

**Note from the Codifier:** The OAH website includes notices and the text of proposed temporary rules as required by G.S. 150B-21.1(a1). Prior to the agency adopting the temporary rule, the agency must hold a public hearing no less than five days after the rule and notice have been published and must accept comments for at least 15 business days.  
For questions, you may contact the Office of Administrative Hearings at 984-236-1850 or email [oah.postmaster@oah.nc.gov](mailto:oah.postmaster@oah.nc.gov).

## TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

*Notice is hereby given in accordance with G.S. 150B-21.1(a3) that the Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10D .0260.*

**Codifier of Rules** received for publication the following notice and proposed temporary rule(s) on: April 17, 2025.

**Public Hearing:**

**Date:** May 7, 2025

**Time:** 2:00 p.m.

**Location:** Virtual public hearing via Zoom, pre-registration is required:

[https://ncwildlife-org.zoomgov.com/webinar/register/WN\\_3LMxRkBZQH6u9xg7YGoL7Q](https://ncwildlife-org.zoomgov.com/webinar/register/WN_3LMxRkBZQH6u9xg7YGoL7Q) or join by telephone toll free: (833) 568-8864, Webinar ID: 161 722 7979

**Reason for Proposed Temporary Action:** G.S. 150B-21.1(a)(7)d. The Lutz Tract portion of the game land is heavily used and overcrowded in the summer months with people camping and gathering. This use results in litter and human waste that creates environmental hazards and habitat degradation. The overcrowding also creates safety issues along the narrow roadway where cars block the thoroughfare on a NCDOT roadway, hindering access for emergency vehicles if needed. The Caldwell County Sheriff's Office has expressed concern and asked for allowed activities on the property to be restricted.

The US Forest Service is closing the southern section of the Wilson Creek corridor, and NCDOT is beginning construction on the access road which will exacerbate issues on the game land. The portion of Wilson Creek on the Lutz Tract is designated as Delayed Harvest Trout Waters, and additional use of the Lutz Tract will impact angler access and experience. The proposed amendment should help reduce overcrowding.

**Comment Procedures:** Comments from the public shall be directed to: Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email [regulations@ncwildlife.gov](mailto:regulations@ncwildlife.gov). The comment period begins April 21, 2025 and ends May 16, 2025.

## CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

### SUBCHAPTER 10D - GAME LANDS REGULATIONS

#### SECTION .0200 - USE OF GAME LANDS

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

Pisgah game land is a Seven Days per Week Area, in which the following applies:

- (1) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (2) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- (3) The use of bicycles shall be restricted to designated trails on the Linville River Tract (Burke County). Persons engaged in the act of hunting on the Linville River Tract during any open day of an applicable season for game birds or game animals shall be exempt from this restriction.
- (4) Alcohol and fires are prohibited in the Wilson Creek portion of Pisgah Game Land (Caldwell County)
- (5) Target shooting is prohibited on the Black Bear (McDowell County), Linville River (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- (6) Activities other than hunting, fishing, trapping, and authorized use of posted trails and parking areas are prohibited on the Lutz Tract (Caldwell County).

Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305.