October 15 on bear sanctuaries in and west of the counties and parts of counties described in 15A NCAC 10B .0109.

(h) 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 six open days and the last six open days of the applicable Deer With Visible Antlers Season 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 Davie, Davidson, Rowan and Stanly counties.

(C) On the Lick Creek Tract, deer and bear hunting is archery only.

(2) Alligator River Game Land in Tyrrell County

(A) Six Day per Week Area

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

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

(3) Angola Bay Game Land in Duplin and Pender counties

(A) Six Days per Week Area

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

(C) Target shooting is prohibited.

(4) Bachelor Bay Game Land in Bertie, Martin, and Washington counties

(A) Six Days per Week Area

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

(5) 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.
- (6) 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 muzzle-loaders, 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.
- (7) Brinkleyville Game Land in Halifax County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Horseback riding is prohibited.
- (8) Brunswick County Game Land in Brunswick County
 - (A) Hunting is by permit only.
 - (B) The use of dogs for hunting deer is prohibited.
- (9) Buckhorn Game Land in Orange County
 - (A) Hunting is by permit only.
 - (B) Horseback riding is prohibited.
- (10) Buckridge Game Land in Tyrrell 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) Bear may only be taken the first three hunting days during the November Bear Season and the first three hunting days of the second week of the December Bear Season. If any of these days falls on a Tuesday, Friday or Saturday, bear hunting is allowed on those days.
 - (D) Target shooting is prohibited.
- (11) Buffalo Cove Game Land in Caldwell and Wilkes Counties
 - (A) Six Days per Week Area
 - (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the Monday before Thanksgiving through the third Saturday after Thanksgiving. Deer may be taken with bow and arrow on open days beginning the ~~Saturday~~ ~~Monday~~ on or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to

- 1 the Saturday before Thanksgiving and during the Deer With Visible Antlers Season.
- 2 Deer may be taken with muzzle-loading firearms on open days beginning the Monday on
- 3 or nearest October 1 through the Saturday of the second week thereafter, and during the
- 4 Deer With Visible Antlers season.
- 5 (C) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 6 Antlers Season.
- 7 (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 8 all horseback riding is prohibited from September 1 through May 15.
- 9 (12) Bullard and Branch Hunting Preserve Game Lands in Robeson County
- 10 (A) Three Days per Week Area
- 11 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 12 applicable Deer With Visible Antlers Season.
- 13 (13) Butner - Falls of Neuse Game Land in Durham, Granville and Wake counties
- 14 (A) Six Days per Week Area
- 15 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 16 applicable Deer With Visible Antlers Season.
- 17 (C) Waterfowl shall be taken only on:
- 18 (i) the opening and closing days of the applicable waterfowl seasons;
- 19 (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
- 20 (iii) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.
- 21 On the posted waterfowl impoundments a special permit is required for all waterfowl
- 22 hunting after November 1.
- 23 (D) Horseback riding is prohibited.
- 24 (E) Target shooting is prohibited.
- 25 (F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 26 (G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of
- 27 Falls Lake.
- 28 (H) The use of bicycles is restricted to designated areas, except that this restriction does not
- 29 apply to hunters engaged in the act of hunting during the open days of the applicable
- 30 seasons for game birds and game animals.
- 31 (I) Camping and the presence of campers and tents in designated Hunter Camping Areas are
- 32 limited to September 1 through the last day of February and March 31 through May 14.
- 33 (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area
- 34 and shall not exceed a maximum stay of two consecutive nights. Campfires are
- 35 prohibited in this camping area.
- 36 (14) Buxton Woods Game Land in Dare County:
- 37 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 2 Antlers Season.
- 3 (C) Target shooting is prohibited.
- 4 (15) Cape Fear River Wetlands Game Land in Pender 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) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.
- 9 (D) The use of dogs for hunting deer is prohibited on the portion of the game land that is west
- 10 of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road,
- 11 and south of NC 210 to the Black River.
- 12 (E) Target shooting is prohibited.
- 13 (16) Carteret County Game Land in Carteret County
- 14 (A) Six Days per Week Area
- 15 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 16 applicable Deer With Visible Antlers Season.
- 17 (C) The use of dogs for hunting deer is prohibited.
- 18 (17) R. Wayne Bailey-Caswell Game Land in Caswell County
- 19 (A) Three Days per Week Area
- 20 (B) Deer of either sex may be taken the last six open days of the applicable Deer With
- 21 Visible Antlers Season.
- 22 (C) Horseback riding is allowed only during June, July, and August, and on Sundays during
- 23 the remainder of the year except during open turkey and deer seasons. Horseback riding
- 24 is allowed only on roads opened to vehicular traffic. ~~Participants must obtain a game~~
- 25 ~~lands license as set forth in 15A NCAC 10G prior to engaging in such activity. People~~
- 26 age 16 or older horseback riding on this game land must possess a Game Lands license.
- 27 (D) The area encompassed by the following roads is permit-only for all quail and woodcock
- 28 hunting and all bird dog training: From Yanceyville south on NC 62 to the intersection
- 29 of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the
- 30 intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to
- 31 the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR
- 32 1730 to NC 86, north on NC 86 to NC 62.
- 33 (E) On the posted waterfowl impoundment, waterfowl hunting is by permit only after
- 34 November 1.
- 35 (F) Camping and the presence of campers and tents in designated Hunter Camping Areas are
- 36 limited to September 1 through the last day of February and March 31 through May 14.
- 37 (G) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

- 1 (18) Catawba Game Land in Catawba County
- 2 (A) Three Days per Week Area
- 3 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 4 Antlers Season.
- 5 (C) Deer may be taken with bow and arrow only from the tract known as Molly's Backbone.
- 6 (19) Chatham Game Land in Chatham County
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 9 applicable Deer With Visible Antlers Season.
- 10 (C) Wild turkey hunting is by permit only.
- 11 (D) Horseback riding is allowed only during June, July, and August; and on Sundays during
- 12 the remainder of the year except during open turkey and deer seasons.
- 13 (E) Target shooting is prohibited.
- 14 (20) Cherokee Game Land in Ashe County
- 15 (A) Six Days per Week Area
- 16 (B) Deer of either sex may be taken the last six open days of the applicable Deer With
- 17 Visible Antlers Season.
- 18 (21) Chowan Game Land in Chowan County
- 19 (A) Six Days per Week Area
- 20 (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers
- 21 Season.
- 22 (22) Chowan Swamp Game Land in Bertie, Gates and Hertford counties.
- 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) Bear hunting is restricted to the first three hunting days during the November bear season
- 27 and the first three hunting days during the second week of the December bear season
- 28 except that portion of Chowan Swamp Game Land in Gates County that is east of
- 29 Highway 158/13, south of Highway 158, west of Highway 32, and north of Catherine
- 30 Creek and the Chowan River where the bear season is the same as the season dates for
- 31 the Gates County bear season.
- 32 (D) Camping is restricted to September 1 through the last day of February and March 31
- 33 through May 14 in areas both designated and posted as camping areas.
- 34 (23) Cold Mountain Game Land in Haywood County
- 35 (A) Six Days per Week Area
- 36 (B) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 37 all horseback riding is prohibited from September 1 through May 15.

- 1 (C) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 2 Antlers Season.
- 3 (24) Columbus County Game Land in Columbus County.
- 4 (A) Three Days per Week Area
- 5 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 6 Antlers Season.
- 7 (25) Croatan Game Land in Carteret, Craven and Jones 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) Waterfowl shall be taken only on the following days:
- 12 (i) the opening and closing days of the applicable waterfowl seasons;
- 13 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 14 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 15 (D) Beginning on the first open waterfowl day in October through the end of the waterfowl
- 16 season, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish
- 17 Lake Waterfowl Impoundment is by permit only.
- 18 (E) Dove hunting is by permit only for the first two open days of dove season on posted
- 19 areas. During the rest of dove season, no permit is required to hunt doves.
- 20 (26) Currituck Banks Game Land in Currituck County
- 21 (A) Six Days per Week Area
- 22 (B) Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by
- 23 permit only from November 1 through the end of the waterfowl season.
- 24 (C) Licensed hunting guides may accompany the permitted individual or party provided the
- 25 guides do not use a firearm.
- 26 (D) The boundary of the game land shall extend 5 yards from the edge of the marsh or
- 27 shoreline.
- 28 (E) Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day
- 29 of their hunt.
- 30 (F) No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand
- 31 or blind to a tree.
- 32 (G) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers
- 33 season.
- 34 (27) Dare Game Land in Dare County
- 35 (A) Six Days per Week Area
- 36 (B) Deer of either sex may be taken the last six open days of the applicable Deer With
- 37 Visible Antlers Season.

- 1 (C) No hunting is allowed on posted parts of bombing range.
- 2 (D) The use and training of dogs is prohibited from March 1 through June 30.
- 3 (28) Dover Bay Game Land in Craven County
- 4 (A) Six Days per Week Area
- 5 (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers
- 6 season.
- 7 (29) Dupont State Forest Game Lands in Henderson and Transylvania counties
- 8 (A) Hunting is by Permit only.
- 9 (B) The training and use of dogs for hunting is prohibited except by special hunt permit
- 10 holders during scheduled permit hunts.
- 11 (30) Elk Knob Game Land in Watauga County
- 12 (A) Six Days per Week Area
- 13 (B) Deer of either sex may be taken the last six open days of the applicable Deer With
- 14 Visible Antlers Season.
- 15 (31) Embro Game Land in Halifax and Warren counties
- 16 (A) Six Days per Week Area
- 17 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 18 applicable Deer With Visible Antlers Season.
- 19 (C) Horseback riding is prohibited.
- 20 (32) Goose Creek Game Land in Beaufort and Pamlico counties
- 21 (A) Six Days per Week Area
- 22 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 23 Antlers Season.
- 24 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
- 25 impoundments shall be taken only on the following days:
- 26 (i) the opening and closing days of the applicable waterfowl seasons;
- 27 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 28 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 29 (D) Beginning on the first open waterfowl season day in October and through the end of the
- 30 waterfowl season, waterfowl hunting is by permit only on the following waterfowl
- 31 impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith
- 32 Creek, and Hobucken.
- 33 (E) On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except
- 34 waterfowl hunting on designated waterfowl hunting days and trapping during the
- 35 trapping season, are restricted to the posted Scouting-only Zone during the period
- 36 November 1 through March 15.

- 1 (F) Camping is restricted to September 1 through the last day of February and March 31
- 2 through May 14 in areas both designated and posted as camping areas.
- 3 (G) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1
- 4 through January 1 and April 1 through May 15 to individuals that possess a valid hunting
- 5 opportunity permit.
- 6 (33) Green River Game Land in Henderson, and Polk counties
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 9 Antlers Season.
- 10 (C) Horseback riding is prohibited.
- 11 (34) Green Swamp Game Land in Brunswick County
- 12 (A) Six Days per Week Area
- 13 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 14 Antlers Season.
- 15 (35) Gull Rock Game Land in Hyde County
- 16 (A) Six Days per Week Area
- 17 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 18 Antlers Season.
- 19 (C) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:
- 20 (i) the opening and closing days of the applicable waterfowl seasons; and
- 21 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 22 (iii) Tuesdays and Saturdays of the applicable waterfowl season.
- 23 (D) 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.
- 25 (E) Bear may only be taken the first three hunting days during the November Bear Season
- 26 and the first three hunting days during the second week of the December Bear Season,
- 27 except for that portion designated as bear sanctuary.
- 28 (36) Harris Game Land in Chatham, Harnett, and Wake counties
- 29 (A) Six Days per Week Area
- 30 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 31 applicable Deer With Visible Antlers Season.
- 32 (C) Waterfowl shall be taken only on:
- 33 (i) Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;
- 34 (ii) Thanksgiving, Christmas, and New Year's Days; and
- 35 (iii) the opening and closing days of the applicable waterfowl seasons.
- 36 (D) The use or construction of permanent hunting blinds shall be prohibited.
- 37 (E) Wild turkey hunting is by permit only.

- 1 (F) Target shooting is prohibited.
- 2 (G) Horseback riding is prohibited.
- 3 (37) Holly Shelter Game Land in Pender County
- 4 (A) Three Days per Week Area
- 5 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 6 Antlers Season.
- 7 (C) Waterfowl may be taken only on the following days:
- 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 and Saturdays of the applicable waterfowl seasons.
- 11 (D) Camping is restricted to September 1 through the last day of February and March
- 12 31through May 14 in areas both designated and posted as camping areas.
- 13 (E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east
- 14 of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and
- 15 bear hunting are permit only.
- 16 (F) The use of dogs for hunting deer and bear is prohibited on that portion of the game land
- 17 that is south of Baby Branch extending west to Stag Park Road, west of Shaw Road,
- 18 north of Meeks Road extending west to Stag Park Road and east of Stag Park Road.
- 19 (G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the
- 20 last day of February and April 1 to May 15 to individuals that possess valid hunting
- 21 opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.
- 22 (H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on
- 23 and within 100 yards of trails designated for Disabled Sportsman Access.
- 24 (I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.
- 25 (38) Hyco Game land in Person County
- 26 (A) Six Days per Week Area
- 27 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 28 applicable Deer With Visible Antlers Season.
- 29 (C) Target shooting is prohibited.
- 30 (39) J. Morgan Futch Game Land in Tyrrell County, Permit Only Area.
- 31 (40) Johns River Game Land in Burke County
- 32 (A) Hunting is by permit only.
- 33 (B) During permitted deer hunts, deer of either sex may be taken by permit holders.
- 34 (C) Entry on posted waterfowl impoundments is prohibited October 1 through March 31,
- 35 except by lawful waterfowl hunting permit holders and only on those days written on the
- 36 permits.
- 37 (D) The use or construction of permanent hunting blinds is prohibited.

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

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

- 1 (B) Deer of either sex may be taken the last six days of the applicable Deer with Visible
- 2 Antlers Season.
- 3 (C) Horseback riding is prohibited except on designated trails May 16 through August 31,
- 4 and all horseback riding is prohibited from September 1 through May 15.
- 5 (51) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania
- 6 counties
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 9 Antlers Season in that portion located in Transylvania County.
- 10 (52) Needmore Game Land in Macon and Swain counties.
- 11 (A) Six Days per Week Area
- 12 (B) Horseback riding is prohibited except on designated trails May 16 through August 31,
- 13 and all horseback riding is prohibited from September 1 through May 15.
- 14 (C) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- 15 (53) Neuse River Game Land in Craven County
- 16 (A) Six Days per Week Area
- 17 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 18 Antlers Season.
- 19 (54) New Lake Game Land in Hyde and Tyrrell counties
- 20 (A) Six Days per Week Area
- 21 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 22 Antlers Season.
- 23 (55) Nicholson Creek Game Land in Hoke County
- 24 (A) Three Days per Week Area
- 25 (B) Deer of either sex may be taken with bow and arrow on open hunting days from the
- 26 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving.
- 27 (C) Deer of either sex may be taken with muzzle-loading firearms on open hunting days
- 28 beginning the fourth Saturday before Thanksgiving through the Wednesday of the second
- 29 week thereafter.
- 30 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
- 31 Saturday before Thanksgiving through the third Saturday after Thanksgiving.
- 32 (E) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 33 Antlers Season.
- 34 (F) The use of dogs for hunting deer is prohibited.
- 35 (G) Wild turkey hunting is by permit only.
- 36 (H) On Lake Upchurch, the following activities are prohibited:
- 37 (i) Operating any vessel or vehicle powered by an internal combustion engine; and

- (ii) Swimming.
 - (I) Target shooting is prohibited.
- (56) North River Game Land in Camden and Currituck 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) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.
 - (D) Hunting on the posted waterfowl impoundment is by permit only.
- (57) Northwest River Marsh Game Land in Currituck County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.
- (58) Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US-74.
 - (D) Target shooting is prohibited.
 - (E) Horseback riding is allowed only on roads opened to vehicular traffic and only during the following times:
 - (i) during June, July, and August; and
 - (ii) on Sundays during the other months or parts of months when deer and turkey seasons are closed.
- (59) Perkins Game Land in Davie County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
 - (C) Horseback riding is prohibited from November 1 through January 1.
- (60) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.

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

- 1 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
- 2 Saturday before Thanksgiving through the third Saturday after Thanksgiving.
- 3 (E) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 4 Antlers Season.
- 5 (F) The use of dogs for hunting deer is prohibited.
- 6 (G) Wild turkey hunting is by permit only.
- 7 (H) Taking fox squirrels is prohibited.
- 8 (I) Target shooting is prohibited.
- 9 (68) Rocky Run Game Land in Onslow County: Hunting is by permit only.
- 10 (69) Sampson Game Land in Sampson County
- 11 (A) Three 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 (C) Target shooting is prohibited.
- 15 (70) Sandhills Game Land in Hoke, Moore, Richmond and Scotland counties
- 16 (A) Three Days per Week Area
- 17 (B) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22
- 18 through March 31 except as follows:
- 19 (i) deer may be taken with archery equipment on all the open days of the bow-and-
- 20 arrow season through the fourth Friday before Thanksgiving; with legal
- 21 muzzleloading firearms and archery equipment all the open days of the
- 22 muzzleloader season through the second Saturday before Thanksgiving; and with
- 23 all legal weapons from the second Monday before Thanksgiving through the
- 24 Saturday following Thanksgiving;
- 25 (ii) dove may be taken all open days from the opening day of the dove season
- 26 through the third Saturday thereafter;
- 27 (iii) opossum, raccoon, and squirrel (gray and fox) may be taken all the open days
- 28 from second Monday before Thanksgiving through the Saturday following
- 29 Thanksgiving;
- 30 (iv) rabbit may be taken all open days from the second Saturday preceding
- 31 Thanksgiving through the Saturday following Thanksgiving;
- 32 (v) waterfowl may be taken on open days during any waterfowl season; and
- 33 (vi) wild animals and wild birds may be taken as part of a Disabled Sportsmen
- 34 Program Permit Hunt.
- 35 (C) The Deer With Visible Antlers season is the open hunting days from the second Saturday
- 36 before Thanksgiving through the third Saturday after Thanksgiving except on the J.
- 37 Robert Gordon Field Trial Grounds.

- 1 (D) The bow-and-arrow season is all open days from the Saturday on or nearest to Sept. 10 to
- 2 the fourth Friday before Thanksgiving and, except on the J. Robert Gordon Field Trial
- 3 Grounds, the third Monday after Thanksgiving through January 1. Deer may be taken
- 4 with archery equipment on all open hunting days during the bow and arrow season, the
- 5 Deer with Visible antlers season, and the muzzleloader season as stated in this
- 6 Subparagraph.
- 7 (E) Muzzleloader season is all the open days from the fourth Saturday preceeding
- 8 Thanksgiving through the Wednesday of the second week thereafter and, except on the J.
- 9 Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving through
- 10 January 1. Deer may be taken with muzzle-loading firearms on all open hunting days
- 11 during the muzzleloader season and the Deer With Visible Antlers season.
- 12 (F) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- 13 (G) In addition to the regular hunting days, waterfowl may be taken on the opening and
- 14 closing days of the applicable waterfowl seasons.
- 15 (H) Wild turkey hunting is by permit only.
- 16 (I) The following areas are permit-only for all quail and woodcock hunting and dog training
- 17 on birds:
- 18 (i) In Richmond County: that part east of US 1;
- 19 (ii) In Scotland County: that part west of SR 1328 and north of Gardner Farm Lane
- 20 and that part east of SR 1328 and north of Scotland Lake Lane.
- 21 (J) Horseback riding on field trial grounds from October 22 through March 31 is prohibited
- 22 unless riding in authorized field trials.
- 23 (K) 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 (L) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- 26 (71) Sandy Creek Game Land in Nash and Franklin Counties
- 27 (A) Six Days per Week Area
- 28 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 29 applicable Deer With Visible Antlers Season.
- 30 (C) Horseback riding is prohibited.
- 31 (D) The use of dogs for hunting deer is prohibited.
- 32 (72) Sandy Mush Game Land in Buncombe and Madison counties.
- 33 (A) Three Days per Week Area
- 34 (B) Deer of either sex may be taken the last open day of the applicable Deer with Visible
- 35 Antlers season.
- 36 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 37 all horseback riding is prohibited from September 1 through May 15.

- 1 (D) Dogs shall only be trained on Mondays, Wednesdays, and Saturdays and only as allowed
- 2 in 15A NCAC 10D .0102(e).
- 3 (E) Dove hunting is by permit only from the opening day through the second Saturday of
- 4 dove season.
- 5 (73) Second Creek Game Land in Rowan County- hunting is by permit only.
- 6 (74) Shocco Creek Game Land in Franklin, Halifax, Nash and Warren counties
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 9 applicable Deer With Visible Antlers Season.
- 10 (C) Horseback riding is prohibited.
- 11 (75) South Mountains Game Land in Burke, Cleveland, McDowell and Rutherford counties
- 12 (A) Six Days per Week Area
- 13 (B) The Deer With Visible Antlers season consists of the open hunting days from the
- 14 Monday before Thanksgiving through the third Saturday after Thanksgiving. Deer may
- 15 be taken with bow and arrow on open days beginning the ~~Saturday~~ Monday on or nearest
- 16 September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to
- 17 the Saturday before Thanksgiving and during the Deer With Visible Antlers season. Deer
- 18 may be taken with muzzle-loading firearms on open days beginning the Monday on or
- 19 nearest October 1 through the Saturday of the second week thereafter, and during the
- 20 Deer With Visible Antlers season.
- 21 (C) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 22 Antlers Season.
- 23 (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 24 all horseback riding is prohibited from September 1 through May 15.
- 25 (E) That part of South Mountains Game Land in Cleveland, McDowell, and Rutherford
- 26 counties is closed to all grouse, quail and woodcock hunting and all bird dog training.
- 27 (76) Stones Creek Game Land in Onslow County
- 28 (A) Six-Day per Week Area
- 29 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 30 Antlers Season.
- 31 (C) The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.
- 32 (D) Swimming in all lakes is prohibited.
- 33 (E) Waterfowl on posted waterfowl impoundments may be taken only on the following days:
- 34 (i) the opening and closing days of the applicable waterfowl seasons;
- 35 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 36 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 37 (F) Target shooting is prohibited.

- 1 (77) Suggs Mill Pond Game Land in Bladen and Cumberland counties
- 2 (A) Hunting and trapping is by Permit only.
- 3 (B) Camping is restricted to September 1 through the last day of February and March 31
- 4 through May 14 in areas both designated and posted as camping areas.
- 5 (C) Entry is prohibited on scheduled hunt or trapping days except for:
- 6 (i) hunters or trappers holding special hunt or trapping permits; and
- 7 (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.
- 8 (78) Sutton Lake Game Land in New Hanover and Brunswick counties
- 9 (A) Six Days per Week Area
- 10 (B) Deer of either sex may be taken the last six open days of the applicable Deer With
- 11 Visible Antlers Season.
- 12 (C) Target shooting is prohibited.
- 13 (79) Tar River Game Land in Edgecombe County – hunting is by permit only.
- 14 (80) Three Top Mountain Game Land in Ashe County
- 15 (A) Six Days per Week Area
- 16 (B) Deer of either sex may be taken the last six open days of the applicable Deer With
- 17 Visible Antlers Season.
- 18 (C) Horseback riding is prohibited.
- 19 (81) Thurmond Chatham Game Land in Alleghany and Wilkes counties
- 20 (A) Six Days per Week Area
- 21 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 22 applicable Deer With Visible Antlers Season.
- 23 (C) Horseback riding is prohibited except on designated trails May 16 through August 31,
- 24 and all horseback riding is prohibited from September 1 through May 15. ~~Participants~~
- 25 ~~must obtain a game lands license prior to horseback riding on this area. People age 16 or~~
- 26 ~~older horseback riding on this game land must possess a Game Lands license.~~
- 27 (D) The maximum period of consecutive overnight camping at any designated campground is
- 28 14 days within any 30 day period from May 1 through August 31. After 14 consecutive
- 29 days of camping all personal belongings must be removed from the game land.
- 30 (82) Tillery game Land in Halifax County
- 31 (A) Six Days per Week Area
- 32 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 33 applicable Deer With Visible Antlers Season.
- 34 (C) Horseback riding is prohibited.
- 35 (D) The use of dogs for hunting deer is prohibited.
- 36 (E) Wild turkey hunting is by permit only.
- 37 (83) Toxaway Game Land in Jackson and Transylvania counties

- 1 (A) Six Days per Week Area
- 2 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 3 Antlers Season.
- 4 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 5 all horseback riding is prohibited from September 1 through May 15.
- 6 (84) Uwharrie Game Land in Davidson, Montgomery, and Randolph counties
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken the first six open days and the last open six days of the
- 9 applicable Deer With Visible Antlers Season.
- 10 (C) On the posted waterfowl impoundment, waterfowl may be taken only on the following
- 11 days:
- 12 (i) the opening and closing days of the applicable waterfowl seasons;
- 13 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 14 (iii) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.
- 15 (85) Vance Game Land in Vance County
- 16 (A) Six Days per Week Area
- 17 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 18 Antlers Season.
- 19 (C) The use of dogs, centerfire rifles and handguns for hunting deer is prohibited on the
- 20 Nutbush Peninsula tract.
- 21 (86) Van Swamp Game Land in Beaufort and Washington counties
- 22 (A) Six Days per Week Area
- 23 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 24 Antlers Season.
- 25 (C) Bear may only be taken the first three hunting days during the November Bear Season
- 26 and the first three hunting days during the second week of the December Bear Season.
- 27 (87) White Oak River Game Land in Onslow County
- 28 (A) Three Days per Week Area
- 29 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 30 Antlers Season.
- 31 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
- 32 impoundments shall be taken only on the following days:
- 33 (i) the opening and closing days of the applicable waterfowl seasons;
- 34 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 35 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 36 (D) Beginning on the first open waterfowl season day in October and through the end of the
- 37 waterfowl season, a permit is required for hunting posted waterfowl impoundments.

- 1 (E) The Huggins Tract and Morton Tracts have the following restrictions:
- 2 (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting
- 3 Opportunity Permit;
- 4 (ii) hunting is by permit only; and
- 5 (iii) the use of dogs for hunting deer is prohibited.
- 6 (F) Wild turkey hunting is by permit only.
- 7 (88) Whitehall Plantation Game Land in Bladen County
- 8 (A) Hunting and trapping is by permit only.
- 9 (B) Camping is restricted to September 1 through the last day of February and March 31
- 10 through May 14 in areas both designated and posted as camping areas.
- 11 (i) On permitted type hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed
- 12 applications must be received by the Commission not later than the first day of September next preceding the dates
- 13 of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt,
- 14 and are nontransferable. A hunter making a kill must validate the kill and report the kill to a wildlife cooperator
- 15 agent or by phone.
- 16 (j) The following game lands and refuges are closed to all hunting except to those individuals who have obtained a
- 17 valid and current permit from the Wildlife Resources Commission:
- 18 (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
- 19 (2) Bertie County—Roanoke River National Wildlife Refuge;
- 20 (3) Bladen County—Suggs Mill Pond Game Lands;
- 21 (4) Burke County—John's River Waterfowl Refuge;
- 22 (5) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
- 23 (6) Dare County—Roanoke Sound Marshes Game Lands; and
- 24 (7) Henderson and Transylvania counties—Dupont State Forest Game Lands.
- 25 (k) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the
- 26 Commission. Written permission will be granted only when entry onto the Waterfowl Refuge will not compromise
- 27 the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid
- 28 need or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes
- 29 issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the
- 30 public interest.
- 31 (l) Feral swine may be taken by licensed hunters during the open season for any game animal using any legal
- 32 manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that
- 33 allow the use of dogs for hunting deer or bear and during the applicable deer or bear season.
- 34 (m) Youth Waterfowl Day. On the day declared by the Commission to be Youth Waterfowl Day, youths may hunt
- 35 on any game land and on any impoundment without a special hunt permit, including permit-only areas, except where
- 36 prohibited in Paragraph (h) of this Rule. ~~A youth is defined as a person under 16 years of age.~~

(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 specifically permitted 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. May 1, 2015 [~~August 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 10A NCAC 10D .0104

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a), by statewide rules, do you mean the Rules in this Chapter?

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

15A NCAC 10D .0104 fishing on game lands is amended with changes as published in 29:11 NCR 1358 as follows:

15A NCAC 10D .0104 FISHING ON GAME LANDS

(a) Generally. Except as otherwise indicated herein, fishing on game lands which are open to fishing shall be in accordance with the statewide rules. All game lands are open to public fishing except restocked ponds when posted against fishing, Hunting Creek Swamp Waterfowl Refuge, Grogan Creek in Transylvania County, and in the case of private ponds where fishing may be prohibited by the owners thereof. No trotline or set-hook or any net, trap, gig, bow and arrow, or other special fishing device of a type mentioned in 15A NCAC 10C .0404(b),(c),(d), and (f) may be used in any impounded waters located entirely on game lands. Bow and arrow may be used to take nongame fishes in impounded waters located entirely on game lands with the exception of those waters mentioned in 15A NCAC 10C .0404(a). Blue crabs taken by hook and line (other than set-hooks) in designated waterfowl impoundments located on game lands must have a minimum carapace width of five inches (point to point) and the daily possession limit is 50 per person and 100 per vessel.

(b) Designated Public Mountain Trout Waters

(1) Fishing Hours. It is unlawful to fish in designated public mountain trout waters on any game land and in all waters on the Dupont State Forest Game Land from one-half hour after sunset to one-half hour before sunrise, except in Hatchery Supported Trout waters as stated in 15A NCAC 10C .0305(a), Delayed Harvest waters as stated in 15A NCAC 10C .0205(a)(5), game lands sections of the Nantahala River located downstream from the Swain County line, and in the sections of Green River in Polk County located on Green River Game Lands from Cove Creek downstream to the natural gas pipeline crossing.

(2) Location. All waters located on the game lands listed in this Subparagraph are designated public mountain trout waters except Cherokee Lake, Grogan Creek, Big Laurel Creek downstream from the US 25-70 bridge to the French Broad River, Pigeon River downstream of Waterville Reservoir to the Tennessee state line, Nolichucky River, Mill Ridge Pond, Cheoah River downstream of Santeetlah Reservoir, Little River from 100 yards downstream of Hooker Falls downstream to the Dupont State Forest boundary, Lake Imaging, Lake Dense, Lake Alfred, Lake Julia, Fawn Lake, North Fork Catawba River downstream of the mouth of Armstrong Creek, Green River downstream of the natural gas pipeline crossing, and Spring Creek below US Forest Service road 223.

Dupont State Forest Game Lands in Henderson and Transylvania counties.

Three Top Mountain Game Land in Ashe County.

Nantahala National Forest Game Lands in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties.

Pisgah National Forest Game Lands in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, and Yancey counties.

Thurmond Chatham Game Land in Wilkes County.

Toxaway Game Land in Transylvania County.
South Mountains Game Land in Cleveland and Rutherford counties.
Cold Mountain Game Land in Haywood County.
Green River Game Land in Henderson and Polk counties.
Pond Mountain Game Land in Ashe County.

- (3) All designated public mountain trout waters located on the game lands listed in Subparagraph (b)(1) ~~(b)(2)~~ of this Rule are wild trout waters unless classified otherwise. [See 15A NCAC 10C .0205 (d)]. ~~[See 15A NCAC 10C .0205(a)(1)].~~

(c) Ponds. In all game lands ponds, it is unlawful to take channel, white or blue catfish (forked tail catfish) by means other than hook and line and the daily creel limit for forked tail catfish is six fish in aggregate.

History Note: Authority G.S. 113-134; 113-264; 113-272; 113-292; 113-305;
Eff. February 1, 1976;
Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;
July 1, 1992;
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. August 1, 2015; August 1, 2014; August 1, 2010; May 1, 2009; August 1, 2004.

1 15A NCAC 10F .0340 Currituck county is amended as published in 29:11 NCR 1361 as follows:

2
3 **15A NCAC 10F .0340 CURRITUCK COUNTY**

4 (a) Regulated Areas. This Rule applies to the waters and portion of waters described as follows:

- 5 (1) Bell's Island. The waters contained in all the canals on Bell's Island.
- 6 (2) Walnut Island Subdivision. The waters in all the canals in the Walnut Island subdivision in the
- 7 Village of Grandy.
- 8 (3) Waterview Shores Subdivision. The waters in all the canals in the Waterview Shores subdivision
- 9 in the Village of Grandy. The regulated area begins at the entrances to the subdivision from
- 10 Dowdy Bay (Poplar Branch Bay) at 36.25148N, 75.87061W; 36.24981N, 75.87042W; and
- 11 36.24872N, 75.87055W.
- 12 ~~(3)~~(4) Neal's Creek Landing. Those waters of Currituck Sound within 50 yards of Neal's Creek Landing
- 13 as delineated by appropriate markers.
- 14 ~~(4)~~(5) Tull's Bay.
- 15 (A) Those waters of Tull's Creek within 50 yards upstream and 50 yards downstream of and
- 16 within the canal leading to Tull's Bay Marina as delineated by appropriate markers.
- 17 (B) Those waters which constitute the canals of the Tull's Bay Colony subdivision and 50
- 18 yards north along the Mississippi Canal from its intersection with Elizabeth Canal.

19 (b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the

20 regulated areas described in Paragraph (a) of this Rule.

21 (c) Placement and Maintenance of Markers. The Board of Commissioners of Currituck County is designated a

22 suitable agency for placement and maintenance of the markers implementing this Rule, subject to the approval of the

23 United States Coast Guard and the United States Army Corps of Engineers.

24
25 *History Note: Authority G.S. 75A-3; 75A-15;*

26 *Eff. May 1, 1982;*

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Wildlife Resources Commission

RULE CITATION: 15A NCAC 10I .0102

DEADLINE FOR RECEIPT: Friday, April 10, 2015

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

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

In reviewing these rules, the staff determined that the following technical changes need to be made:

In (c)(2)(D), does your regulated public know what you mean by "humane and noninjurious manner"?

In (d), is your regulated public familiar with the federal law and regulations?

In (f), where can the application be found? Is this available on your website? Are the contents of the application otherwise set forth in rule?

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

Amber Cronk May
Commission Counsel
Date submitted to agency: March 30, 2015

1 15A NCAC 10I .0102 Protection of endangered /threatened /special concern is amended with changes as published
2 in 29:14 NCR 1697-1699 as follows:

3
4 **15A NCAC 10I .0102 PROTECTION OF ENDANGERED/THREATENED/SPECIAL CONCERN**

5 (a) No Open Season. There is no open season for taking any of the species listed as endangered in Rule .0103, or
6 threatened in Rule .0104 of this Section, except for the American alligator (*Alligator mississippiensis*) as set forth in
7 the rules of this Chapter. Unless otherwise provided in North Carolina General Statutes or the rules of this Chapter,
8 there is no open season for taking any of the species listed as special concern in Rule .0105 of this Section. Except
9 as provided in Paragraphs (b), (c) and (e) of this Rule, it is unlawful to take or possess any animal listed in Rules
10 .0103, .0104, or .0105 of this section of such species at any time.

11 (b) Permits. The executive director may issue permits to take or possess an endangered, threatened, or special
12 concern species:

- 13 (1) to To an individual or institution with experience and training in handling, and caring for the
14 wildlife and in conducting a scientific study, for the purpose of scientific investigation relevant to
15 perpetuation or restoration of said species or as a part of a scientifically valid study or restoration
16 effort;
- 17 (2) to To a public or private educator or exhibitor who demonstrates that he or she has lawfully
18 obtained the specimen or specimens in his or her possession, possesses the requisite equipment
19 and expertise to care for such specimen or specimens, specimens and abides by the caging
20 requirements for the species set forth in 15A NCAC 10H .0302;
- 21 (3) to To a person who lawfully possessed any such species for more than 90 days immediately prior
22 to the date that such species was listed and who abides by the caging requirements for the species
23 set forth in 15A NCAC 10H .0302, provided however, that no permit shall be issued more than 90
24 ninety days after the effective date of the initial listing for that species; or
- 25 (4) to To a person with demonstrable depredation from a Special Concern Species, or the American
26 alligator (*Alligator mississippiensis*).

27 (c) Taking Without a Permit:

- 28 (1) An individual may take an endangered, threatened, or special concern species in defense of his
29 own life or the lives of others.
- 30 (2) A state or federal conservation officer or employee who is designated by his agency to do so may,
31 when acting in the course of his official duties, take, possess, and transport endangered,
32 threatened, or special concern species if the action is necessary to:
- 33 (A) aid a sick, injured, diseased, diseased or orphaned specimen;
- 34 (B) dispose of a dead specimen;
- 35 (C) salvage a dead specimen that may be useful for scientific study; or
- 36 (D) remove specimens that constitute a demonstrable but nonimmediate threat to human
37 safety, provided the taking is done in a humane and noninjurious manner. The taking

may involve injuring or killing endangered, threatened, or special concern species only if it is not ~~reasonably~~ possible to eliminate the threat by live-capturing and releasing the specimen unharmed, in a habitat that is suitable for the survival of that species.

(d) Reporting. Any taking or possession of an endangered, threatened, or special concern species under Paragraphs (b) and (c) of this Rule is subject to applicable reporting requirements of federal law and ~~regulations, regulations~~ and the reporting requirements of the permit issued by the Executive Director or of 15A NCAC 10B .0106(e).

(e) Exceptions.

(1) Notwithstanding any other provisions of this Rule, processed meat and other parts of American ~~alligators alligators~~, that have been lawfully taken in a state in which there is an open season for harvesting ~~alligators alligators~~, may be possessed, ~~bought, bought~~ and sold when such products are marketed in packages or containers that are labeled to indicate the state in which they were taken and the identity, address, and lawful authority of the processor or distributor.

(2) Raptors listed as special concern species in Rule .0105 of this Section may be taken from the wild for falconry purposes and for falconry propagation, provided that a valid North Carolina endangered species permit has been obtained as required in Paragraph (b) of this Rule.

(3) Captive-bred raptors listed as special concern species may be bought, sold, ~~bartered, bartered~~ or traded as provided in 50 C.F.R. 21.30 when marked as required under those regulations. 50 C.F.R. 21.30 is hereby incorporated by reference, shall include any later amendments and editions of the incorporated material, and may be accessed free of cost at http://www.ecfr.gov/cgi-bin/text-idx?SID=1bc046c08a9f0f17cb904604d98ab748&node=se50.9.21_130&rgn=div8.

(4) Red Wolves (*Canis rufus*) listed as threatened in Rule .0104 in this Section may be taken or harassed pursuant to the conditions provided in 50 C.F.R. 17.84(c). 50 C.F.R. 17.84(c) is hereby incorporated by reference, shall include any later amendments and editions of the incorporated material, and may be accessed free of cost at <http://www.ecfr.gov/cgi-bin/text-idx?rgn=div8&node=50.2.0.1.1.1.8.1.5>.

~~(4)~~ (5) Importation, possession, sales, ~~transportation, transportation~~ and exportation of species listed as special concern species in Rule .0105 of this Section ~~shall be is~~ allowed under permit by retail and wholesale establishments whose primary function is providing scientific supplies for ~~research~~, ~~research~~ provided that:

- (A) the specimens were lawfully obtained from captive or wild populations outside of North Carolina;
- (B) they are possessed in indoor facilities;
- (C) all transportation of specimens provides safeguards adequate to prevent accidental escape; and
- (D) importation, ~~possession, possession~~ and sale or transfer is permitted only as listed in Parts (e)(4)(A) and (B) of this Rule.

(f) A written application to the Commission ~~shall be is~~ required for a permit to authorize importation, and possession for the purpose of retail or wholesale sale. The application shall identify the source of the ~~specimens~~ ~~specimens~~, and provide documentation of lawful acquisition. Applications for permits shall include plans for holding, transportation, advertisement, and sale in such detail as to allow a determination of the safeguards provided against accidental escape and sales to unauthorized individuals.

(g) Purchase, importation, and possession of special concern species within North Carolina is allowed under permit to state and federal governmental agencies, corporate research entities, and research ~~institutions, institutions~~ provided that:

- (1) sales are permitted to out of state consumers;
- (2) the specimens will be possessed in indoor facilities and safeguards adequate to prevent accidental escape are provided during all ~~transportation transporation~~ of the specimens;
- (3) the agency's or institution's Animal Use and Care Committee has approved the research protocol for this species; and
- (4) no specimens may be stocked or released in the public or private waters or lands of North Carolina and specimens may not be transferred to any private individual.

History Note: Authority G.S. 113-134; 113-291.2; 113-291.3; 113-292; 113-333;

Eff. June 11, 1977;

Amended Eff. May 1, 2015; January 1, 2013; January 1, 2012; May 1, 2009; April 1, 2003; April 1, 2001; April 1, 1997; February 1, 1994; September 1, 1989; March 1, 1981; March 17, 1978.

15A NCAC 10I .0104 Threatened species listed is amended with changes as published in 29:14 NCR 1699-1700 as follows:

15A NCAC 10I .0104 THREATENED SPECIES LISTED

(a) The following species of resident wildlife are designated as federally-listed threatened species:

- (1) Amphibians: None Listed At This Time.
- (2) Birds: Piping plover (*Charadrius melodus melodus*).
- (3) Crustacea: None Listed At This Time.
- (4) Fish:
 - (A) Spotfin chub (*Cyprinella monacha*); and
 - (B) Waccamaw silverside (*Menidia extensa*).
- (5) Mammals: None Listed At This Time.
- (6) Mollusks: Noonday globe (*Patera clarki nantahala*).
- (7) Reptiles:
 - (A) Bog turtle (*Glyptemys muhlenbergii*);
 - (B) American alligator (*Alligator mississippiensis*);
 - (C) Green sea turtle (*Chelonia mydas*); and
 - (D) Loggerhead sea turtle (*Caretta caretta*).

(b) The following species of resident wildlife are designated as state-listed threatened species:

- (1) Amphibians:
 - (A) Carolina gopher frog (*Rana capito capito*);
 - (B) Eastern tiger salamander (*Ambystoma tigrinum tigrinum*);
 - (C) Junaluska salamander (*Eurycea junaluska*); and
 - (D) Wehrle's salamander (*Plethodon wehrlei*).
- (2) Birds:
 - (A) Bald eagle (*Haliaeetus leucocephalus*); leucocephalus
 - (B) Gull-billed tern (*Sterna nilotica aranea*); and
 - (C) Northern saw-whet owl (*Aegolius acadicus*).
- (3) Crustacea: None Listed At This Time.
- (4) Fish:
 - (A) American brook lamprey (*Lampetra appendix*);
 - (B) Banded sculpin (*Cottus carolinae*);
 - (C) Bigeye jumprock (*Scartomyzon ariommus*);
 - (D) Blackbanded darter (*Percina nigrofasciata*);
 - (E) Carolina madtom (*Noturus furiosus*);
 - (F) Carolina pygmy sunfish (*Elassoma boehlkei*);

- (G) Carolina redhorse (*Moxostoma* sp.) (Pee Dee River and its tributaries and Cape Fear River and its tributaries);
 - (H) Least brook lamprey (*Lampetra aepyptera*);
 - (I) Logperch (*Percina caprodes*);
 - (J) Rosyface chub (*Hybopsis rubrifrons*);
 - (K) Sharphead darter (*Etheostoma acuticeps*);
 - (L) Sicklefins redhorse (*Moxostoma* sp.) (Hiwassee River and its tributaries and Little Tennessee River and its tributaries);
 - (M) Turquoise darter (*Etheostoma inscriptum*); **and**
 - (N) Waccamaw darter (*Etheostoma perlongum*).
- (5) Mammals:
- (A) Eastern woodrat (*Neotoma floridana floridana*);
 - (B) Rafinesque's big-eared bat (*Corynorhinus rafinesquii rafinesquii*; *rafinesquii*; **and**
 - (C) Red wolf (*Canis rufus*).
- (6) Mollusks:
- (A) Alewife floater (*Anodonta implicata*);
 - (B) Big-tooth covert (*Fumonelix jonesiana*);
 - (C) Cape Fear threetooth (*Triodopsis soelneri*);
 - (D) Carolina fatmucket (*Lampsilis radiata conspicua*);
 - (E) Clingman covert (*Fumonelix wheatleyi clingmanicus*);
 - (F) Eastern lampmussel (*Lampsilis radiata radiata*);
 - (G) Eastern pondmussel (*Ligumia nasuta*);
 - (H) Engraved covert (*Fumonelix orestes*);
 - (I) Mountain creekshell (*Villosa vanuxemensis*);
 - (J) Roan supercoil (*Paravitrea varidens*);
 - (K) Roanoke slabshell (*Elliptio roanokensis*);
 - (L) Sculpted supercoil (*Paravitrea ternaria*);
 - (M) Seep mudalia (*Leptoxis dilatata*);
 - (N) Smoky Mountain covert (*Inflectarius ferrissi*);
 - (O) Squawfoot (*Strophitus undulatus*);
 - (P) Tidewater mucket (*Leptodea ochracea*);
 - (Q) Triangle floater (*Alasmodonta undulata*);
 - (R) Waccamaw ambersnail (*Catinella waccamawensis*);
 - (S) Waccamaw fatmucket (*Lampsilis fullerkati*);
 - (T) Waccamaw spike (*Elliptio waccamawensis*).
- (7) Reptiles: None Listed At This Time.

1 *History Note:* *Authority G.S. 113-134; 113-291.2; 113-292; 113-333;*
2 *Eff. March 17, 1978;*
3 *Amended Eff. May 1, 2015; June 1, 2008; April 1, 2001; November 1, 1991; April 1, 1991; June 1,*
4 *1990; September 1, 1989.*