

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.

TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice is hereby given in accordance with G.S. 150B-21.1 that the Wildlife Resources Commission intends to adopt the rule cited as 15A NCAC 10A .1503.

Codifier of Rules received for publication the following notice and proposed temporary rule(s) on: October 1, 2026.

Public Hearing:

Date: October 21, 2026

Time: 6:00 p.m.

Location: Asheville-Buncombe Technical Community College Ferguson Auditorium, 19 Tech Dr, Asheville, NC 28801

Reason for Proposed Temporary Action: A serious and unforeseen threat to the public health, safety or welfare. The incidental and purposeful feeding of black bears in Buncombe County has directly affected their behavior and has resulted in a significant threat to human health and safety. From 2023 through September 30, 2026, WRC staff have documented 115 incidences of bears forcing entry into homes in Buncombe County; however, the rate of occurrence has increased significantly with 64% of all forced entries since 2023 having occurred in the last 5 months.

Between May 1, 2026, and September 30, 2026, the public and WRC staff have submitted over 835 Human-Wildlife Interaction reports regarding black bears in Buncombe County. These include over 270 reports of people feeling threatened by bears, over 70 reports of bears entering homes, two reports of injured pets, and two reports of injured residents. One injury resulted in the resident receiving medical attention at the hospital after a bear entered their home.

Given the significant increase in bears forcing entry into homes over the last few months, along with multiple injured residents, the situation has become an emergency wildlife issue that impacts public safety in Buncombe County. The immediate regulation of feeding bears is necessary to address the source of this hazardous bear behavior.

Comment Procedures: Comments from the public shall be directed to: Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email regulations@ncwildlife.gov. The comment period begins October 5, 2026 and ends November 6, 2026.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10A - WILDLIFE RESOURCES COMMISSION

SECTION .1500 - EVIDENCE

15A NCAC 10A .1503 NEGLIGENTLY FEEDING OR ATTRACTING BEARS

The feeding of black bears and the placement of food or food products that attract black bears are prohibited in Buncombe County. This prohibition shall not apply to the feeding of birds, pets, or livestock, or the lawful use of bait to take game animals, including the lawful placement of bait under 15A NCAC 10B .0202 (b), unless the activity constitutes an attractant that is determined by the Commission to create the potential for injury or death to humans or domestic animals or cause damage to property.

Authority G.S.113-132(b); 113-134; 113-291.1(b)(2); 113-294(r).