

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10A .1401

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

This rule was promulgated and adopted by the Wildlife Resources Commission. Does the Marine Fisheries Commission plan to make their own set of rules? Please clarify as this rule will only be able to be applied by the Wildlife Resources Commission. The notice published in the Register did not include any notice of dual rulemaking, and as filed with the Rules Review Commission, the Marine Fisheries Commission is not an agency subject to this review. Please clarify, if necessary. If the rules should have been dual rulemaking by both agencies for applicability purposes, then there is an issue with notice.

Line 4, replace "carry out the purpose of" with "implement"

Line 8, replace "This rule" with "The rules"

Line 9, please provide the date that of "North Carolina's entry into the WVC."

Line 11, add a comma after "Subchapter"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10A .1401 General provisions is adopted as published in 31:11 NCR 1065 as follows:

2

3 **15A NCAC 10A .1401 GENERAL PROVISIONS**

4 (a) Purpose. The purpose of this section is to establish the rules necessary to carry out the purposes of Chapter 113
5 Article 22B, the Interstate Wildlife Violator Compact (hereinafter referred to as WVC).

6 (b) Applicability. The rules in this Section shall apply to any person possessing a license, privilege or right to hunt,
7 fish, trap, possess, or transport wildlife in the State of North Carolina. Violations under this Section apply to only
8 hunting, fishing and trapping. This rule shall not apply to any suspensions or convictions committed in North Carolina
9 or any other WVC state prior to the effective date of North Carolina's entry into the WVC.

10 (c) Definitions. The definitions in G.S. 113-300.6 Article II shall apply throughout this Subchapter and to all forms
11 prescribed pursuant to this Subchapter unless otherwise indicated.

12

13 *History Note: Authority G.S. 113-134; 113-300.7.*

14 *Eff. August 1, 2017*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10A .1402

DEADLINE FOR RECEIPT: Friday, March 10, 2017

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This rule was promulgated and adopted by the Wildlife Resources Commission. Does the Marine Fisheries Commission plan to make their own set of rules? Please clarify as this rule will only be able to be applied by the Wildlife Resources Commission. The notice published in the Register did not include any notice of dual rulemaking, and as filed with the Rules Review Commission, the Marine Fisheries Commission is not an agency subject to this review. Please clarify, if necessary. If the rules should have been dual rulemaking by both agencies for applicability purposes, then there is an issue with notice.

Line 4, what is meant by the clause "Subject to all applicable statutes and constitution of the State of North Carolina," The "applicable statutes" need to be identified or the clause deleted. If "constitution" remains, the term needs to be capitalized.

Line 5, what is the "Operational Manual"? If this is an outside document, it should be incorporated in accordance with [G.S. 150B-21.6](#)

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10A .1402 Wildlife violator compact manual is adopted as published in 31:11 NCR 1065 as follows:

2

3 **15A NCAC 10A .1402 WILDLIFE VIOLATOR COMPACT MANUAL**

4 Subject to all applicable statutes and the constitution of the State of North Carolina, the Wildlife Violator Compact
5 Operations Manual and G.S. 113-300.6 hereby establish the administrative and procedural guidelines for participation
6 in the WVC.

7

8 *History Note: Authority G.S. 113-134; 113-300.7.*

9 *Eff. August 1, 2017*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10A .1403

DEADLINE FOR RECEIPT: Friday, March 10, 2017

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This rule was promulgated and adopted by the Wildlife Resources Commission. Does the Marine Fisheries Commission plan to make their own set of rules? Please clarify as this rule will only be able to be applied by the Wildlife Resources Commission. The notice published in the Register did not include any notice of dual rulemaking, and as filed with the Rules Review Commission, the Marine Fisheries Commission is not an agency subject to this review. Please clarify, if necessary. If the rules should have been dual rulemaking by both agencies for applicability purposes, then there is an issue with notice.

Line 8, add a comma after "mail"

Line 9, replace the period after "WVC" with a colon

Line 10, what "felony or misdemeanor" violations? These need to be specified in the rule, or at least the applicable portions of the General Statutes

Line 10, delete "any"

Line 11, replace the period after "violation" with a semicolon

Line 12, replace "which also" with "that"

Line 12, add a comma after "manslaughter"

Lines 13, replace the period after "murder" with a semicolon

Line 13, add an "and" or "or" after the semicolon

Line 14, replace "which" with "that"

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 24, 2017

Line 14, what is meant by “laws, policies or procedures”? Please identify so that the regulated public has notice. Please note the statutory distinction of a “rule” from a “policy” as set forth in [G.S. 150B-2](#). A “policy” is a non-binding interpretive statement.

Line 14, if the term “policies” remain, please add a comma after the term

Line 16, add a comma after “fishing”

Line 17, replace “licensing agency” with “Wildlife Resources Commission” as that is the agency that promulgated this Rule

Line 17, replace “via” with “by”

Line 19, the compact manual should be properly incorporated in Rule .1402, however this Rule should use the full name of the referenced document. Replace “compact manual” with “Wildlife Violator Compact Operations Manual”

Line 21, replace the period after “non-compliance” with a colon

Line 22, replace the period after “person” with a semicolon

Line 23, how does a regulated person know when a payment method is acceptable? Please clarify

Line 23, what is the purpose of the clause “where allowed”? When is it not allowed? Please clarify or delete

Line 23, replace the period after “allowed” with a semicolon

Line 23, add an “and” or “or” after the semicolon

Line 24, what is the purpose of the clause “where allowed”? When is it not allowed? Please clarify or delete

Line 25, replace “must” with “shall”

Line 25, replace “licensing agency” with “Wildlife Resources Commission” as that is the agency that promulgated this Rule

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10A .1403 Wildlife violator compact conditions for non-residents is adopted as published in 31:11 NCR
2 1065 as follows:

3

4 **15A NCAC 10A.1403 WILDLIFE VIOLATOR COMPACT CONDITIONS FOR NON-RESIDENTS**

5 (a) Non-residents of North Carolina who are residents of a WVC member state at the time of a misdemeanor hunting,
6 fishing, or trapping violation occurring in North Carolina, may be released on personal recognizance when the
7 violation consists of a written citation requiring a violator to resolve the violation directly with the court, either in
8 person, by mail or through an attorney.

9 (b) The following violations are not subject to the provisions of the WVC.

10 (1) any felony or misdemeanor violation of any North Carolina law with which the non-resident is
11 charged other than a hunting, trapping or fishing violation.

12 (2) any hunting, fishing or trapping offense which also gives rise to a charge of assault, manslaughter
13 or murder.

14 (3) any violation which the laws, policies or procedures of the State of North Carolina dictate shall be
15 handled otherwise.

16 (c) Upon failure to comply with the terms of a citation for violation of North Carolina hunting, fishing or trapping
17 laws, the licensing agency shall send notice of failure to comply, via certified mail, return receipt requested, to the
18 violator's last known address, and report the failure to comply to the home state to start suspension procedures in
19 accordance with the compact manual.

20 (d) The following shall constitute the only valid methods of restoring license privileges in response to a notice of
21 suspension of North Carolina license privileges for non-compliance.

22 (1) resolving the citation in person.

23 (2) submission of payment by a method acceptable to the North Carolina Court System where allowed.

24 (3) resolving through an attorney where allowed.

25 (e) Upon resolving the citation, the non-resident must notify the North Carolina licensing agency so that hunting,
26 fishing or trapping privileges can be restored.

27

28 *History Note: Authority G.S. 113-134; 113-300.7.*

29 *Eff. August 1, 2017*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10A .1404

DEADLINE FOR RECEIPT: Friday, March 10, 2017

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Line 6, replace "will" with "shall"

Line 7, add a comma after "fishing"

Line 8, replace "a" with "the"

Line 8, replace "licensing agency" with "Wildlife Resources Commission" as that is the agency that promulgated this Rule

Line 8, replace "will" with "shall"

Line 9, replace the period after "violation" with a colon

Line 11, replace the period after "case" with a semicolon

Line 13, replace the period after "holder" with a semicolon

Line 15, replace the period after "state" with a semicolon

Line 15, add an "and" after the semicolon

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 24, 2017

Line 17, is the correct term “received” or “issued” Please review and clarify if necessary

Line 17, replace “a” with “the”

Line 17, replace “licensing agency” with “Wildlife Resources Commission” as that is the agency that promulgated this Rule

Line 20, replace “licensing agency” with “Wildlife Resources Commission” as that is the agency that promulgated this Rule

Line 21, what is consider “acceptable documentation”? Please clarify. Is it the list in Paragraph (e)? If so, consider replacing “acceptable documentation” with “documentation set forth in Paragraph (e), an...”

Line 21, replace “will” with “shall”

Lines 21 thru 22, replace “licensing agency” with “Wildlife Resources Commission” as that is the agency that promulgated this Rule

Line 23, replace “are to be deemed” with “shall be”

Line 24, replace the period after “non-compliance” with a colon

Line 25, replace the period after “judgment” with a semicolon

Line 25, add an “or” after the semicolon

Line 27, replace “will” with “shall”

Line 28, what is meant by “laws, policies or procedures”? Please identify so that the regulated public has notice. Please note the statutory distinction of a “rule” from a “policy” as set forth in [G.S. 150B-2](#). A “policy” is a non-binding interpretive statement.

Lines 29 thru 30, please delete this clause as the reinstatement or restoration law or rule should appropriately identify the fees.

Line 31, replace “licensing agency” with “Wildlife Resources Commission” as that is the agency that promulgated this Rule

Line 35, replace “will” with “shall”

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10A .1404 Wildlife violator compact conditions for residents is adopted as published in 31:11 NCR 1065
2 as follows:

3
4 **15A NCAC 10A.1404 WILDLIFE VIOLATOR COMPACT CONDITIONS FOR RESIDENTS**

5 (a) North Carolina residents committing hunting, fishing, or trapping violations in another WVC member state, who
6 upon release on personal recognizance from the issuing state, failed to resolve the violation, will have their hunting,
7 fishing or trapping privileges suspended in North Carolina.

8 (b) If a North Carolina licensing agency receives notice of an unresolved violation, a Notice of Suspension will be
9 prepared and sent to the violator.

10 (1) the notice shall have a delayed effective date of at least 14 business days, to allow the violator to
11 contact the court in the issuing state and resolve the case.

12 (2) the notice shall be delivered personally or by letter sent by certified mail, return receipt requested,
13 to the last known address of the licensee or permit holder.

14 (3) the notice of suspension shall inform the violator of the facts supporting the suspension and
15 procedures to be followed in resolving the matter with the court in the issuing state.

16 (4) the notice shall provide the procedure for appealing the suspension.

17 (c) Any suspensions received by a North Carolina licensing agency shall remain in effect until such time as the North
18 Carolina resident resolves the violation in the issuing state.

19 (d) When a North Carolina resident resolves a violation with the court in the issuing state, it is the responsibility of
20 the resident to present documents to the North Carolina licensing agency that acknowledge compliance. Upon receipt
21 of acceptable documentation, an acknowledgement of compliance will be issued directly to that person by the licensing
22 agency.

23 (e) The following are to be deemed sufficient evidence of compliance in response to a notice of suspension for non-
24 compliance.

25 (1) copy of the court judgment.

26 (2) a copy of a Notice of Compliance from the issuing state.

27 (f) If the acknowledgement of compliance is presented after the effective date of the suspension, reinstatement will
28 be handled in accordance with the laws, policies and procedures of North Carolina.

29 (1) any reinstatement or restoration fees shall be established and assessed in accordance with the laws,
30 policies and procedures of North Carolina.

31 (g) Residents receiving a Notice of Suspension from the North Carolina licensing agency under the WVC provisions
32 for failure to resolve a citation issued in another WVC member state may file a petition with the Office of
33 Administrative Hearings, within 60 days from the date of delivery by certified mail to the residents last known address,
34 pursuant to G.S. 150B-23.

35 (h) The issuing state will be notified if the suspension order is overturned by the Office of Administrative Hearings.
36

37 *History Note: Authority G.S. 113-134; 113-300.7.*

1

Eff. August 1, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10A .1405

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Line 4, replace "a" with "the"

Line 4, replace "licensing agency" with "Wildlife Resources Commission" as that is the agency that promulgated this Rule

Line 5, delete the comma "state"

Line 6, replace "which" with "that"

Line 6, replace "that" with "the"

Line 6, replace "agency" with "Wildlife Resources Commission" as that is the agency that promulgated this Rule

Lines 8 and 9, specify the "under North Carolina law" Consider something like "Article 113 of the General Statutes"

Line 10, delete the comma after "Carolina"

Line 13, replace "but is not limited to:" with "the following:"

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 24, 2017

Lines 13 thru 15, consider providing this information in a list format, numbered 1 through 8; using semicolons to separate the clauses; and using an “and” after item (7) of “dates of the suspension;”

Line 17, replace “North Carolina” with “Wildlife Resources Commission”

Line 18, add a comma after “orders”

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10A .1405 Reciprocal recognition of suspensions is adopted as published in 31:11 NCR 1066 as follows:

2

3 **15A NCAC 10A.1405 RECIPROCAL RECOGNITION OF SUSPENSIONS**

4 (a) When a North Carolina licensing agency receives notice of suspension of a North Carolina resident's hunting,
5 fishing, or trapping privileges or licenses by a WVC member state, that are the result of a conviction or an
6 accumulation of convictions of wildlife violations in one or more states which participate in the WVC, that agency
7 shall determine whether the violation, or accumulation of violations, leading to the suspension could have led to the
8 suspension of rights, privileges, or licenses under North Carolina law. If it is determined that the resident's privileges
9 or licenses would have been suspended under North Carolina law, the resident's licenses, rights, and privileges to hunt,
10 fish, or trap in North Carolina, shall be suspended pursuant to Article 22B of G.S. 113 for the same period as imposed
11 by the WVC member state where the violation occurred.

12 (b) North Carolina shall communicate suspension information to other member states, using the WVC database.
13 Information may include but is not limited to: name, date of birth, physical description, and last known address,
14 violation(s) and convictions upon which the suspension is based, the scope of the suspension (i.e., fishing, hunting,
15 trapping, all privileges or rights), effective dates of the suspension and term of the suspension.

16 (c) In the event documentation of a violation and subsequent license suspension is needed by a member state for
17 license suspension hearings or other purposes, North Carolina may provide certified copies of the citation or other
18 charging instrument, any arrest or investigation reports, suspension orders and the disposition of the matter.

19

20 *History Note: Authority G.S. 113-134; 113-300.7.*

21 *Eff. August 1, 2017*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10A .1406

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Line 4, replace "licensing agency" with "Wildlife Resources Commission" as that is the agency that promulgated this Rule

Line 5, replace "is" with "shall be"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10A .1406 Appeals is adopted as published in 31:11 NCR 1066 as follows:

2

3 **15A NCAC 10A.1406 APPEALS**

4 A final agency decision made by the North Carolina licensing agency to suspend any North Carolina hunting, fishing
5 or trapping license pursuant to the WVC is appealable to the Office of Administrative Hearings pursuant to G.S. 150B-
6 23. Notice of the right to appeal shall be included in the correspondence notifying the licensee of the final agency
7 decision.

8

9 *History Note: Authority G.S. 113-134; 113-300.7.*

10 *Eff. August 1, 2017*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0113

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Line 4, add a comma after "deer"

Line 7, what does the "above" refer to? Please clarify. Is it another rule that should be cross-referenced?

Line 12, add a comma after "deer"

Line 13, replace "must" with "shall"

Please review all struck through language, as sometimes the strikethrough extends to the first letter of the next word. This is not how the text was published. Please review and correct where necessary, such as lines 13, 24, and 25

Line 19, replace "which" with "that"

Line 23, add a comma after "kill"

Line 31, add a comma after "deer"

Line 36, add a comma after "registered"

Page 2, line 6, who is "by law exempt"? Please add a cross-reference to the appropriate statute

Page 2, line 8, add a comma after "deer"

Page 2, line 12, replace "are not obligated to" with "shall not"

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10B .0113 Big game kill reports is amended as published in 31:11 NCR 1066 as follows:

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

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

12 (b) Before any harvested bear, deer or wild turkey is skinned, dressed, or dismembered for consumption and within
13 24 hours of the kill, the animal must be registered ~~with a Wildlife Cooperator Agent or registered through the~~
14 ~~Electronic Big Game Reporting System. Deer harvested during the urban deer season specified in 15A NCAC 10B~~
15 ~~.0203(e) shall be registered through the Electronic Big Game Reporting System and shall not be registered with a~~
16 ~~Wildlife Cooperator Agent.~~ The hunter may field dress the animal at the site of kill or before registering it by bleeding
17 and removing the digestive, respiratory, and circulatory organs. However, the hunter may not further process the
18 carcass in a manner that obscures its species identity, age, or sex before registering the animal. When the kill occurs
19 in a remote area which prevents the animal from being transported as an entire carcass, the animal may be skinned
20 and quartered before being registered. When a hunter harvests a big game animal in a remote area and plans to remain
21 in the remote area for longer than a day, the 24-hour time limit to register the kill is extended until the hunter leaves
22 the area. Upon leaving the remote area, the hunter shall register the kill within 24 hours.

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

35 (d) Persons who kill a big game animal and leave it unattended shall identify the carcass with their name, their hunting
36 license number, and the date of kill. Once an unattended animal is registered the animal need only be identified with
37 the authorization number received by registering the kill. It is unlawful for a person to possess a Big Game Harvest

1 Report Card or Bonus Antlerless Deer Harvest Report Card on which the species validation box has been cut or
2 punched out, but on which the authorization number received by registering the kill has not been recorded, or to
3 possess a used or affixed Commission-issued DMAP tag without a valid authorization number, unless the animal is
4 in the person's possession or is identified as described in this Paragraph and not more than 24 hours have passed since
5 the harvest.

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

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

13

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

15 *Eff. February 1, 1976;*

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

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

18 *Amended Eff. August 1, 2017; August 1, 2012; August 1, 2010; June 1, 2009; May 1, 2007; May 1,*
19 *2004; July 1, 2000.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0119

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Lines 5 and 10, add a comma after "threatened"

Line 7, add a comma after "species"

Line 7, add a comma after "fishing"

Line 8, replace "does" with "shall"

Line 11, replace "are" with "shall be"

Line 16, add a comma after "possession"

Line 17, what are the "federal laws or regulations"? Please add a cross-reference or consider incorporating the appropriate documents to provide notice

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10B .0119 Wildlife collectors is amended as published in 31:11 NCR 1067 as follows:

2
3 **15A NCAC 10B .0119 WILDLIFE COLLECTORS**

4 (a) Collection Licenses. The Executive Director may license qualified individuals to take or collect any species of
5 wildlife resources except that endangered, threatened and special concern species may not be taken or collected except
6 under a special permit issued by the Executive Director for research purposes, unless there is an open season for the
7 species. If an open season exists for the species then the appropriate hunting, fishing or trapping license serves as the
8 authorization for take. This Rule does not prohibit an individual from killing an endangered, threatened, or special
9 concern species in defense of his own life or the lives of others without a permit. Individuals who annually collect
10 fewer than five reptiles or fewer than 25 amphibians that are not on the endangered, threatened or special concern lists
11 are exempted from this license ~~requirement~~ requirement, except snapping turtles (*Chelydra serpentina*) less than 11
12 inches (curved carapace length) shall not be collected at all. The license shall be issued upon payment of a fee in
13 accordance with G.S. 113-272.4, except that licenses shall be issued to representatives of educational or scientific
14 institutions or of governmental agencies without charge. The license shall be used in lieu of any other hunting or
15 trapping license required by law and shall authorize possession and transportation of the wildlife incidental to the
16 authorized taking, except that it shall not authorize the taking, possession or transportation of any species of wildlife
17 in violation of federal laws or regulations.

18 (b) Limits on collection. Individuals shall collect no more than 10 turtles from the family Chelydridae (snapping
19 turtles) per day and no more than 100 per calendar ~~year~~ and these turtles shall have a curved carapace length greater
20 than 11 inches. Individuals shall collect no more than 10 turtles from the family Kinosternidae (mud and musk turtles)
21 per day and no more than 100 per calendar year.

22 (c) Qualifications of Licensees. In addition to representatives of educational and scientific institutions and
23 governmental agencies, the collection license may be issued to any individual for any purpose when it is not deemed
24 inimical to the efficient conservation of the species to be collected or to some other wildlife species that may be
25 dependent thereon.

26 (d) Methods of Taking. The manner of taking wildlife resources under a collection license may be specified by the
27 Executive Director pursuant to G.S. 113-272.4(d) and need not be restricted to the usual methods of hunting or
28 trapping.

29 (e) Term of License. The Executive Director may, pursuant to G.S. 113-272.4(c), impose time limits and other
30 restrictions on the duration of any collection license, but unless so restricted the license shall be valid from January 1
31 through December 31 of the applicable year.

32 (f) Report of Collecting Activity. Each individual licensed under this Rule shall submit a written report to the
33 Executive Director within 15 days following the date of expiration of the license. The report shall be on a form
34 supplied by the Wildlife Resources Commission and shall show the numbers of each species taken under the license
35 and the use or disposition thereof. The Executive Director may require additional information for statistical purposes
36 such as the dates and places of the taking and the sex, size, weight, condition, and approximate age of each specimen

1 taken. The additional information may be required on the form of report or by a separate writing accompanying the
2 form.

3 (g) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-272.4(d), impose such
4 other requirements and restrictions on persons licensed under this Rule as he may deem to be necessary to the efficient
5 administration of the wildlife conservation statutes and rules.

6

7 *History Note: Authority G.S. 113-134; 113-272.4;*

8 *Eff. January 1, 1981;*

9 *Amended Eff. August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2008; April 1, 2001; February*
10 *1, 1994; November 1, 1990; September 1, 1989.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0202

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Please review all struck through language, as sometimes the strikethrough extends to the first letter of the next word. This is not how the text was published. Please review and correct where necessary, such as lines 7, 9, 12, and 22

Lines 36 thru 37, should this text be tabbed backwards? What is occurring in this list? Is "Bears may be taken with the aid of bait.." part of Subparagraph (b)(2)? Please review this, along with the Subparagraph numbers on Page 2, lines 1 thru 8.

Page 3, lines 10 thru 13, please review the history note of this Rule as it currently exists in the Code. The August 2016 rulemaking and this rulemaking is a new line below the temporary rulemaking to maintain a sequential order

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10B .0202 Bear is amended as published in 31:11 NCR 1067 as follows:

2
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~~, Brunswick, Carteret, Columbus,
8 Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, and Sampson counties.
- 9 (3) First Monday in December to the third Saturday thereafter in ~~Brunswick, Columbus, and Robeson~~
10 County ~~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 NCAC
19 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie,
20 Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston,
21 Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond,
22 Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, ~~Warren, Wake, Warren~~, and Yadkin
23 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.
- 28 (2) Bears shall not be taken with the use or aid of:
- 29 (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or
30 product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum,
31 candy block, oils, spices, peanut butter, or grease;
- 32 (B) any extracts of substances identified in Part (A) of this Subparagraph;
- 33 (C) any substances modified by substances identified in Part (A) of this Subparagraph,
34 including any extracts of those substances; or
- 35 (D) any bear bait attractant, including sprays, aerosols, scent balls, and scent powders.
- 36 (3) Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the
37 Saturday before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.

1 ~~(3)~~(4) Bears may be taken with the aid of bait during the entire open season in the counties identified in
 2 Subparagraphs (a)(2) through (a)(6) of this Rule. ~~from the first open Monday through the following~~
 3 ~~Saturday only in the counties in Subparagraphs (a)(1) through (a)(5) of this Rule. In counties with~~
 4 ~~a season split into two or more segments, this Subparagraph applies only to the first segment.~~

5 (4)(5) Bears shall not be taken while in the act of consuming bait.

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

8 ~~(5)~~(6) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85,
 9 Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston,
 10 Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph,
 11 Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and
 12 parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.

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

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

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

17 Bladen County--Suggs Mill Pond bear sanctuary

18 ~~Brunswick County and Columbus counties~~ --Green Swamp bear sanctuary

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

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

21 Clay County--Fires Creek bear sanctuary

22 Columbus County--Columbus County bear sanctuary

23 Currituck County--North River bear sanctuary

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

25 Haywood County--Harmon Den bear sanctuary

26 Haywood County--Sherwood bear sanctuary

27 Hyde County--Gull Rock bear sanctuary

28 Hyde County--Pungo River bear sanctuary

29 Jackson County--Panthertown-Bonas Defeat bear sanctuary

30 Macon County--Standing Indian bear sanctuary

31 Macon County--Wayah bear sanctuary

32 Madison County--Rich Mountain bear sanctuary

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

34 Mitchell and Yancey counties--Flat Top bear sanctuary

35 Wilkes County--Thurmond Chatham bear sanctuary

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

37 (e) Kill Reports. The carcass of each bear shall be reported as provided by 15A NCAC 10B .0113.

1 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;*
2 *Eff. February 1, 1976;*
3 *Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;*
4 *Temporary Amendment Eff. July 1, 1999;*
5 *Amended Eff. July 1, 2000;*
6 *Temporary Amendment Eff. July 1, 2002;*
7 *Amendment Eff. August 1, 2002;*
8 *Temporary Amendment Eff. September 1, 2003;*
9 *Temporary Amendment Expired Eff. December 27, 2003;*
10 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2012;*
11 *August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.*
12 *Temporary Amendment Eff. May 31, 2016*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0203

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Page 2, lines 1 thru 4, please correct the line spacing to 1.5 lines

Page 2, line 13, what is meant by "the appropriate military commands"? Could that be clarified?

Page 2, line 25, please clarify the change from 16 years of age to 18 years of age. Is that a discretionary decision left to the Wildlife Resources Commission or was there a statutory update?

Page 2, line 29, please review and clarify what the three asterisk is referring to in this Rule. On line 27, there is only one asterisk.

Page 3, line 7, please clarify the change from 16 years of age to 18 years of age. Is that a discretionary decision left to the Wildlife Resources Commission or was there a statutory update?

Page 3, lines 9 thru 11, please correct the line spacing to 1.5 lines

Page 3, line 10, please review all struck through language, as sometimes the strikethrough extends to the first letter of the next word. This is not how the text was published. Please review and correct where necessary

Page 3, line 32, replace "the" with "this"

Page 4, lines 3 thru 7, this text was published in the 31:11 Register as being all underlined. Please review and correct where necessary.

Page 4, line 21, please double check the cross-reference, as it appears that the correct Part is "F" and not "C"

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 24, 2017

Page 5, line 12, replace "must" with "shall"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10B .0203 Deer (white-tailed) is amended as published in 31:11 NCR 1067 as follows:

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

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

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

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

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

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

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

19 *Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove Game Land.

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

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

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

36 (F) Monday of Thanksgiving week through January 1 in all of Cleveland, Polk, and Rutherford
37 counties, except for South Mountain Game Land.

- 1 (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open seasons
 2 and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this
 3 Subparagraph: (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game Lands). Deer
 4 of either sex may be taken during the open season identified in Part (H) of this Subparagraph.
- 5 (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service
 6 during the period from the Saturday on or nearest September 10 through January 1 in those
 7 parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National
 8 Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the
 9 Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties
 10 known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County
 11 known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife
 12 Refuge.
- 13 (B) The open either-sex deer hunting dates established by the appropriate military commands
 14 during the period from Saturday on or nearest October 15 through January 1 in that part of
 15 Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of
 16 Craven County known and marked as Cherry Point Marine Base, in that part of Onslow
 17 County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military
 18 Reservation, and on Camp Mackall Military Reservation.
- 19 (C) Youth either-sex deer hunts. First Saturday in October for youth either-sex deer hunting
 20 by permit only on a portion of Belews Creek Steam Station in Stokes County designated
 21 by agents of the Commission; the third Saturday in October for youth either-sex deer
 22 hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties;
 23 and the second Saturday in November for youth either-sex deer hunting by permit only on
 24 apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated
 25 by agents of the Commission. A youth is defined as a person under 18~~16~~-years of age.
- 26 (D) The last open day of the Deer with Visible Antlers season described in Subparagraph (a)(1)
 27 of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and Transylvania
 28 counties.
 29 ***Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers,
 30 west of US 25, and north of NC 280
 31 **Refer to 15A NCAC 10D .0103 for either-sex deer seasons on game lands that differ
 32 from the days identified in this Subparagraph
- 33 (E) The last six open days of the Deer With Visible Antlers season described in Subparagraph
 34 (a)(1) of this Rule in all of Avery, Burke, Caldwell, McDowell, Mitchell, and Yancey
 35 counties.
- 36 (F) The first six open days and the last seven open days of the Deer with Visible Antlers season
 37 described in Subparagraph (a)(1) of this Rule in all of Cleveland, Polk, and Rutherford
 38 counties.

1 (G) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1)
 2 of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and
 3 Gaston counties and in the following parts of counties: Buncombe: That part east of NC
 4 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC
 5 280; and Henderson; That part east of NC 191 and north and west of NC 280.

6 (H) The fourth Saturday in September, subject to the following restriction: only persons under
 7 the age of ~~18~~ 16 years may hunt.

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

9 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag
 10 limits set out in Paragraph (e) of this Rule, deer ~~of either sex~~ may be taken with bow and arrow
 11 during the following seasons:

12 (A) Saturday on or nearest September 10 to the third Friday thereafter in the counties and parts
 13 of counties having the open season for Deer With Visible Antlers specified by Part (A) of
 14 Subparagraph (a)(1) of this Rule, except on Nicholson Creek, Rockfish Creek, and
 15 Sandhills Game Lands.

16 (B) Saturday on or nearest September 10 to the third Friday before Thanksgiving in the
 17 counties and parts of counties having the open seasons for Deer with Visible Antlers
 18 specified by Part (B) of Subparagraph (a)(1) of this Rule except for that portion of Buffalo
 19 Cove Game Land in Wilkes County.

20 (C) Saturday on or nearest September 10 to the Sunday prior to the opening of the blackpowder
 21 firearms and bow and arrow season identified in Part (c)(1)(C) of this Rule; and the Sunday
 22 immediately following the closing of blackpowder firearms and bow and arrow season
 23 identified in Part (c)(1)(C) of this Rule to the Sunday before Thanksgiving in the counties
 24 and parts of counties having the open seasons for Deer With Visible Antlers specified by
 25 Part (C) of Subparagraph (a)(1) of this Rule and in Cleveland, Polk, and Rutherford
 26 counties.

27 (D) Saturday on or nearest September 10 to the fourth Friday before Thanksgiving in the
 28 counties and parts of counties having the open season for Deer With Visible Antlers
 29 specified by Part (D) of Subparagraph (a)(1) of this Rule, and on Nicholson Creek,
 30 Rockfish Creek, and Sandhills Game Lands.

31 (E) Sunday immediately following the closing of the open season for Deer With Visible
 32 Antlers specified by Part (a)(1)(C) of the Rule through January 1 in the counties and parts
 33 of counties having the open season for Deer With Visible Antlers specified by Part
 34 (a)(1)(C) of this Rule.

35 (2) Restrictions

36 (A) Dogs may not be used for hunting deer during the bow and arrow season, except a single
 37 dog on a leash may be used to retrieve a wounded deer in accordance with G.S. 113-
 38 291.1(k).

- 1 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
2 may be used during the bow and arrow deer hunting season.
- 3 (C) Deer of either sex may be taken during bow and arrow seasons specified by Parts (b)(1)(A),
4 (B), (C), and (D) of this Rule.
- 5 (D) Only deer with antlers or spikes protruding through the skin, as distinguished from knobs
6 or buttons covered by skin or velvet, shall be taken during the bow and arrow season
7 specified by Part (b)(1)(E) of this Rule.
- 8 (c) Open Seasons (Blackpowder Firearms and Bow and Arrow) for hunting deer:
- 9 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may
10 be taken only with blackpowder firearms and bow and arrow during the following seasons:
- 11 (A) The Saturday on or nearest October 1 to the Friday of the second week thereafter in the
12 counties and parts of counties having the open seasons for Deer With Visible Antlers
13 specified by Part (A) of Subparagraph (a)(1) of this Rule, except on Nicholson Creek,
14 Rockfish Creek, and Sandhills Game Lands.
- 15 (B) The third Saturday preceding Thanksgiving until the Friday of the second week thereafter
16 in the counties* and parts of counties having the open seasons for Deer With Visible
17 Antlers specified by Part (B) of Subparagraph (a)(1) of this Rule.
18 *Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove game land.
- 19 (C) Monday on or nearest October 1 to the Saturday of the second week thereafter in Cleveland,
20 Polk, and Rutherford counties and in the counties and parts of counties having the open
21 seasons for Deer With Visible Antlers specified by Part C of Subparagraph (a)(1) of this
22 Rule.
- 23 (D) The fourth Saturday preceding Thanksgiving until the Friday of the second week thereafter
24 in the counties and parts of counties having the open season for Deer With Visible Antlers
25 specified by Part (D) of Subparagraph (a)(1) of this Rule, and on Nicholson Creek,
26 Rockfish Creek, and Sandhills Game Lands.
- 27 (2) Restrictions
- 28 (A) Deer of either sex may be taken during blackpowder firearms and bow and arrow season
29 in and east of the following counties: Polk, Rutherford, McDowell, Burke, Caldwell,
30 Watauga, and Ashe. Deer of either sex may be taken on the last day of this season only in
31 all other counties.
- 32 (B) Dogs shall not be used for hunting deer during the blackpowder firearms and bow and
33 arrow seasons, except a single dog on a leash may be used to retrieve a wounded deer in
34 accordance with G.S. 113-291.1(k).
- 35 (3) As used in this Paragraph, blackpowder firearms means "Any firearm - including any firearm with
36 a matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or before
37 1898; any replica of this type of firearm if such replica is not designed or redesigned for using

1 rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading
2 shotgun, or muzzle-loading handgun that is designed to use blackpowder, blackpowder substitute,
3 or any other propellant loaded through the muzzle and that cannot use fixed 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 shall send a letter to that effect no
11 later than April 1 of the year prior to the start of the urban season to the Executive Director or his
12 designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1722. Cities must also submit a map of
13 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 Rule.
26 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 during
28 the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities, except on
29 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 harvested
31 in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e) for those
32 individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license. Season
33 bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested under
34 this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported as instructed on
35 the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting
36 license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with
37 DMAP tags may only be harvested during the regularly established deer seasons subject to all the restrictions of those

1 seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report
2 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 17,*
14 *2003);*

15 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013;*

16 *August 1, 2012; August 1, 2011; July 10, 2010; June 1, 2008; May 1, 2007; May 1, 2006; June 1,*

17 *2005.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0209

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 9, please clarify the change from 16 years of age to 18 years of age. Is that a discretionary decision left to the Wildlife Resources Commission or was there a statutory update?

Line 10, delete "properly"

Line 11, replace "must" with "shall"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10B .0209 Wild turkey is amended as published in 31:11 NCR 1072 as follows:

2

3 **15A NCAC 10B .0209 WILD TURKEY**

4 (a) Open Seasons:

5 (1) Spring Wild Turkey Season is from the second Saturday in April through the Saturday of the fourth
6 week thereafter on bearded or male turkeys only in all counties statewide.

7 (2) Spring Youth Only Wild Turkey Season is from the first Saturday in April until the Friday thereafter
8 on bearded or male wild turkeys only. The bag limit during the Spring Youth Only Wild Turkey
9 season is one bird. For purposes of this Subparagraph a youth hunter is younger than ~~18~~ 16 years
10 of age. Each youth hunting during this season shall be accompanied by a properly licensed adult at
11 least 21 years of age. The adult must remain in close enough proximity to monitor the activities of,
12 and communicate with, the youth at all times.

13 (b) Bag Limits: The daily bag limit is one bird and the annual bag limit shall be two birds. Possession limit is two
14 birds.

15 (c) Dogs: The use of dogs for hunting wild turkeys is prohibited.

16 (d) Kill Reports. The kill shall be validated at the site of kill and the kill reported as provided by 15A NCAC 10B
17 .0113.

18

19 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2; 113-291.5;*

20 *Eff. February 1, 1976;*

21 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
22 *July 1, 1992;*

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

24 *Amended Eff. July 1, 2000;*

25 *Temporary Amendment Eff. July 1, 2001;*

26 *Temporary Amendment Eff. July 1, 2002;*

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

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

29 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
30 *2003);*

31 *Amended Eff. August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2007; November 1, 2005.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0215

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, add a comma after "Friday"

Line 6, add commas after "Years" and "Jr."

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10B .0215 Crows is amended as published in 31:11 NCR 1072 as follows:

2

3 **15A NCAC 10B .0215 CROWS**

4 (a) Open seasons for hunting crows are as follows: Wednesday, Friday and Saturday of each week from the first
5 Wednesday in June to the last day of February and on the following holidays: July 4, Labor Day, Thanksgiving,
6 Christmas, New Years and Martin Luther King, Jr. ~~days.~~ except when those days occur on a Sunday.

7 Note: Federal law protects crows and limits state seasons to a maximum of 124 days per year.

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

9 (c) Manner of Take. Hunters may use electronic calls.

10

11 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 50 C.F.R. 20.133;*

12 *Eff. February 1, 1976;*

13 *Amended Eff. May 1, 2009; May 1, 2006; June 1, 2005; July 1, 1991; July 1, 1987; July 1, 1984;*

14 *July 1, 1983;*

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

16 *Amended Eff. August 1, 2017; January 1, 2012.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0406

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 8, add a comma after "otter"

Lines 9 thru 10, is the sentence regarding the "U.S. Fish and Wildlife Services..." still a relevant sentence? Please review and clarify if necessary.

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10B .0406 Misuse of tags is amended as published in 31:11 NCR 1072 as follows:

2

3 **15A NCAC 10B .0406 MISUSE OF TAGS**

4 ~~(a) It is unlawful for any person to use or affix a fur tag which is valid for one season to the carcass or pelt of any~~
5 ~~bobcat, otter or fox taken or acquired during any subsequent season. When the U.S. Fish and Wildlife Service repeals~~
6 ~~its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.~~

7 ~~(b)~~(a) It is unlawful for any person to affix any fur tag to the carcass or pelt of any species of animal other than that
8 for which its use is authorized and it is unlawful to buy or sell any bobcat, otter or fox carcass or pelt which has an
9 unauthorized tag so affixed. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and
10 bobcat this Paragraph shall apply only to tagging foxes.

11 ~~(c)~~(b) It is unlawful for any person to sell or transfer any unused fox tag to any other person. It is unlawful for any
12 person to sell any unused fur tag for a price greater than the fee listed for such tag in Paragraph (c) of Rule .0403 of
13 this Section.

14 ~~(d)~~(c) It is unlawful for any person to reuse a fur tag or to remove the same from the pelt to which affixed prior to
15 delivery to a manufacturer or fur processor.

16 ~~(e)~~(d) It is unlawful to counterfeit or modify any fur tag.

17

18 *History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-273; 113-276.1; 113-291.4;*

19 *Eff. November 14, 1978;*

20 *Amended Eff. August 1, 2017; August 1, 2010; January 1, 1992; December 1, 1981; October 1,*
21 *1980.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0203

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 11, replace "will" with "shall"

Line 14, add a comma after "line"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10C .0203 Reciprocal license agreements is amended as published in 31:11 NCR 1072 as follows:

2
3 **15A NCAC 10C .0203 RECIPROCAL LICENSE AGREEMENTS**

4 (a) Virginia. In accordance with a reciprocal license agreement between the States of Virginia and North Carolina,
5 all valid licenses and permits authorizing sport fishing and legally obtained from the Virginia Department of Game
6 and Inland Fisheries or the North Carolina Wildlife Resources Commission, or the duly authorized agents of either,
7 shall be reciprocally honored for fishing by means of rod and reel, hook and line, casting, or trotline in the Dan River
8 east of the Union Street Dam at Danville, and east of the mouth of Difficult Creek on the Staunton River arm of Kerr
9 Reservoir to the Gaston Dam on the Roanoke River, including all tributary waters lying in either Virginia or North
10 Carolina that are accessible by boat from the main bodies of the Kerr and Gaston Reservoirs, or from the Island Creek
11 subimpoundment. Senior citizen and juvenile license exemptions authorized by either state will be honored by both
12 states. In addition, all valid fishing licenses and permits legally obtained from the Virginia Department of Game and
13 Inland Fisheries or the North Carolina Wildlife Resources Commission, or the duly authorized agents of either, shall
14 be reciprocally honored for fishing with rod and reel, hook and line or by casting in that portion of the New River
15 between the confluence of the North and South forks of the New River in North Carolina (Alleghany County) and the
16 confluence of the New and Little Rivers in Virginia (Grayson County).

17 (b) Georgia. In accordance with a reciprocal license agreement between the States of North Carolina and Georgia,
18 all valid statewide fishing licenses, permits, and license exemptions required by and legally obtained from the North
19 Carolina Wildlife Resources Commission or the Georgia Department of Natural Resources, or duly authorized agents
20 of either, shall be reciprocally honored for the purposes of fishing with hook and line in all of Chatuge Reservoir
21 including all tributary waters lying in either Georgia or North Carolina that are accessible by boat from the main body
22 of Chatuge Reservoir. All persons fishing in the waters of Chatuge Reservoir beyond the bounds of the state from
23 which they hold a valid fishing license, shall be authorized to fish with said license only from boats not anchored to
24 the shore or to a pier or boat dock connecting to the shore.

25 (c) Tennessee. In accordance with a reciprocal license agreement between the States of North Carolina and Tennessee,
26 all valid statewide fishing licenses obtained from the North Carolina Wildlife Resources Commission or the Tennessee
27 Wildlife Resources Agency, or the duly authorized agents of either, shall be reciprocally honored for the purposes of
28 fishing with hook and line or fishing in designated mountain trout waters, in that portion of Slick Rock Creek that
29 coincides with the state line between North Carolina and Tennessee and in all of Calderwood ~~Reservoir. Reservoir,~~
30 ~~when fishing from boat.~~

31
32 *History Note: Authority G.S. 113-134; 113-275; 113-304;*

33 *Eff. February 1, 1976;*

34 *Amended Eff. August 1, 2017; August 1, 2014; July 1, 1998; July 1, 1995; July 1, 1991.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0205

DEADLINE FOR RECEIPT: Friday, March 10, 2017

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

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 9, please clarify the change from 16 years of age to 18 years of age. Is that a discretionary decision left to the Wildlife Resources Commission or was there a statutory update?

Please review all struck through language, as sometimes the strikethrough extends to the first letter of the next word. This is not how the text was published. Please review and correct where necessary, such as line 21; page 11, lines 30 and 33

Page 12, lines 32 and 33, are all the areas as "Catch and Release/Artificial Lures" being deleted? Is the use of "(A)" needed for "Catch and Release/Artificial Lures" or should "Delayed Harvest" be moved to "(A)"? Please review and clarify if necessary.

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10C .0205 Public mountain trout waters is amended as published in 31:11 NCR 1073 as follows:

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

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

- 5 (1) "Natural bait" means any living or dead organism (plant or animal), or parts thereof, or prepared
6 substances designed to attract fish by the sense of taste or smell.
- 7 (2) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that
8 attracts fish by the sense of taste or smell.
- 9 (3) "Youth anglers" are individuals under ~~18~~16 years of age.

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

- 11 (1) "Public Mountain Trout Waters" are all waters included in this Rule and so designated in 15A NCAC
12 10D .0104.
- 13 (2) "Catch and Release/Artificial Flies Only Trout Waters" are Public Mountain Trout Waters where
14 only artificial flies having one single hook may be used. No trout may be possessed or harvested
15 while fishing these streams. Waters designated as such include tributaries unless otherwise noted.
- 16 (3) "Catch and Release/Artificial Lures Only Trout Waters" are Public Mountain Trout Waters where
17 only artificial lures having one single hook may be used. No trout may be possessed or harvested
18 while fishing these streams. Waters designated as such include tributaries unless otherwise noted.
- 19 (4) "Delayed Harvest Trout Waters" are Public Mountain Trout Waters where between October 1 and
20 one-half hour after sunset on the Friday before the first Saturday of the following June it is unlawful
21 to possess natural bait, use more than one ~~a~~ single hook on an artificial lure, or harvest or possess
22 trout while fishing. From 6:00 a.m. on the first Saturday in June until noon that same day only youth
23 anglers may fish and these waters have no bait or lure restrictions. From noon on the first Saturday
24 in June until October 1 anglers of all ages may fish and these waters have no bait or lure restrictions.
25 Waters designated as such do not include tributaries unless otherwise noted.
- 26 (5) "Hatchery Supported Trout Waters" are Public Mountain Trout Waters that have no bait or lure
27 restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- 28 (6) "Special Regulation Trout Waters" are Public Mountain Trout Waters where watercourse-specific
29 regulations apply. Waters designated as such do not include tributaries unless otherwise noted.
- 30 (7) "Wild Trout Waters" are Public Mountain Trout Waters which are identified as such in this Rule or
31 15A NCAC 10D .0104. Only artificial lures having only one single hook may be used. No person
32 shall possess natural bait while fishing these waters. Waters designated as such do not include
33 tributaries unless otherwise noted.
- 34 (8) "Wild Trout Waters/Natural Bait" are Public Mountain Trout Waters where all artificial lures and
35 natural baits, except live fish, may be used provided they are fished using only one single hook.
36 Waters designated as such include tributaries unless otherwise noted.

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

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

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

9 (1) Alleghany

10 (A) Delayed Harvest Trout Waters are as follows:

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

13 (B) Hatchery Supported Trout Waters are as follows:

14 Big Pine Creek

15 Bledsoe Creek

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

18 Cranberry Creek

19 (Big) Glade Creek

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

22 Meadow Fork

23 Pine Swamp Creek

24 Piney Fork

25 Prathers Creek

26 (C) Wild Trout Waters are as follows:

27 All waters located on Stone Mountain State Park

28 ~~Big Sandy Creek (portion on Stone Mountain State Park)~~

29 ~~Stone Mountain Creek (portion on Stone Mountain State Park)~~

30 (2) Ashe County

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

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

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

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

35 Helton Creek (Virginia state line to New River)

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

37 Trout Lake

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

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

- 1 All waters located on South Mountains State Park, except those waters identified in parts
 2 A and B of this Subparagraph
- 3 (6) Caldwell County
- 4 (A) Delayed Harvest Trout Waters are as follows:
 5 Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
- 6 (B) Hatchery Supported Trout Waters are as follows:
 7 Boone Fork Pond
 8 Buffalo Creek (mouth of Joes Creek to McCloud Branch)
 9 Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)
 10 Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted
 11 against trespassing)
 12 Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
- 13 (C) Wild Trout Waters are as follows:
 14 Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)
 15 Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)
 16 Rockhouse Creek
- 17 (7) Cherokee County
- 18 (A) Hatchery Supported Trout Waters are as follows:
 19 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
 20 Hyatt Creek (Big Dam Branch to Valley River)
 21 Junaluska Creek (Ashturn Creek to Valley River)
 22 Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)
 23 Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- 24 (B) Wild Trout Waters/Natural Bait are as follows:
 25 Bald Creek (game land portion)
 26 Dockery Creek (game land portion)
 27 North Shoal Creek (game land portion)
- 28 (8) Clay County
- 29 (A) Delayed Harvest Trout Waters are as follows:
 30 Fires Creek (USFS Rd. 340A to the foot bridge in the USFS Fires Creek Picnic Area)
- 31 (B) Hatchery Supported Trout Waters are as follows:
 32 Buck Creek (game land portion downstream of U.S. 64 bridge)
 33 Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)
 34 Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- 35 (9) Graham County
- 36 (A) Delayed Harvest Trout Waters are as follows:
 37 (Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)

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

- 1 (Rocky) Broad River (end of S.R. 1611 to Rutherford County line)
 2 Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)
 3 Clear Creek (Laurel Fork to S.R. 1582)
 4 Green River (Lake Summit powerhouse to game land boundary)
 5 (Big) Hungry River
 6 (12) Jackson County
 7 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
 8 Flat Creek
 9 Tuckasegee River (upstream from the Clark property)
 10 (B) Delayed Harvest Trout Waters are as follows:
 11 Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream
 12 of the U.S. 23-441 bridge [marked by a sign on each bank])
 13 (C) Hatchery Supported Trout Waters are as follows:
 14 Balsam Lake
 15 Bear Creek Lake
 16 Cedar Cliff Lake
 17 Cullowhee Creek (Tilley Creek to Tuckasegee River)
 18 Dark Ridge Creek (Jones Creek to Scott Creek)
 19 Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)
 20 Savannah Creek (Shell Branch to Cagle Branch)
 21 Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against
 22 trespassing)
 23 Tanasee Creek Lake
 24 Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)
 25 Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge
 26 [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)
 27 Wolf Creek Lake
 28 (D) Wild Trout Waters are as follows:
 29 Gage Creek
 30 North Fork Scott Creek
 31 Tanasee Creek
 32 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
 33 Wolf Creek (except Balsam Lake and Wolf Creek Lake)
 34 (E) Wild Trout Waters/Natural Bait are as follows:
 35 Buff Creek
 36 Chattooga River (S.R. 1100 bridge to the South Carolina state line)
 37 Lower Fowler Creek (game land portion)

- 1 Scotsman Creek (game land portion)
- 2 (13) Macon County
- 3 (A) Delayed Harvest Trout Waters are as follows:
- 4 Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- 5 (B) Hatchery Supported Trout Waters are as follows:
- 6 Burningtown Creek (Left Prong to Little Tennessee River)
- 7 Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
- 8 Cliffside Lake
- 9 Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)
- 10 Nantahala River — upper (Dicks Creek to Whiteoak Creek)
- 11 Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
- 12 Queens Creek Lake
- 13 (C) Wild Trout Waters/Natural Bait are as follows:
- 14 Chattooga River (S.R. 1100 bridge to South Carolina state line)
- 15 Jarrett Creek (game land portion)
- 16 Kimsey Creek
- 17 Overflow Creek (game land portion)
- 18 Park Creek
- 19 Tellico Creek (game land portion)
- 20 Turtle Pond Creek (game land portion)
- 21 (14) Madison County
- 22 (A) Delayed Harvest Trout Waters are as follows:
- 23 Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)
- 24 Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)
- 25 Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews
- 26 Ave.)
- 27 (B) Hatchery Supported Trout Waters are as follows:
- 28 Big Laurel Creek (Mars Hill watershed boundary to the S.R. 1318 [Big Laurel Rd.]
- 29 bridge downstream of Bearpen Branch)
- 30 Big Pine Creek (S.R. 1151 bridge to French Broad River)
- 31 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence
- 32 with Ivy Creek at Forks of Ivy)
- 33 Max Patch Pond
- 34 Meadow Fork Creek (S.R. 1165 to Spring Creek)
- 35 Puncheon Fork (Hampton Creek to Big Laurel Creek)
- 36 Roaring Fork (Fall Branch to Meadow Fork)

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

- 1 Green Creek (headwaters to Green Creek bridge, except where posted against
2 trespassing)
3 Little Rock Creek (above Green Creek bridge, including all tributaries, except where
4 posted against trespassing)
5 Wiles Creek (game land boundary to mouth)
- 6 (17) Polk County
- 7 (A) Delayed Harvest Trout Waters are as follows:
8 Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
- 9 (B) Hatchery Supported Trout Waters are as follows:
10 Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
11 North Pacolet River (Joels Creek to N.C. 108 bridge)
- 12 (18) Rutherford County
- 13 (A) Hatchery Supported Trout Waters are as follows:
14 (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted
15 against trespassing)
- 16 (19) Stokes County
- 17 (A) Hatchery Supported Trout Waters are as follows:
18 Dan River (Virginia state line downstream to a point 200 yards below the end of S.R.
19 1421)
- 20 (20) Surry County
- 21 (A) Delayed Harvest Trout Waters are as follows:
22 Ararat River (portion adjacent to the Ararat River Greenway)
23 Mitchell River (.6 mile upstream of the end of S.R. 1333 to the S.R. 1330 bridge below
24 Kapps Mill Dam)
- 25 (B) Hatchery Supported Trout Waters are as follows:
26 Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)
27 Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards
28 downstream of N.C. 268 [marked by a sign on each bank])
29 Fisher River (Cooper Creek) (Virginia state line to I-77 bridge)
30 Little Fisher River (Virginia state line to N.C. 89 bridge)
31 Lovills Creek (U.S. 52 Business bridge to Ararat River)
32 Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- 33 (21) Swain County
- 34 (A) Delayed Harvest Waters Trout Waters are as follows:
35 Tuckasegee River (U.S. 19 bridge to Slope Street bridge)
- 36 (B) Hatchery Supported Trout Waters are as follows:
37 Alarka Creek (game land boundary to Fontana Reservoir)

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

- 1 Watauga River (adjacent to intersection of S.R. 1557 and S.R. 1558 to N.C. 105 bridge
2 and S.R. 1114 bridge to N.C. 194 bridge at Valle Crucis)
- 3 (C) Hatchery Supported Trout Waters are as follows:
- 4 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an
5 unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)
- 6 Beech Creek
- 7 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
- 8 Buckeye Creek Reservoir
- 9 Cove Creek (S.R. 1233 bridge at Zionville to S.R. ~~1214~~¹²³³ bridge at Sherwood
10 ~~Amantha~~)
- 11 Dutch Creek (second bridge on S.R. 1134 to mouth)
- 12 Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against
13 trespassing)
- 14 Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)
- 15 Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)
- 16 Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 ~~Lake Chatola~~
17 ~~dam~~ to South Fork New River)
- 18 Norris Fork Creek
- 19 South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower
20 boundary of Brookshire Park)
- 21 Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)
- 22 (D) Wild Trout Waters are as follows:
- 23 Dutch Creek (headwaters to second bridge on S.R. 1134)
- 24 Howard Creek
- 25 Maine Branch (headwaters to North Fork New River)
- 26 North Fork New River (from confluence with Maine and Mine branches to Ashe Co.
27 line)
- 28 Watauga River (Avery Co. line to S.R. 1580 bridge)
- 29 Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)
- 30 (24) Wilkes County
- 31 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 32 ~~Dugger Creek (portions on Blue Ridge Mountain club)~~
- 33 ~~Harris Creek (portion on Stone Mountain State Park)~~
- 34 (B) Delayed Harvest Trout Waters are as follows:
- 35 East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park
36 lower boundary)

- 1 Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain
2 Club)
- 3 Elk Creek — lower (portion on Leatherwood Mountains development)
- 4 Reddies River (Town of North Wilkesboro water intake dam to confluence with the
5 Yadkin River)
- 6 Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong
7 Roaring River and Bullhead Creek)
- 8 (C) Hatchery Supported Trout Waters are as follows:
- 9 Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)
- 10 Bell Branch Pond
- 11 Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)
- 12 Darnell Creek (North Prong Reddies River) (downstream ford on S.R. 1569 to confluence
13 with North Fork Reddies River)
- 14 East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)
- 15 Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where
16 posted against trespassing)
- 17 Middle Fork Reddies River (Clear Prong) (headwaters to bridge on S.R. 1580)
- 18 Middle Prong Roaring River (headwaters to bridge on S.R. 1736)
- 19 North Fork Reddies River (Vannoy Creek) (headwaters to Union School bridge on S.R.
20 1559)
- 21 Pike Creek
- 22 Pike Creek Pond
- 23 South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies
24 River)
- 25 South Prong Lewis Fork (Fall Creek to S.R. 1155 bridge)
- 26 (D) Wild Trout Waters are as follows:
- 27 ~~Big Sandy Creek (portion on Stone Mountain State Park)~~
- 28 ~~Garden Creek (portion on Stone Mountain State Park)~~
- 29 ~~Widow Creek (portion on Stone Mountain State Park)~~
- 30 All waters located on Stone Mountain State Park, except East Prong Roaring River from
31 Bullhead Creek downstream to the Stone Mountain State Park lower boundary where
32 Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at
33 Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek
34 in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply
- 35 (25) Yancey County
- 36 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
- 37 South Toe River (headwaters to Upper Creek)

- 1 Upper Creek
- 2 (B) Delayed Harvest Trout Waters are as follows:
- 3 Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)
- 4 (C) Hatchery Supported Trout Waters are as follows:
- 5 Bald Mountain Creek (except where posted against trespassing)
- 6 Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)
- 7 Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)
- 8 South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park,
- 9 except where posted against trespassing)
- 10 (D) Wild Trout Waters are as follows:
- 11 Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)
- 12 Licksillet Creek
- 13 Middle Creek (game land boundary to mouth)

14

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

16 *Eff. February 1, 1976;*

17 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*

18 *October 1, 1992;*

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

20 *Amended Eff. July 1, 2000;*

21 *Temporary Amendment Eff. July 1, 2001;*

22 *Temporary Amendment Eff. July 1, 2002;*

23 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*

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

25 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*

26 *2003);*

27 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013;*

28 *August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1,*

29 *2006; June 1, 2005.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0305

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 7, should Paragraph (m) be part of this list? Please review and clarify if necessary

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10C .0305 Black bass is amended as published in 31:11 NCR 1080 as follows:

2

3 **15A NCAC 10C .0305 BLACK BASS**

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

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

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

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

15 (e) The minimum size limit for Black Bass is 14 inches in the following:

16 (1) Lake Raleigh in Wake County;

17 ~~(2) Lake Mattamuskeet and associated canals in Hyde County;~~

18 ~~(3)(2)~~ Pungo Lake in Washington and Hyde counties;

19 ~~(4)(3)~~ New Lake in Hyde County; and

20 ~~(5)(4)~~ Currituck, Roanoke, Croatan, Albemarle sounds, and all their tributaries including Roanoke River
21 downstream of Roanoke Rapids Dam, Chowan River, Yeopim River, Pasquotank River,
22 Perquimans River, North River, Northwest River, Scuppernong River, and Alligator River
23 (including the Alligator/Pungo Canal east of the NC Hwy 264/45 bridge).

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

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

28 (h) In Shearon Harris Reservoir and Lake Hampton in Yadkin County, there is no minimum size limit for Black Bass,
29 but only two Black Bass less than 14 inches and no Black Bass between 16 and 20 inches may be possessed.

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

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

33 (k) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is
34 no minimum size limit for Black Bass, but no fish between 14 and 22 inches in length may be possessed and only one
35 Black Bass greater than 22 inches may be possessed.

36 (l) In Sutton Lake, the minimum size limit for Black Bass is 14 inches and no Black Bass may be possessed from
37 December 1 through March 31.

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

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

5
6 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*
7 *Eff. February 1, 1976;*
8 *Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;*
9 *Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;*
10 *Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;*
11 *Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;*
12 *Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule*
13 *becomes effective, whichever is sooner;*
14 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;*
15 *Temporary Amendment Eff. November 1, 1998;*
16 *Amended Eff. April 1, 1999;*
17 *Temporary Amendment Eff. July 1, 1999;*
18 *Amended Eff. July 1, 2000;*
19 *Temporary Amendment Eff. July 1, 2001;*
20 *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*
21 *amendment effective July 1, 2002 and approved by RRC in May 2001];*
22 *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*
23 *Temporary Amendment Eff. June 1, 2003;*
24 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
25 *2003);*
26 *Amended Eff. August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012; March 1, 2012;*
27 *August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1, 2007; May 1,*
28 *2006; June 1, 2005.*

1 15A NCAC 10C .0306 Crappie is amended as published in 31:11 NCR 1081 as follows:

2

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

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

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

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

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

10 (1) B. Everett Jordan Reservoir;

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

12 (3) Cashie River and its tributaries;

13 (4) Middle River and its tributaries; ~~and~~

14 (5) Eastmost River and its tributaries; and tributaries.

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

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

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

18 (2) Badin Lake;

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

20 (4) Lake Tillery;

21 (5) Blewett Falls Lake;

22 (6) Lake Norman;

23 (7) Lake Hyco;

24 (8) Lake Ramseur;

25 (9) Cane Creek Lake;

26 (10) Lake Hampton (Yadkin County);

27 (11) Tar River downstream of Tar River Reservoir Dam;

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

29 (13) Haw River downstream of Jordan Lake Dam;

30 (14) Deep River downstream of Lockville Dam;

31 (15) Cape Fear River;

32 (16) Waccamaw River downstream of Lake Waccamaw Dam;

33 (17) Lumber River including Drowning Creek;

34 (18) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County,
35 Sutton Lake in New Hanover County, and waters listed in Paragraph (d) of this Rule; and

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

37 For waters in Subparagraphs (11) through (19), the restrictions apply to all tributaries.

- 1 *History Note:* *Authority G.S. 113-134; 113-292;*
- 2 *Eff. November 1, 2013;*
- 3 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0314

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 31, the referenced rule does not address "inland" waters. Is the term "inland" necessary for this rule or appropriate? Please review and delete "inland and" if necessary

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10C .0314 Striped bass is amended as published in 31:11 NCR 1081 as follows:

2

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

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

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

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

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

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

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

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

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

31 (i) In the inland and joint fishing waters [as identified in 15A NCAC 10C .0107(1)(e)] of the Roanoke River Striped
32 Bass Management Area, which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the
33 open season for taking and possessing Striped Bass and its hybrids is March 1 through April 30 from the joint-coastal
34 fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season, the
35 daily creel limit for Striped Bass and its hybrids is two fish in the aggregate, and the minimum size limit is 18 inches.
36 No fish between 22 inches and 27 inches in length shall be possessed in the daily creel limit. Only one fish larger
37 than 27 inches may be possessed in the daily creel limit.

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

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

8

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

10 *Eff. November 1, 2013;*

11 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014.*

1 15A NCAC 10C .0316 Trout is amended as published in 31:11 NCR 1082 as follows:

2

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

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

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

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

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

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

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

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

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

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

29

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

31 *Eff. November 1, 2013;*

32 *Amended Eff. August 1, 2017; August 1, 2015.*

1 15A NCAC 10C .0318 White bass is amended as published in 31:11 NCR 1082 as follows:

2

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

4 The daily creel limit for White Bass is 10 ~~25~~-fish. There is a 14 inch ~~no~~-minimum size limit for these fish. There is
5 no closed season for White Bass.

6

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

8 *Eff. November 1, 2013.*

9 *Amend Eff. August 1, 2017;*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0402

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 13 thru 14, what does this clause mean? Has this ever been accomplished by a session law? Is there continuing need for this language? Please review.

Line 32, is there a license that specifies "basic inland fishing"? Please verify that the language of the Rule accurately reflects the name used by the license so that it may be properly identified

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10C .0402 Taking nongame fishes for bait or personal consumption is amended as published in 31:11
2 NCR 1083 as follows:

3

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

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

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

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

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

- 3 (1) No more than 25 eels, none of which may be less than 9 inches in length, shall be taken from or
4 possessed, regardless of origin, while boating on or fishing in inland fishing waters;
- 5 (2) While boating on or fishing in the following inland fishing waters, no river herring (alewife and
6 blueback) that are greater than six inches in total length shall be taken, and no such river herring
7 shall be possessed regardless of origin:
- 8 (A) Roanoke River downstream of Roanoke Rapids Dam;
- 9 (B) Tar River downstream of Rocky Mount Mill Dam;
- 10 (C) Neuse River downstream of Milburnie Dam;
- 11 (D) Cape Fear River downstream of Buckhorn Dam;
- 12 (E) Pee Dee River downstream of Blewett Falls Dam;
- 13 (F) Lumber River including Drowning Creek;
- 14 (G) the tributaries to the rivers listed above; and
- 15 (H) all other inland fishing waters east of Interstate 95.
- 16 (3) No more than 50 crabs per person per day or 100 per vessel per day with a minimum carapace width
17 of five inches (point to point) shall be taken.

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

19 ~~(f)~~(g) It is unlawful to take nongame fish for bait or any other fish bait from designated public mountain trout waters
20 and from the bodies of water specified for the following counties:

- 21 (1) Chatham County:
22 Deep River
23 Rocky River
24 Bear Creek
- 25 (2) Lee County:
26 Deep River
- 27 (3) Moore County:
28 Deep River
- 29 (4) Randolph County:
30 Deep River below the Coleridge Dam
31 Fork Creek

32 ~~(g)~~(h) In the waters of the Little Tennessee River, including all the tributaries and impoundments thereof, and on
33 adjacent shorelines, docks, access ramps, and bridge crossings, it is unlawful to transport, possess, or release live river
34 herring (alewife and blueblack).

35
36 *History Note:* Authority G.S. 113-134; 113-135; 113-135.1; 113-272; 113-272.3; 113-292;
37 Eff. February 1, 1976;

1 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1993; July 1, 1992; May 1, 1992; July 1, 1989;*
2 *Temporary Amendment Eff. July 1, 2001;*
3 *Amended Eff. July 18, 2002;*
4 *Temporary Amendment Eff. June 1, 2003;*
5 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
6 *2003);*
7 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013;*
8 *August 1, 2010; May 1, 2008; May 1, 2007; May 1, 2006.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0102

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 10, please clarify the change from 16 years of age to 18 years of age. Is that a discretionary decision left to the Wildlife Resources Commission or was there a statutory update?

Page 2, line 4, add "the" before "use"

Page 2, line 11, add a comma after "county"

Page 2, line 28, the citation to G.S. 150B-21.6 is not sufficient. Please clarify if subsequent amendments are to be included and the cost, which based on the website should be "at no charge"

Page 3, line 13, should the "16" be an "18"? Please keep in mind the earlier inquiry about the need for the change.

Page 4, line 13, add a comma after ".0302"

Page 4, line 21, add a comma after "Wetlands"

Page 4, line 35, replace "must" with "shall"

Page 7, line 2, delete "of"

Page 7, line 2, replace "will" with "shall"

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

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10D .0102 General regulations regarding use is amended as published in 31:11 NCR 1084 as follows:

2
3 **15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE**

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

- 5 (1) "Permanent Hunting Blind" means any structure that is used for hunter concealment, constructed
6 from manmade or natural materials, and that is not disassembled and removed at the end of each
7 day's hunt.
8 (2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping, or
9 self-defense.
10 (3) "Youth" means individuals under ~~16~~18 years of age.

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

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

1 (7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting
2 Zones" the use of dogs for taking deer is prohibited, except as allowed by permit as provided in G.S.
3 113-264(d).

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

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

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

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

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

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

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

20 No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any
21 posted waterfowl impoundment on any game land, except shotgun shells containing lead buckshot may be used while
22 deer hunting. Every individual carrying a concealed handgun shall adhere to the requirements set forth in G.S. 14-
23 415.11, even if the state issuing the concealed handgun permit is not North Carolina. On Butner-Falls of Neuse,
24 Jordan, Kerr Scott, and Vance game lands, no person shall possess loaded firearms, ammunition, bows and arrows,
25 crossbows, or other weapons except as provided in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13,
26 and may be found at: [http://www.ecfr.gov/cgi-bin/text-
27 idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327_113&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327_113&rgn=div8), in accordance with
28 G.S. 150B-21.6. On Buckhorn, Chatham, Harris, Hyco, Lee, Mayo, and Sutton Lake game lands; Pee Dee River
29 Game Land north of U.S. 74; and that portion of R. Wayne Bailey- Caswell Game Land that is located north of U.S.
30 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days for
31 game birds or game animals, except under the following conditions:

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

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

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

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

37 (e) Game Lands License: Hunting and Trapping

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

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

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

12 (4) Exceptions:

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

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

18 (f) Field Trials and Training Dogs. Any individual or organization sponsoring a field trial on the Sandhills Field Trial
19 area or the Laurinburg Fox Trial facility, shall file with the Commission an application to use the area and facility
20 accompanied by the facility use fee computed at the rate of two hundred dollars (\$200.00) for each scheduled day of
21 the trial. The total facility use fee shall cover the period from 12:00 noon of the day preceding the first scheduled day
22 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
23 all intermediate days on which for any reason trials are not run but the building or facilities are used or occupied. A
24 fee of seventy-five dollars (\$75.00) per day shall be charged to sporting, educational, or scouting groups for scheduled
25 events utilizing the club house only. No person or group of persons or any other entity shall enter or use in any manner
26 any of the physical facilities located on the Sandhills Field Trial area or the Laurinburg Fox Trial facility without first
27 having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission,
28 and no such entry or use of any such facility shall exceed the scope of or continue beyond the approved use. The
29 Sandhills Field Trial facilities shall be used only for field trials scheduled with the approval of the Wildlife Resources
30 Commission. No more than 16 days of field trials may be scheduled for occurrence on the Sandhills facilities during
31 any calendar month, and no more than four days may be scheduled during any calendar week; provided, that a field
32 trial requiring more than four days may be scheduled during one week upon reduction of the maximum number of
33 days allowable during some other week so that the monthly maximum of 16 days is not exceeded. Before October 1
34 of each year, the North Carolina Field Trial Association or other organization desiring use of the Sandhills facilities
35 between October 22 and November 18 and between December 3 and March 31 shall submit its proposed schedule of
36 such use to the Wildlife Resources Commission for its consideration and approval. The use of the Sandhills Field
37 Trial facilities at any time by individuals for training dogs is prohibited; elsewhere on the Sandhills Game Lands dogs

1 may be trained only on Mondays, Wednesdays, and Saturdays from October 1 through April 1. Dogs may not be
 2 trained or permitted to run unleashed from April 1 through August 15 on any game land located west of I-95, except
 3 when participating in field trials sanctioned by the Wildlife Resources Commission. Dogs may not be trained or
 4 permitted to run unleashed from March 15 through June 15 on any game land located east of I-95, except when
 5 participating in field trials sanctioned by the Wildlife Resources Commission. Additionally, on game lands located
 6 west of I-95 where special hunts are scheduled for sportsmen participating in the Disabled Sportsman Program, dogs
 7 may not be trained or allowed to run unleashed during legal big game hunting hours on the dates of the special hunts.
 8 A field trial shall be authorized when such field trial does not conflict with other planned activities on the Game Land
 9 or field trial facilities, and the applying organization can demonstrate their experience and expertise in conducting
 10 genuine field trial activities. Entry to physical facilities, other than by field trial organizations under permit, shall be
 11 granted when they do not conflict with other planned activities previously approved by the Commission and they do
 12 not conflict with the mission of the agency.

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

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

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

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

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

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

- 31 (1) No person shall camp on any game land except on an area designated by the landowner for camping.
- 32 (2) On game lands owned by the State of North Carolina, where the North Carolina Wildlife Resources
 33 Commission is the primary custodian, the maximum period of consecutive overnight camping at
 34 any designated camping area is 14 days within any 30-day period from May 1 through August 31.
 35 After 14 consecutive days of camping, all personal belongings must be removed from the game
 36 land.

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

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

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

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

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

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

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

28 (m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use
29 on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k) of this
30 Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but
31 shall comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans
32 with Disabilities Act (42 U.S.C. 126) may use wheelchairs or other mobility devices designed for indoor pedestrian
33 use on any area where foot travel is allowed.

34 (n) Disabled Access Program. Permits issued under this program shall be based upon medical evidence submitted by
35 the person verifying that a handicap exists that limits physical mobility to the extent that normal utilization of the
36 game lands is not possible without vehicular assistance. Persons meeting this requirement may operate electric wheel
37 chairs, all terrain vehicles, and other passenger vehicles on any Commission-maintained road open for vehicular travel

1 and those trails posted for vehicular travel and ungated or open-gated roads otherwise closed to vehicular traffic on
2 game lands owned by the Wildlife Resources Commission and on game lands whose owners have agreed to such use.
3 Those game lands, or parts thereof, where this Paragraph applies are designated in the game land rules and map book.
4 This Paragraph does not permit vehicular access on fields, openings, roads, paths, or trails planted for wildlife food or
5 cover. One companion, who is identified by a companion card issued to each qualified disabled person, may
6 accompany a disabled person to provide assistance, provided the companion is at all times in visual or verbal contact
7 with the disabled person. The companion may participate in all lawful activities while assisting a disabled person,
8 provided license requirements are met. Any vehicle used by a qualified disabled person for access to game lands
9 under this provision shall display the vehicular access permit issued by the Wildlife Resources Commission in the
10 passenger area of the vehicle where it can easily be seen by Commission staff outside the vehicle. It is unlawful for
11 anyone other than disabled persons as defined in Paragraph (k) of this Rule and those holding a Disabled Access
12 Permit to hunt, during waterfowl season, within 100 yards of a waterfowl blind designated by the Wildlife Resources
13 Commission as a Disabled Sportsman's hunting blind.

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

18 (p) Shooting Ranges. On public shooting ranges managed by the Commission, no person shall use designated
19 shooting ranges for any purpose other than for firearm or bow and arrow marksmanship, development of shooting
20 skills, or for other safe uses of firearms and archery equipment. All other uses, including camping, building fires,
21 operating concessions or other activities not directly involved with recreational or competitive shooting are prohibited,
22 except for activities that have been approved by the Commission and for which a permit has been issued may be
23 conducted, provided that the permit authorizing such activity is available for inspection by wildlife enforcement
24 officers at the time the activity is taking place. No person, when using any shooting range, shall deposit any debris or
25 refuse on the grounds of the range. This includes any items used as targets, except that clay targets broken on the
26 range, by the shooter, may be left on the grounds where they fall. No person shall shoot any items made of glass on
27 the grounds of the range. No person may leave any vehicle or other obstruction in such a location or position that it
28 will prevent, impede, or inconvenience the use by other persons of any shooting range. No person shall leave parked
29 any vehicle or other object at any place on the shooting range other than such a place or zone as is designated as an
30 authorized parking zone and posted or marked as such. No person shall handle any firearms or bow and arrow on a
31 shooting range in a careless or reckless manner. No person shall intentionally shoot into any target holder, post, or
32 other permanent fixture or structure while using a shooting range. No person shall shoot a firearm in a manner that
33 would cause any rifled or smoothbore projectiles to travel off of the range, except that shotgun shot, size No. 4 or
34 smaller may be allowed to travel from the range if it presents no risk of harm or injury to any person(s). Persons using
35 a shooting range shall obey posted range safety rules and those persons who violate range safety rules or create a
36 public safety hazard shall leave the shooting range if directed to by law enforcement officers or to leave by
37 Commission employees. No person shall handle any firearms on a shooting range while under the influence of an

1 impairing substance. The consumption of alcohol or alcoholic beverages on a shooting range is prohibited. Open
2 days and hours of operation shall be designated on signs and at least one of such signs will be posted at the entrance
3 to each shooting range. No person, when using any shooting range, shall do any act that is prohibited or neglect to do
4 any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of
5 regulating the use of the area.

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

9
10 *History Note:* Authority G.S. 113-129; 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306;
11 143-318.10.
12 Eff. February 1, 1976;
13 Amended Eff. July 1, 1993; April 1, 1992;
14 Temporary Amendment Eff. October 11, 1993;
15 Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994;
16 Temporary Amendment Eff. July 1, 1999;
17 Amended Eff. July 1, 2000;
18 Temporary Amendment Eff. August 31, 2001;
19 Amended Eff. August 1, 2002;
20 Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July 17,
21 2003);
22 Amended Eff. January 1, 2013; January 1, 2012; June 1, 2011; August 1, 2010; May 1, 2009; May
23 1, 2008; May 1, 2007; May 1, 2006; November 1, 2005;
24 Temporary Amendment Eff. July 1, 2014;
25 Amended Eff. August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0103

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 29, what is meant by the "best management practices"? Is there a statute or rule that could be cross-referenced to clarify?

Page 2, line 13, the referenced rule does not address bears or bear sanctuaries. Please review and correct the citation if necessary

Page 3, line 9, add a comma after "Tract"

Page 6, line 22, add a comma after "Gates"

Page 10, line 5; page 11, line 4; page 16, lines 7 and 27; page 18, line 25; page 20, lines 6 and 7; and page 21, line 21, please review the punctuation between the term "count" and the "hunting" Sometimes it is a dash, but at least one is a comma. Please review for consistency

Page 16, line 33, add a comma after "Richland"

Page 18, line 22, please verify the cross-reference, as it appears that the correct citation may be "15A NCAC 10D .0102(f)" not "(e)"

Page 18, line 26, add a comma after "Nash"

Page 18, line 31, add a comma after "McDowell"

Page 19, lines 36 thru 37, capitalize "Resources Commission"

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

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10D .0103 Hunting on game lands is amended as published in 31:11 NCR 1088 as follows:

2

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

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

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

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

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

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

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

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

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

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

21 On designated youth waterfowl days occurring after the end of the regular waterfowl seasons only, youths may hunt
22 on managed waterfowl impoundments from ½ hour before sunrise to sunset. Restrictions (1), (3), and (5) in this
23 Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the
24 trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the
25 portion of the impoundment outside of the posted "Scouting-only Zone." No person shall attempt to obscure the sex
26 or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal that
27 has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods
28 without prior written authorization of the Commission or its agent. A decision to grant or deny authorization shall be
29 made based on the best management practices for the wildlife species in question. No person shall take or attempt to
30 take any game birds or game animals attracted to such foods.

31 (e) Definitions:

32 (1) For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be
33 taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day,
34 Christmas Day, and New Year's Days within the federally-announced season.

35 (2) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any
36 game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays,
37 Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days, except for game lands in this

1 Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Falconry may also be
2 practiced on Sundays. These "open days" also apply to either-sex deer hunting seasons listed under
3 each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until
4 7:00 a.m. on Thursdays, and until midnight on Saturdays.

- 5 (3) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any game
6 may be taken during the open seasons.

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

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

14 (h) The listed seasons and restrictions apply in the following game lands:

- 15 (1) Alcoa Game Land in Davidson, Davie, Montgomery, Rowan, and Stanly 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 in that portion in Montgomery county, and
19 deer of either sex may be taken all the open days of the applicable Deer With Visible
20 Antlers Season in those portions in Davidson, Davie, Rowan, and Stanly counties.

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

- 22 (2) Alligator River Game Land in Tyrrell County

23 (A) Six Day 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 may only be taken the first three hunting days during the November Bear Season and
27 the first three hunting days during the second week of the December Bear Season.

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

29 (A) Six Days per Week Area

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

32 (C) Target shooting is prohibited.

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

34 (A) Six Days per Week Area

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

- 37 (5) Bertie County Game Land in Bertie County

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

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

- 1 (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area
2 and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited
3 in this camping area.
- 4 (14) Buxton Woods Game Land in Dare 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) Target shooting is prohibited.
- 9 (15) Cape Fear River Wetlands Game Land in Pender County
- 10 (A) Six Days per Week Area
- 11 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
12 Antlers Season.
- 13 (C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.
- 14 (D) The use of dogs for hunting deer is prohibited on the portion of the game land that is west
15 of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road,
16 and south of NC 210 to the Black River.
- 17 (E) Target shooting is prohibited.
- 18 (16) Carteret County Game Land in Carteret County
- 19 (A) Six Days per Week Area
- 20 (B) Deer of either sex may be taken the first six open days and the last six open days of the
21 applicable Deer With Visible Antlers Season.
- 22 (C) The use of dogs for hunting deer is prohibited.
- 23 (17) R. Wayne Bailey-Caswell Game Land in Caswell County
- 24 (A) Three Days per Week Area
- 25 (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible
26 Antlers Season.
- 27 (C) Horseback riding is allowed only during June, July, and August, and on Sundays during
28 the remainder of the year except during open turkey and deer seasons. Horseback riding
29 is allowed only on roads opened to vehicular traffic and on those gated roads and trails that
30 are posted for equestrian use. People age 16 or older horseback riding on this game land
31 shall possess a Game Lands license.
- 32 (D) The area encompassed by the following roads is permit-only for all quail and woodcock
33 hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of
34 SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the
35 intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to
36 the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR
37 1730 to NC 86, north on NC 86 to NC 62.

- 1 (E) On the posted waterfowl impoundment, waterfowl hunting is by permit only after
2 November 1.
- 3 (F) Camping and the presence of campers and tents in designated Hunter Camping Areas are
4 limited to September 1 through the last day of February and March 31 through May 14.
- 5 (G) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.
- 6 (18) 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 ~~(19) 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 Visible~~
17 ~~Antlers Season.~~
- 18 ~~(20)~~(19) 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 ~~(21)~~(20) 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 except
28 that portion of Chowan Swamp Game Land in Gates County that is east of Highway
29 158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the
30 Chowan River where the bear season is the same as the season dates for the Gates County
31 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 (E) Horseback riding is prohibited except during May 16 through August 31 and on Sundays
35 only September 1 through May 15 on those roads that are open to vehicular traffic and on
36 those gated roads and trails posted for equestrian use.
- 37 ~~(22)~~(21) Cold Mountain Game Land in Haywood County

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

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

1 season, are restricted to the posted Scouting-only Zone during the period November 1
2 through March 15.

3 (F) 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 (G) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1
6 through January 1 and April 1 through May 15 to individuals that possess a valid hunting
7 opportunity permit.

8 ~~(32)~~(31) Green River Game Land in Henderson, and Polk counties

9 (A) Six Days per Week Area

10 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
11 Antlers Season.

12 (C) Horseback riding is prohibited.

13 ~~(33)~~(32) Green Swamp Game Land in Brunswick County

14 (A) Six Days per Week Area

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

17 ~~(34)~~(33) Gull Rock Game Land in Hyde County

18 (A) Six Days per Week Area

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

21 (C) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:

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

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

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

25 (D) Camping is restricted to September 1 through the last day of February and March 31
26 through May 14 in areas designated and posted as camping areas.

27 (E) Bear may only be taken the first three hunting days during the November Bear Season and
28 the first three hunting days during the second week of the December Bear Season, except
29 for that portion designated as bear sanctuary.

30 ~~(35)~~(34) Harris Game Land in Chatham, Harnett, and Wake counties

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) Waterfowl shall be taken only on the following days:

35 (i) Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;

36 (ii) Thanksgiving, Christmas, and New Year's Days; and

37 (iii) the opening and closing days of the applicable waterfowl seasons.

- 1 (D) The use or construction of permanent hunting blinds shall be prohibited.
- 2 (E) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 3 (F) Target shooting is prohibited.
- 4 (G) Horseback riding is prohibited.
- 5 (35) Hill Farm Game Land in Stokes County- hunting and trapping is by permit only.
- 6 (36) Holly Shelter Game Land in Pender County
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 9 Antlers Season.
- 10 (C) Waterfowl may be taken only on the following days:
- 11 (i) the opening and closing days of the applicable waterfowl seasons;
- 12 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 13 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 14 (D) Camping is restricted to September 1 through the last day of February and March 31
- 15 through May 14 in areas designated and posted as camping areas.
- 16 (E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east
- 17 of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and
- 18 bear hunting are permit only.
- 19 (F) The use of dogs for hunting deer and bear is prohibited:
- 20 (i) all open days on that portion of the game land that is south of Baby Branch
- 21 extending west to Stag Park Road, west of Shaw Road, north of Meeks Road
- 22 extending west to Stag Park Road and east of Stag Park Road; and
- 23 (ii) on Tuesdays, Thursdays, and Fridays, with the exception of Thanksgiving,
- 24 Christmas, and New Year's days, and except for the area north of Bear Garden
- 25 Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River,
- 26 south of NC 53 and west of NC 50, where the use of dogs for deer and bear hunting
- 27 is by permit only.
- 28 (G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the
- 29 last day of February and April 1 to May 15 to individuals that possess valid hunting
- 30 opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.
- 31 (H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on and
- 32 within 100 yards of trails designated for Disabled Sportsman Access.
- 33 (I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.
- 34 (J) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- 35 (37) Hyco Game land in Person County
- 36 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken the first six open days and the last six open days of the
2 applicable Deer With Visible Antlers Season.
- 3 (C) Target shooting is prohibited.
- 4 (38) J. Morgan Futch Game Land in Tyrrell County, Permit Only Area.
- 5 (39) Johns River Game Land in Burke County
- 6 (A) Hunting is by permit only.
- 7 (B) During permitted deer hunts, deer of either sex may be taken by permit holders.
- 8 (C) Entry on posted waterfowl impoundments is prohibited October 1 through March 31,
9 except by lawful waterfowl hunting permit holders and only on those days written on the
10 permits.
- 11 (D) The use or construction of permanent hunting blinds is prohibited.
- 12 (40) Jordan Game Land in Chatham, Durham, Orange, and Wake counties
- 13 (A) Six Days per Week Area
- 14 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
15 Antlers Season.
- 16 (C) Waterfowl may be taken only on:
- 17 (i) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
- 18 (ii) Thanksgiving, Christmas, and New Year's Days; and
- 19 (iii) the opening and closing days of the applicable waterfowl seasons.
- 20 (D) Horseback riding is prohibited except on those areas posted as American Tobacco Trail
21 and other areas posted for equestrian use. Unless otherwise posted, horseback riding is
22 permitted on posted portions of the American Tobacco Trail anytime the trail is open for
23 use. On all other trails posted for equestrian use, horseback riding is allowed only during
24 June, July, and August, and on Sundays the remainder of the year except during open turkey
25 and deer seasons. People age 16 or older who ride horseback on trails occurring entirely
26 within the game land boundaries shall possess a Game Lands license.
- 27 (E) Target shooting is prohibited.
- 28 (F) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- 29 (G) The use of bicycles is restricted to designated areas, except that this restriction does not
30 apply to hunters engaged in the act of hunting during the open days of the applicable
31 seasons for game birds and game animals.
- 32 (41) Juniper Creek Game Land in Brunswick and Columbus counties
- 33 (A) Six Days per Week Area
- 34 (B) Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.
- 35 (C) Camping is restricted to September 1 through the last day of February and March 31
36 through May 14 in areas both designated and posted as camping areas.
- 37 (42) Kerr Scott Game Land in Wilkes County

- 1 (A) Six Days per Week Area
- 2 (B) Use of centerfire rifles is prohibited.
- 3 (C) Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable
- 4 Deer With Visible Antlers Season is prohibited.
- 5 (D) Tree stands shall not be left overnight; and no screws, nails, or other objects penetrating
- 6 the bark shall be used to attach a tree stand or blind to a tree.
- 7 (E) Deer of either sex may be taken on all open days of the applicable Deer With Visible
- 8 Antlers season.
- 9 (F) Hunting on posted waterfowl impoundments is by permit only.
- 10 (G) The use of firearms for hunting wild turkey is prohibited.
- 11 (43) Lantern Acres Game Land in Tyrrell and Washington counties
- 12 (A) Six Days per Week Area
- 13 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 14 Antlers Season.
- 15 (C) Wild turkey hunting is by permit only.
- 16 (D) The use of dogs for hunting deer on the Godley Tract is prohibited.
- 17 (E) Waterfowl hunting on posted waterfowl impoundments is by permit only.
- 18 (44) Lee Game Land in Lee County
- 19 (A) Six Days per Week Area
- 20 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 21 applicable Deer With Visible Antlers Season.
- 22 (C) Target shooting is prohibited.
- 23 (45) Light Ground Pocosin Game Land in Pamlico County
- 24 (A) Six Days per Week Area
- 25 (B) Deer of either sex may be taken all the open days of the applicable Deer with Visible
- 26 Antlers Season.
- 27 (46) Linwood Game Land in Davidson County
- 28 (A) Six Days per Week Area
- 29 (B) Deer of either sex may be taken on all of the open days of the applicable Deer With Visible
- 30 Antlers Season.
- 31 (47) Lower Fishing Creek Game Land in Edgecombe and Halifax counties
- 32 (A) Six Days per Week Area
- 33 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 34 applicable Deer With Visible Antlers Season.
- 35 (C) Horseback riding is prohibited.
- 36 (D) The use of dogs for hunting deer is prohibited.
- 37 (48) Mayo Game Land in Person County

- 1 (A) Six Days per Week Area
- 2 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 3 applicable Deer With Visible Antlers Season.
- 4 (C) Waterfowl shall be taken only on:
- 5 (i) Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;
- 6 (ii) Christmas and New Year's Days; and
- 7 (iii) the opening and closing days of the applicable waterfowl seasons.
- 8 (D) Target shooting is prohibited.
- 9 (49) Mitchell River Game Land in Surry County
- 10 (A) Three Days per Week Area
- 11 (B) Deer of either sex may be taken the last six days of the applicable Deer with Visible Antlers
- 12 Season.
- 13 (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and
- 14 all horseback riding is prohibited from September 1 through May 15.
- 15 (50) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania
- 16 counties
- 17 (A) Six Days per Week Area
- 18 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 19 Antlers Season in that portion located in Transylvania County.
- 20 (51) Needmore Game Land in Macon and Swain counties.
- 21 (A) Six Days per Week Area
- 22 (B) Horseback riding is prohibited except on designated trails May 16 through August 31, and
- 23 all horseback riding is prohibited from September 1 through May 15.
- 24 (C) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- 25 (52) Neuse River Game Land in Craven County
- 26 (A) Six Days per Week Area
- 27 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 28 Antlers Season.
- 29 (53) New Lake Game Land in Hyde and Tyrrell counties
- 30 (A) Six Days per Week Area
- 31 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 32 Antlers Season.
- 33 (54) Nicholson Creek Game Land in Hoke County
- 34 (A) Three Days per Week Area
- 35 (B) Deer of either sex may be taken with bow and arrow on open hunting days from the
- 36 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving.

- 1 (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning
 2 the fourth Saturday before Thanksgiving through the Wednesday of the second week
 3 thereafter.
- 4 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
 5 Saturday before Thanksgiving through the third Saturday after Thanksgiving.
- 6 (E) Deer of either sex may be taken the last open day of the applicable Deer With Visible
 7 Antlers Season.
- 8 (F) The use of dogs for hunting deer is prohibited.
- 9 (G) Wild turkey hunting is by permit only.
- 10 (H) On Lake Upchurch, the following activities are prohibited:
- 11 (i) Operating any vessel or vehicle powered by an internal combustion engine; and
 12 (ii) Swimming.
- 13 (I) Target shooting is prohibited.
- 14 (55) North River Game Land in Camden and Currituck counties
- 15 (A) Six Days per Week Area
- 16 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
 17 Antlers Season.
- 18 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or
 19 shoreline.
- 20 (D) Hunting on the posted waterfowl impoundment is by permit only.
- 21 (56) Northwest River Marsh Game Land in Currituck County
- 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) The boundary of the Game Land shall extend five yards from the edge of the marsh or
 26 shoreline.
- 27 (57) Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties
- 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) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North
 32 of US-74.
- 33 (D) Target shooting is prohibited.
- 34 (E) Horseback riding is allowed only on roads opened to vehicular traffic and only during the
 35 following times:
- 36 (i) during June, July, and August; and

- 1 (ii) on Sundays during the other months or parts of months when deer and turkey
 2 seasons are closed.
- 3 (58) Perkins Game Land in Davie County
 4 (A) Three Days per Week Area
 5 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
 6 Antlers Season.
 7 (C) Horseback riding is prohibited from November 1 through January 1.
- 8 (59) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison,
 9 McDowell, Mitchell, Transylvania, Watauga, and Yancey counties
 10 (A) Six Days per Week Area
 11 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
 12 Antlers Season.
 13 (C) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River
 14 (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- 15 (60) Pond Mountain Game Land in Ashe County
 16 (A) Six Days per Week Area
 17 (B) Deer of either sex may be taken the last six open days of the applicable Deer with Visible
 18 Antlers Season.
 19 (C) Horseback riding is prohibited except on designated trails from May 16 through August 31
 20 and Sundays from September 1 through October 31. All horseback riding is prohibited
 21 from November 1 through May 15.
 22 ~~(D) — Deer and bear hunting is by permit only.~~
- 23 (61) Pungo River Game Land in Hyde County
 24 (A) Six Days per Week Area
 25 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
 26 Antlers Season.
- 27 (62) Rendezvous Mountain State Forest Game Land in Wilkes County
 28 (A) Three Days per Week Area
 29 (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible
 30 Antlers Season.
 31 (C) Bear hunting is prohibited.
- 32 ~~(62)~~(63) Rhodes Pond Game Land in Cumberland and Harnett counties
 33 (A) Hunting is by permit only.
 34 (B) Swimming is prohibited on the area.
- 35 ~~(63)~~(64) Roanoke River Wetlands in Bertie, Halifax, Martin, and Northampton counties
 36 (A) Hunting is by Permit only.

- 1 (B) Vehicles are prohibited on roads or trails except those operated on Commission business
2 or by permit holders.
- 3 (C) 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, provided, however,
5 that camping is allowed at any time within 100 yards of the Roanoke River on the state-
6 owned portion of the game land.
- 7 ~~(64)~~(65) Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- 8 ~~(65)~~(66) Robeson Game Land in Robeson County
- 9 (A) Three Days per Week Area
- 10 (B) Deer of either sex may be taken ~~the first six open days and the last six~~ all the open days of
11 the applicable Deer With Visible Antlers Season.
- 12 ~~(66)~~(67) Rockfish Creek Game Land in Hoke County
- 13 (A) Three Days per Week Area
- 14 (B) Deer of either sex may be taken with bow and arrow on open hunting days from the
15 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving.
- 16 (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning
17 the fourth Saturday before Thanksgiving through the Wednesday of the second week
18 thereafter.
- 19 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
20 Saturday before Thanksgiving through the third Saturday after Thanksgiving.
- 21 (E) Deer of either sex may be taken the last open day of the applicable Deer With Visible
22 Antlers Season.
- 23 (F) The use of dogs for hunting deer is prohibited.
- 24 (G) Wild turkey hunting is by permit only.
- 25 (H) Taking fox squirrels is prohibited.
- 26 (I) Target shooting is prohibited.
- 27 ~~(67)~~(68) Rocky Run Game Land in Onslow County: Hunting is by permit only.
- 28 ~~(68)~~(69) Sampson Game Land in Sampson County
- 29 (A) Three Days per Week Area
- 30 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
31 Antlers Season.
- 32 (C) Target shooting is prohibited.
- 33 ~~(69)~~(70) Sandhills Game Land in Hoke, Moore, Richmond and Scotland counties
- 34 (A) Three Days per Week Area
- 35 (B) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22
36 through March 31 except as follows:

- 1 (i) deer may be taken with archery equipment on all the open days of the bow-and-
2 arrow season through the fourth Friday before Thanksgiving; with blackpowder
3 firearms and archery equipment all the open days of the blackpowder firearms
4 season through the second Saturday before Thanksgiving; and with all legal
5 weapons from the second Monday before Thanksgiving through the Saturday
6 following Thanksgiving;
- 7 (ii) dove may be taken all open days from the opening day of the dove season through
8 the third Saturday thereafter;
- 9 (iii) squirrel (gray and fox) may be taken all the open days from second Monday before
10 Thanksgiving, through the Saturday following Thanksgiving;
- 11 (iv) rabbit may be taken all open days from the second Saturday preceding
12 Thanksgiving through the Saturday following Thanksgiving;
- 13 (v) waterfowl may be taken on open days during any waterfowl season;
- 14 (vi) wild animals and wild birds may be taken as part of a Disabled Sportsmen
15 Program Permit Hunt; and
- 16 (vii) raccoon and opossum may be taken on open days from sunrise Monday on or
17 nearest October 15 through the last day of February.
- 18 (C) The Deer With Visible Antlers season is the open hunting days from the second Saturday
19 before Thanksgiving through the third Saturday after Thanksgiving, except on the J. Robert
20 Gordon Field Trial Grounds.
- 21 (D) The bow-and-arrow season is all open days from the Saturday on or nearest to Sept. 10 to
22 the fourth Friday before Thanksgiving and, except on the J. Robert Gordon Field Trial
23 Grounds, the third Monday after Thanksgiving through January 1. Deer may be taken with
24 archery equipment on all open hunting days during the bow and arrow season, the Deer
25 with Visible antlers season, and the blackpowder firearms season as stated in this
26 Subparagraph.
- 27 (E) Blackpowder firearms season is all the open days from the fourth Saturday preceding
28 Thanksgiving through the Wednesday of the second week thereafter and, except on the J.
29 Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving through January
30 1. Deer may be taken with blackpowder firearms on all open hunting days during the
31 blackpowder firearms season and the Deer With Visible Antlers season.
- 32 (F) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- 33 (G) In addition to the regular hunting days, waterfowl may be taken on the opening and closing
34 days of the applicable waterfowl seasons.
- 35 (H) Wild turkey hunting is by permit only.
- 36 (I) The following areas are permit-only for all quail and woodcock hunting, and dog training
37 on birds:

- 1 (i) In Richmond County: that part east of US 1;
- 2 (ii) In Scotland County: that part west of SR 1328 and north of Gardner Farm Lane
- 3 and that part east of SR 1328 and north of Scotland Lake Lane.
- 4 (J) Horseback riding on field trial grounds from October 22 through March 31 is prohibited
- 5 unless riding in authorized field trials.
- 6 (K) Camping and the presence of campers and tents in designated Hunter Camping Areas are
- 7 limited to September 1 through the last day of February and March 31 through May 14.
- 8 (L) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- 9 ~~(70)~~(71) Sandy Creek Game Land in Nash and Franklin Counties
- 10 (A) Six 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 (C) Horseback riding is prohibited.
- 14 (D) The use of dogs for hunting deer is prohibited.
- 15 ~~(71)~~(72) Sandy Mush Game Land in Buncombe and Madison counties.
- 16 (A) Three Days per Week Area
- 17 (B) Deer of either sex may be taken the last open day of the applicable Deer with Visible
- 18 Antlers season.
- 19 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 20 all horseback riding is prohibited from September 1 through May 15.
- 21 (D) Dogs shall only be trained on Mondays, Wednesdays, and Saturdays and only as allowed
- 22 in 15A NCAC 10D .0102(e).
- 23 (E) Dove hunting is by permit only from the opening day through the second Saturday of dove
- 24 season.
- 25 ~~(72)~~(73) Second Creek Game Land in Rowan County- hunting is by permit only.
- 26 ~~(73)~~(74) Shocco Creek Game Land in Franklin, Halifax, Nash and Warren 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 ~~(74)~~(75) South Mountains Game Land in Burke, Cleveland, McDowell and Rutherford counties
- 32 (A) Six Days per Week Area
- 33 (B) The Deer With Visible Antlers season consists of the open hunting days from the Monday
- 34 before Thanksgiving through the third Saturday after Thanksgiving. Deer may be taken
- 35 with bow and arrow on open days beginning the Saturday on or nearest September 10 to
- 36 the third Saturday thereafter, and Monday on or nearest October 15 to the Saturday before
- 37 Thanksgiving and during the Deer With Visible Antlers season. Deer may be taken with

1 blackpowder firearms on open days beginning the Monday on or nearest October 1 through
2 the Saturday of the second week thereafter, and during the Deer With Visible Antlers
3 season.

4 (C) Deer of either sex may be taken the last open day of the applicable Deer With Visible
5 Antlers Season.

6 (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and
7 all horseback riding is prohibited from September 1 through May 15.

8 (E) That part of South Mountains Game Land in Cleveland, McDowell, and Rutherford
9 counties is closed to all grouse hunting, quail hunting, woodcock hunting, and all bird dog
10 training.

11 ~~(75)~~(76) Stones Creek Game Land in Onslow County

12 (A) Six-Day per Week Area

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

15 (C) The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.

16 (D) Swimming in all lakes is prohibited.

17 (E) Waterfowl on posted waterfowl impoundments may be taken only on the following days:

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 and Saturdays of the applicable waterfowl seasons.

21 (F) Target shooting is prohibited.

22 (G) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.

23 ~~(76)~~(77) Suggs Mill Pond Game Land in Bladen and Cumberland counties

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

25 (B) 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 (C) Entry is prohibited on scheduled hunt or trapping days except for:

28 (i) hunters or trappers holding special hunt or trapping permits; and

29 (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.

30 (D) During the period of November 1 through January 31, except on Sundays, the use of vessels
31 on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only
32 by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by
33 the Wildlife Resources Commission pursuant to G.S. 113-264(d).

34 (E) During the period of November 1 through March 15, the use of vessels on managed
35 waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters
36 possessing a valid and current Hunting Opportunity Permit issued by the Wildlife resources
37 commission pursuant to G.S. 113-264(d).

- 1 ~~(77)~~(78) Sutton Lake Game Land in New Hanover and Brunswick counties
- 2 (A) Six Days per Week Area
- 3 (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible
- 4 Antlers Season.
- 5 (C) Target shooting is prohibited.
- 6 ~~(78)~~(79) Tar River Game Land in Edgecombe County – hunting is by permit only.
- 7 ~~(79)~~(80) Texas Plantation Game Land in Tyrrell County - hunting is by permit only.
- 8 ~~(80)~~(81) Three Top Mountain Game Land in Ashe County
- 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 Visible
- 11 Antlers Season.
- 12 (C) Horseback riding is prohibited.
- 13 ~~(81)~~(82) Thurmond Chatham Game Land in Alleghany and Wilkes 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) Horseback riding is prohibited except on designated trails May 16 through August 31, and
- 18 all horseback riding is prohibited from September 1 through May 15. People age 16 or
- 19 older horseback riding on this game land shall possess a Game Lands license.
- 20 (D) The maximum period of consecutive overnight camping at any designated campground is
- 21 14 days within any 30 day period from May 1 through August 31. After 14 consecutive
- 22 days of camping all personal belongings must be removed from the game land.
- 23 ~~(82)~~(83) Tillery game Land in Halifax County
- 24 (A) Six Days per Week Area
- 25 (B) Deer of either sex may be taken the first six open days and the last six open days of the
- 26 applicable Deer With Visible Antlers Season.
- 27 (C) Horseback riding is prohibited.
- 28 (D) The use of dogs for hunting deer is prohibited.
- 29 (E) Wild turkey hunting is by permit only.
- 30 ~~(83)~~(84) Toxaway Game Land in Jackson and Transylvania counties
- 31 (A) Six Days per Week Area
- 32 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible
- 33 Antlers Season.
- 34 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
- 35 all horseback riding is prohibited from September 1 through May 15.
- 36 ~~(84)~~(85) Uwharrie Game Land in Davidson, Montgomery, and Randolph counties
- 37 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken the first six open days and the last open six days of the
2 applicable Deer With Visible Antlers Season.
- 3 (C) On the posted waterfowl impoundment, waterfowl may be taken only on the following
4 days:
- 5 (i) the opening and closing days of the applicable waterfowl seasons;
- 6 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 7 (iii) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.
- 8 (D) Target shooting is prohibited, except at the Flintlock Valley Shooting Range.
- 9 ~~(85)~~(86) Vance Game Land in Vance County
- 10 (A) Six Days per Week Area
- 11 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
12 Antlers Season.
- 13 (C) The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the
14 Nutbush Peninsula tract.
- 15 ~~(86)~~(87) Van Swamp Game Land in Beaufort and Washington counties
- 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) Bear may only be taken the first three hunting days during the November Bear Season and
20 the first three hunting days during the second week of the December Bear Season.
- 21 (88) Voice of America Game Land in Beaufort County- hunting and trapping is by permit only.
- 22 ~~(87)~~(89) White Oak River Game Land in Onslow County
- 23 (A) Three 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) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
27 impoundments shall be taken only on the following days:
- 28 (i) the opening and closing days of the applicable waterfowl seasons;
- 29 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 30 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 31 (D) Beginning on the first open waterfowl season day in October and through the end of the
32 waterfowl season, a permit is required for hunting posted waterfowl impoundments.
- 33 (E) The Huggins Tract and Morton Tracts have the following restrictions:
- 34 (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting
35 Opportunity Permit issued by the Wildlife Resources Commission pursuant to
36 G.S. 113-264(d);
- 37 (ii) hunting is by permit only; and

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

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

3 ~~(88)~~(90) Whitehall Plantation Game Land in Bladen County

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

5 (B) Camping is restricted to September 1 through the last day of February and March 31
6 through May 14 in areas both designated and posted as camping areas.

7 (91) William H. Silver Game Land in Haywood County

8 (A) Six Days per Week Area

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

11 (i) On permitted type hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed
12 applications shall be received by the Commission not later than the first day of September next preceding the dates of
13 hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt, and
14 are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife cooperator agent or
15 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 may 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 public
30 interest.

31 (l) Feral swine may be taken by licensed hunters during the open season for any game animal using any legal manner
32 of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the
33 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.

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

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

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

8
9 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*

10 *Eff. February 1, 1976;*

11 *Temporary Amendment Eff. October 3, 1991;*

12 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September*
13 *1, 1994; July 1, 1994;*

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

15 *Amended Eff. July 1, 2000;*

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

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

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

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

20 *Amended Eff. August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014; January 1, 2013;*
21 *August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; October*
22 *1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October 1, 2004.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0104

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, replace "which" with "that"

Line 5, what is meant by "statewide"? If is "North Carolina" then please use the proper term to identify

Line 12, replace "must" with "shall"

Page 2, line 5, add a period after "County"

Page 2, line 7, should "wild trout waters" be capitalized? It is capitalized when it is part of a sentence in 15A NCAC 10C .0316(b). Please review

Page 2, line 8, add a comma after "white"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10D .0104 Fishing on game lands is amended as published in 31:11 NCR 1101 as follows:

2
3 **15A NCAC 10D .0104 FISHING ON GAME LANDS**

4 (a) Generally. Except as otherwise indicated herein, fishing on game lands which are open to fishing shall be in
5 accordance with the statewide rules. All game lands are open to public fishing except restocked ponds when posted
6 against fishing, Hunting Creek Swamp Waterfowl Refuge, Grogan Creek in Transylvania County, and in the case of
7 private ponds where fishing may be prohibited by the owners thereof. No trotline or set-hook or any net, trap, gig,
8 bow and arrow, or other special fishing device of a type mentioned in 15A NCAC 10C .0404(b),(c),(d), and (f) may
9 be used in any impounded waters located entirely on game lands. Bow and arrow may be used to take nongame fishes
10 in impounded waters located entirely on game lands with the exception of those waters mentioned in 15A NCAC 10C
11 .0404(a). Blue crabs taken by hook and line (other than set-hooks) in designated waterfowl impoundments located on
12 game lands must have a minimum carapace width of five inches (point to point) and the daily possession limit is 50
13 per person and 100 per vessel.

14 (b) Designated Public Mountain Trout Waters

15 (1) Fishing Hours. It is unlawful to fish in designated public mountain trout waters on any game land
16 and in all waters on the Dupont State Forest Game Land from one-half hour after sunset to one-half
17 hour before sunrise, except in Hatchery Supported Trout waters as stated in 15A NCAC 10C
18 .0305(a), Delayed Harvest waters as stated in 15A NCAC 10C .0205(a)(5), game lands sections of
19 the Nantahala River located downstream from the Swain County line, and in the sections of Green
20 River in Polk County located on Green River Game Lands from Cove Creek downstream to the
21 natural gas pipeline crossing.

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

30 Dupont State Forest Game Lands in Henderson and Transylvania counties.

31 Three Top Mountain Game Land in Ashe County.

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

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

36 Thurmond Chatham Game Land in Wilkes County.

37 Toxaway Game Land in Transylvania County.

1 South Mountains Game Land in Cleveland and Rutherford counties.

2 Cold Mountain Game Land in Haywood County.

3 Green River Game Land in Henderson and Polk counties.

4 Pond Mountain Game Land in Ashe County.

5 Rendezvous Mountain State Forest Game Land in Wilkes County

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

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

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11 *History Note: Authority G.S. 113-134; 113-264; 113-272; 113-292; 113-305;*

12 *Eff. February 1, 1976;*

13 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
14 *July 1, 1992;*

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

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

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

18 *Amended Eff. August 1, 2017; August 1, 2015; August 1, 2014; August 1, 2010; May 1, 2009; August*
19 *1, 2004.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0314

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 24, add "and" after "Channel;"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10F .0314 is amended with changes as published in 31:11 NCR 1102 as follows:

2
3 **15A NCAC 10F .0314 NEW HANOVER COUNTY**

4 (a) Regulated Areas. This Rule applies to the following waters in New Hanover County:

- 5 (1) that area bounded on the north by the ~~bridge of US 74-76 Bridge~~ crossing the Intracoastal Waterway,
6 on the south by a line ~~parallel to the center line of said highway and shore to shore~~ intersecting
7 Intracoastal Waterway marker number 127, on the west by the ~~high water line shore~~ of Wrightsville
8 Sound, and on the east by a line perpendicular to ~~the center line of said highway~~ US Highway 74-
9 76 and intersecting marker ~~number 27~~ number 25 in Motts Channel;
- 10 (2) that area of Motts Channel between marker ~~number 27~~ number 25 at the Intracoastal Waterway on
11 the west and marker number 16 at the entrance from Banks Channel on the east;
- 12 (3) that area bounded on the west by the ~~bridge of US 76 Bridge~~ crossing Bradley Creek, on the north
13 and south by the banks of ~~said creek, Bradley Creek,~~ on the east by a line ~~parallel to the center line~~
14 ~~of the aforesaid highway, said line being 1,000 feet, more or less, eastwardly therefrom and~~
15 ~~intersecting the westernmost port (black) marker in Bradley Creek Channel; from a point on the~~
16 ~~southwest shore at 34.21293 N, 77.83171 W, to a point on the northeast shore at 34.21437 N,~~
17 ~~77.83061 W;~~
- 18 (4) ~~that part of Lee's Cut between the Intracoastal Waterway and the eastern boundary of the Lee's Cut~~
19 ~~Channel Walk property at Wrightsville Beach; from its western intersection with the Intracoastal~~
20 ~~Waterway at 34.21979 N, 77.80965 W, to its eastern intersection with Banks Channel at 34.21906~~
21 ~~N, 77.79645 W;~~
- 22 (5) the unnamed channel lying between the shore west of Bahama Drive in the Town of Wrightsville
23 Beach and an unnamed island located approximately 500 feet northeast of the US 74 bridge over
24 Banks Channel;
- 25 (6) those waters of the Northeast Cape Fear River between the US Hwy. 117 bridge and ~~the Seaboard~~
26 ~~Coastline Railroad bridge, the railroad trestle 60 yards east of the Castle Hayne Boating Access~~
27 ~~Area.~~

28 (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated areas
29 described in Paragraph (a) of this Rule.

30 (c) Placement **and Maintenance** of Markers. The Board of Commissioners of New Hanover County is designated a
31 suitable agency for placement **and maintenance** of the markers implementing this Rule, subject to the approval of the
32 United States Coast Guard and the United States Army Corps of Engineers.

33
34 *History Note: Authority G.S. 75A-3; 75A-15.*
35 *Eff. February 1, 1976;*
36 *Amended Eff. July 1, 1993; May 1, 1989; June 1, 1987; May 1, 1987;*

1 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
2 *6, 2016;*
3 *Amended Eff. April 1, 2017.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0327

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 6 thru 8 and 11 thru 12, why is the information not provided in list format, meaning, should the clauses end with semicolons instead of periods? If so, please add an "and" at the end of lines 8 and 12.

Lines 13 thru 17, this text was published in the 31:08 Register as being all underlined. Please review and correct where necessary

Lines 27 and 30, delete "hereby"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10F .0327 is amended with changes as published in 31:08 NCAC 744 as follows:

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15A NCAC 10F .0327 MONTGOMERY COUNTY

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

- (1) Badin Lake:
 - (A) Lakeshore Drive Cove as delineated by appropriate markers.
 - (B) Entrance to fueling site and marina west of the main channel of Lake Forest Drive Cove.
 - (C) Gar Creek.
 - (D) Beyer's Island waterfront channel facing the mainland
- (2) Lake Tillery:
 - (A) Woodrun Cove as delineated by appropriate markers.
 - (B) Carolina Forest Cove as delineated by appropriate markers.
 - (C) The waters in the vicinity of the Lilly's Bridge Boating Access Area shore to shore, from a line north of the Route 1110 bridge at a point on the eastern shore at 35.23223 N, 80.06166 W, to a point on the western shore at 35.23289 N, 80.06318 W, to a line southwest of the Lilly's Bridge Boating Access Area, from a point on the eastern shore at 35.23067 N; 80.06262 W, to a point on the western shore at 35.23156 N; 80.06437 W.
- (3) Tuckertown Reservoir.

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

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

(d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area established with the approval of the Wildlife Resources Commission on the waters of the regulated areas described in Paragraph (a) of this Rule.

(e) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Montgomery County is hereby designated a suitable agency for placement ~~and maintenance~~ of the markers implementing Parts (a)(1)(A), (B), (C), (D), (2)(A) and (B), and Subparagraph (a)(3) of this Rule in accordance with the Uniform System. The North Carolina Wildlife Resources Commission is hereby designated a suitable agency for placement and maintenance of the markers implementing Part (a)(2)(C) of this Rule.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. November 1, 1977;
Amended Eff. December 1, 1990; May 1, 1989; March 25, 1978;
Temporary Amendment Eff. June 1, 1998;
Amended Eff. April 1, 1999; July 1, 1998;
Temporary Amendment Eff. July 1, 2002;

1 *Amended Eff. August 1, 2006; June 1, 2005; April 1, 2003;*
2 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
3 *6, 2016;*
4 *Amended Eff. April 1, 2017.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10F .0330

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Page 2, line 12, add a comma after "(11)"

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10F .0330 Carteret County is adopted with changes as published in 31:11 NCR 1103 as follows:

2
3 **15A NCAC 10F .0330 CARTERET COUNTY**

4 (a) Regulated Areas. This Rule applies to the following waters in Carteret County:

- 5 (1) the waters of Money Island ~~Slough-Slough~~, beginning at the east end of Money Island near the
- 6 Anchorage Marina Basin and ending at the west end of Money Island where Brooks Avenue
- 7 ~~deadends-dead ends~~ at the slough;
- 8 (2) the waters of ~~Taylor Creek located within the territorial limits of the Town of Beaufort; Taylor's~~
- 9 Creek in Beaufort, shore to shore from where it-Taylor's Creek meets the Newport River at the
- 10 western end, to a line at the eastern end between a point on the north shore at 34.70762 N, 76.61784
- 11 W, south-southwest to the eastern tip of Carrot Island;
- 12 (3) the waters of Pelletier ~~Creek-Creek~~, beginning at the entrance to Pelletier Creek at the Intracoastal
- 13 Waterway and ending at U.S. Highway 70;
- 14 (4) the waters of Bogue Sound Harbor Channel in Morehead ~~City-City~~, between Sugar Loaf Island and
- 15 the seawall on the south side of Evans, ~~Shepard-Shepard~~, and Shackleford ~~Streets-Streets~~, and
- 16 bounded on the east by the State Ports ~~Authority-Authority~~, and on the west by the eastern right-of-
- 17 way margin of South 13th Street extended;
- 18 (5) the waters of Gallant's ~~Channel-Channel~~, from the US 70 crossing over the Grayden Paul bridge to
- 19 Taylor's Creek;
- 20 (6) the waters of Cedar Island Bay and ~~Harbor-Harbor~~, from N.C. Highway 12 to Cedar Island Bay
- 21 Channel Light 8;
- 22 (7) the waters of the small cove on the west side of Radio Island south of Old Causeway Road;
- 23 (8) the waters of the Newport ~~River-River~~, beginning at the north side of the Beaufort Drawbridge and
- 24 ending at marker #6;
- 25 (9) the waters of Spooners Creek within the territorial limits of the Town of Morehead City as delineated
- 26 by appropriate markers;
- 27 ~~(10) the waters of Taylor's Creek from the eastern end of the current no wake zone eastward to Channel~~
- 28 ~~Marker #1A;~~
- 29 ~~(11)~~(10) the waters of the Newport River at Bogue ~~Sound-Sound~~, including all waters surrounding the Port
- 30 of Morehead City to Brandt Island as delineated by appropriate markers;
- 31 ~~(12)~~(11) the waters of Morgans Creek as delineated by appropriate markers;
- 32 ~~(13)~~(12) the waters of Cannonsgate Marina and the Cannonsgate Marina Channel, beginning at its
- 33 intersection with Bogue Sound at 34.70163 N, 76.98157 W, as delineated by appropriate markers;
- 34 ~~(14)~~(13) the waters of the Newport River within 200 yards of the Newport River Beach Access Boat Ramp,
- 35 beginning at the shore north of the U.S. 70 bridge at a point at 34.72141 N, 76.68707 W, west to a
- 36 point at 34.72128 N, 76.68893 W, north to a point at 34.72376 N, 76.68911 N, then east to the shore
- 37 at 34.72371 N, 76.68631 W; ~~and~~

1 ~~(15)~~(14) the waters of Palmetto Drive canal, a tributary to the White Oak River, beginning at a point on the
2 western shore at 34.67903N, 77.10142W to a point on the eastern shore at 34.67899 N, 77.10098
3 W and extending the entire length of the ~~canal~~-canal; and

4 (15) that portion of the canal at Dolphin Bay Estates, a tributary to the White Oak River, beginning 30
5 yards inside the entrance to the canal and extending the entire length of the canal.

6 (b) Speed Limit. It is unlawful to operate a motorboat or vessel at a speed greater than no-wake speed while on the
7 waters of the regulated areas designated in Paragraph (a) of this Rule.

8 (c) Placement ~~and Maintenance~~ of Markers. The following agencies shall be designated as suitable agencies for
9 placement ~~and maintenance~~ of the markers implementing this Rule, subject to the approval of the United States Coast
10 Guard and the United States Army Corps of Engineers:

11 (1) the Board of Commissioners of Carteret County, with respect to the regulated areas designated in
12 Subparagraphs (1), (3), (5), (6), (7), (8), ~~(10), (12) and (13)~~(11) and (12) of Paragraph (a) of this
13 Rule;

14 (2) the Board of Commissioners of the Town of Beaufort, with respect to the regulated area designated
15 in Subparagraph (2) of Paragraph (a) of this Rule;

16 (3) the Board of Commissioners of Morehead City, with respect to Subparagraph (4), (9), and ~~(14)~~(13)
17 of Paragraph (a) of this Rule;

18 (4) the North Carolina State Ports Authority, with respect to the regulated area designated in
19 Subparagraph ~~(11)~~(10) of Paragraph (a) of this Rule; and

20 (5) the Board of Commissioners of the Town of Cedar Point with respect to the regulated ~~area~~-areas
21 designated in ~~Subparagraph~~-Subparagraphs ~~(15)~~(14) and (15) of Paragraph (a) of this ~~Rule~~Rule.
22 ~~shall be designated as suitable agencies for placement and maintenance of the markers implementing~~
23 ~~this Rule, subject to the approval of the United States Coast Guard and the United States Army~~
24 ~~Corps of Engineers.~~

25
26 *History Note: Authority G.S. 75A-3; 75A-15;*
27 *Eff. March 4, 1979;*
28 *Amended Eff. October 1, 1997; May 1, 1995; June 1, 1994; February 1, 1994; July 1, 1993;*
29 *Temporary Amendment Eff. February 1, 1998;*
30 *Amended Eff. July 1, 1998;*
31 *Temporary Amendment Eff. March 1, 1999; November 1, 1998;*
32 *Amended Eff. May 1, 2016; July 1, 2012; September 1, 2010; July 1, 2000;*
33 *Temporary Amendment Eff. September 1, 2016;*
34 *Amended Eff. April 1, 2017.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10H .1302

DEADLINE FOR RECEIPT: Friday, March 10, 2017

PLEASE NOTE: 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. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 4, 8, and 14, add a comma after "purchase"

Line 6, add "or" after "species;"

Lines 9 thru 12, consider providing this information in a list format, with the (1) being "24 or fewer individuals of any combination of native amphibian species;" and (2) being the remaining portion of the sentence.

Line 9, when the list of (1) and (2) is created, the conjunction between "species;" and "four or fewer" should be an "or" and not an "and"

Line 15, does "state" mean "North Carolina"? If so, please capitalize to clarify.

Line 15, what are the "federal laws or regulations"? Please add a cross-reference or consider incorporating the appropriate documents to provide notice

Line 18, what is meant by "which and persons"? Should the "and" be an "a"? Please review and clarify.

Lines 32 thru 33, where is this information located? Could a statute or rule be cross-referenced to clarify? Please review.

Lines 35 and 36, please provide specific dates as the "enactment of this Rule" and "rule's effective date" are no longer clear indicators of time

Page 2, line 3, how is a "possession permit" obtained or renewed? Could a statute or rule be cross-referenced to clarify? Please review.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 24, 2017

Page 2, line 6 and 10, references a form. G.S. 150B-2(8a)d does not require a form to be a rule if “the contents or substantive requirements of which are prescribed by rule or statute.” Is there a rule or statute that provides the information required in the application? Could it be cross-referenced? Please clarify.

Page 2, line 11, is the statutory citation correct? Should it be G.S. 113-272.4(d)? Please review and clarify if necessary.

Page 2, line 15, is there additional authority that should be added to the history note to support this Rule? Please review and update accordingly.

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

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 24, 2017

1 15A NCAC 10H .1302 Possession of reptiles and amphibians is amended as published in 31:11 NCR 1101 as follows:

2
3 **15A NCAC 10H .1302 POSSESSION OF REPTILES AND AMPHIBIANS**

4 (a) Permits required. Possession permits are required for the possession, importation, transportation, purchase and
5 sale of:

- 6 (1) 25 or more individuals of any combination of native amphibian species;
7 (2) five or more individuals of native reptile species.

8 (b) Permits not required. Possession permits are not required for the possession, importation, transportation, purchase
9 and sale of: 24 or fewer individuals of any combination of native amphibian species and four or fewer individuals of
10 native reptile species, except snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) shall
11 not be possessed. Individuals in possession of snapping turtles (*Chelydra serpentina*) less than 11 inches (curved
12 carapace length) prior to May 1, 2017 are exempt from this restriction.

13 ~~(b)~~(c) Unauthorized activities. Nothing in this Rule shall be construed to authorize the collection of any wildlife
14 resources from the wild or the taking, possession, transportation, sale, purchase or release to the wild of any wildlife
15 resources or their parts in violation of state or federal laws or regulations. At no time shall permitted animals be
16 released to the wild, except under situations of research or rehabilitation with written permission from the Wildlife
17 Resources Commission,

18 ~~(c)~~(d) Denial of possession permits. Circumstances for which and persons to whom a possession permit shall not be
19 issued include:

- 20 (1) for the purpose of holding reptiles and amphibians that were acquired unlawfully;
21 (2) for the purpose of holding reptiles and amphibians for unlawful sale or trade;
22 (3) for the purpose of possessing or selling snapping turtles (*Chelydra serpentina*) less than 11 inches
23 (curved carapace length) however, individuals in possession of snapping turtles (*Chelydra*
24 *serpentina*) less than 11 inches (curved carapace length) prior to May 1, 2017 are exempt from this
25 restriction;

26 ~~(3)~~(4) to persons who collect five or more individual native turtles or terrapins from the families Emydidae
27 or Trionychidae from the wild in a given year, except those entities exempted from collection in
28 Paragraph (c) of Rule .1301 of this Section;

29 ~~(4)~~(5) to persons who collect five or more individuals in aggregate from other native reptile families or 25
30 or more individual amphibians from the wild in a given year without first having secured a valid
31 Collection License;

32 ~~(5)~~(6) to persons found to be in violation of Collection License, Endangered Species Permit, or Possession
33 Permit requirements;

34 (7) to persons who do not first obtain possession permits prior to acquiring the following wildlife
35 resources unless the acquisition of these animals was made prior to the enactment of this Rule and
36 a permit is acquired within 12 months of the rule's effective date:

- 37 (A) 25 or more individuals of any combination of native amphibian species; or

1 (B) five or more individuals of native reptile species.

2 ~~(d)~~(e) Term of Permit. The permit shall be valid from January 1 through December 31 of the applicable year.
3 Permittees who wish to extend the duration of their possession shall reapply for a possession permit.

4 ~~(e)~~(f) Reports on Permitted Animals. Each individual permitted under this Rule shall submit a written report to the
5 Executive Director post-marked within 15 days following the date of expiration of the permit. The report shall be on
6 a form supplied by the Wildlife Resources Commission and shall show the numbers of each species held under the
7 permit and the use or disposition thereof. The Executive Director may require additional information for statistical
8 purposes such as the source and date of acquisition of additional animals and the sex, size, weight, condition,
9 reproductive success and approximate age of each animal in possession. Such additional information may be required
10 on the form of report or by a separate writing accompanying the form.

11 ~~(f)~~(g) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-274(c), impose such
12 other requirements and restrictions on persons permitted under this Rule as he may deem to be necessary to the
13 efficient administration of the wildlife conservation statutes and rules.

14
15 *History Note: Authority G.S. 113-274(c)(1c);*
16 *Eff. May 1, 2007;*
17 *Amended Eff. August 1, 2017; May 1, 2009.*