

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, November 14, 2024 12:51 PM
To: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Good morning,

I intend to recommend to the RRC that all the final revised rules be approved at the November 26th meeting. Please submit all revised rules via email to oah.rules@oah.nc.gov no later than 5pm on November 22, 2024. The electronic copy must be saved as the official rule name (XX NCAC XXXX). Please include me on the email.

Thank you.

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes
Attachments: Fur transaction record_updated October 2013.pdf

From: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Sent: Wednesday, November 13, 2024 8:50 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Travis,

We may at one time have thought that electronic forms would be an option, and therefore, added that to the rule. However, we supply triplicate forms (see example attached and notice the date - 2013) and have never made the switch. Our current fur dealers like those forms and it works well for them and us to use them. When they purchase their license each year, we automatically mail them what they need. As I mentioned in a previous email, we have 10 – 12 licensed fur dealers. It's not an issue or burden to work with them so we've never changed things up.



Carrie Ruhlman // Policy Manager
Office of Conservation Policy & Analysis
Office: 919-707-0011 / Mobile: 919-606-2241

RECORD OF FUR TRANSACTION

Pursuant to: G.S. 113-273(f), 113-276.1, and 15 NCAC 10B .0400

DO NOT USE THIS FORM FOR PURCHASES FROM OTHER LICENSED DEALERS

If fur taken outside North Carolina, list that state under COUNTY OF HARVEST.

FUR DEALER LICENSE NO.	MANNER OF HARVEST (Check block and record appropriate license number)
PURCHASE DATE:	HUNTER:
COUNTY OF HARVEST:	TRAPPER:
SELLER'S NAME:	OTHER:
SELLER'S ADDRESS:	

SPECIES	QTY.	FUR GRADE	PRICE/UNIT	TOTAL AMOUNT
Raccoon (CO)				
Muskrat (RA)				
Bobcat (BC)				
Otter (OT)				
Red Fox (RD)				
Gray Fox (GR)				
Mink (MI)				
Beaver (BV)				
Nutria (NU)				
Opossum (OP)				
Skunk (SK)				
Weasel (WE)				
Groundhog (GH)				
Coyote (CY)				

TOTAL _____

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Tuesday, November 12, 2024 10:26 AM
To: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Carrie,

Thank you for clarifying.

The current version of 15A NCAC 10B .0405(i) in the Code says, “forms supplied by the Commission at www.ncwildlife.org”. How have licensees never been able to obtain forms on the website if the current Rule directs them to the website to obtain the forms?

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

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Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes

From: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Sent: Friday, November 8, 2024 2:16 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Travis,

Paragraph (h) says we supply the forms – this was moved from (i). Individuals have to give us their contact information to get a license. This is true of all of our licenses. When we issue the license, we mail the forms to the provided mailing address.

Paragraph (i) says they have to submit them back to the agency. They can mail them to that address or hand deliver them. That is our physical address.

I can't explain why the published version didn't contain the changes, other than for the fact that when you asked your initial questions, it spurred a conversation. The only thing removed from the published version is that licensees can't obtain forms on the website – they have never been able to.

Hope this helps.



Carrie Ruhlman // Policy Manager
Office of Conservation Policy & Analysis
Office: 919-707-0011 / Mobile: 919-606-2241

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, November 8, 2024 12:31 PM
To: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Carrie,

Thanks for the responses. My concern is subsection (i) does not reflect your agency's practice of mailing the forms to the licensee and the licensee returning the forms via the mail. Please make clear how a licensee is supposed to obtain the forms and how the licensee submits the forms back to your agency.

I'm still confused as to why the published version of this Rule didn't reflect how reporting is being done by your agency.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes

From: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Sent: Friday, November 8, 2024 8:36 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Hi Travis,

Please see my responses below in red.



Carrie Ruhlman // Policy Manager
Office of Conservation Policy & Analysis
Office: 919-707-0011 / Mobile: 919-606-2241

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, November 7, 2024 4:11 PM
To: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

The published version of this Rule in the Register says, “shall be submitted to the Commission within 15 days following the date of license expiration on forms supplied by the Commission at www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576.”

Does this change (1) address an issue that is not addressed in the proposed text of the Rule? **No, it’s still concerning reporting.** Or (2) produce an effect that could not reasonably have been expected based on the proposed text of the Rule? **No, the rule is being corrected to reflect how reporting is implemented.**

What happens if the forms your agency sends gets lost in the mail, or there’s an address change, and the licensee is, thus, not able to submit the forms “within 15 days following the date of license expiration”? **We would call the licensee (there are only 10-12 licensees/year) and tell them that we didn’t get their forms. Since they’re required to keep them, they would make a copy and re-send.**

Also, does “submitted to the Commission” mean the date in which the mailed forms are postmarked? **Postmarked**

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Sent: Thursday, November 7, 2024 3:51 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Yes. We mail the forms to the licensee, and they mail them back to us. There is no online option.



Carrie Ruhlman // Policy Manager
Office of Conservation Policy & Analysis
Office: 919-707-0011 / Mobile: 919-606-2241

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, November 7, 2024 3:10 PM
To: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

In 15A NCAC 10B .0405(i), now line 34, did you intend to strike through “at www.ncwildlife.org”?

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes
Attachments: 15A NCAC 10C .0205.docx

From: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Sent: Thursday, November 7, 2024 12:56 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

I didn't make any changes to that rule, but the original is attached.



Carrie Ruhlman // Policy Manager
Office of Conservation Policy & Analysis
Office: 919-707-0011 / Mobile: 919-606-2241

1 15A NCAC 10C .0205 is amended as published in 39:02 NCR 70 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 a living or dead plant or animal, or parts thereof, or prepared substances
6 designed to attract fish by the sense of taste or smell.
7 (2) "Single hook" means a fish hook with only one point.
8 (3) "Artificial lure" means a fishing lure that neither contains nor has been treated by a substance that
9 attracts fish by the sense of taste or smell.
10 (4) "Artificial fly" means one single hook dressed with feathers, hair, thread, tinsel, rubber, or a similar
11 material to which no additional hook, spinner, spoon, or similar device is added.
12 (5) "Youth anglers" are individuals under ~~18~~ 16 years of age.

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

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

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

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

4 (1) Alleghany

5 (A) Hatchery Supported Trout Waters are as follows:

6 Big Pine Creek

7 Bledsoe Creek

8 Brush Creek from the N.C. 21 bridge to the confluence with the Little River, except where
9 posted against trespassing

10 Cranberry Creek

11 Glade Creek

12 Little River from 400 yards upstream of the S.R. 1128 bridge, marked by a sign on each
13 bank, to McCann Dam

14 Meadow Fork

15 Pine Swamp Creek

16 Piney Fork

17 Prathers Creek

18 (B) Wild Trout Waters are as follows:

19 The waters located on Stone Mountain State Park

20 (2) Ashe County

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

22 Big Horse Creek from the Virginia state line to Mud Creek at S.R. 1363, excluding
23 tributaries

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

25 Big Horse Creek from the S.R. 1324 bridge to the North Fork New River

26 Helton Creek from 900 yards upstream of the S.R. 1372 bridge, marked by a sign on both
27 banks to a point adjacent to intersection of N.C. 16 and S.R. 1536

28 South Fork New River from the upstream end of Todd Island to the S.R. 1351 bridge

29 Trout Lake

30 (C) Hatchery Supported Trout Waters are as follows:

31 Beaver Creek from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek

32 Big Horse Creek from Mud Creek at S.R. 1363 to the S.R. 1324 bridge

33 Big Laurel Creek from the S.R. 1315 bridge to the confluence with the North Fork New
34 River

35 Buffalo Creek from the S.R. 1133 bridge to the N.C. 194-88 bridge

36 Cranberry Creek from the Alleghany Co. line to the South Fork New River

37 Nathans Creek

- 1 North Fork New River from the Watauga Co. line to Sharp Dam
2 Old Fields Creek from N.C. 221 to the South Fork New River
3 Peak Creek from the upper boundary of the NCDA-NCSU Upper Mountain Research
4 Station to Trout Lake
5 Roan Creek
6 Three Top Creek
7 (3) Avery County
8 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
9 Elk River, the portion on Lees-McRae College property, excluding the millpond
10 Lost Cove Creek, the game land portion, excluding Gragg Prong and Rockhouse Creek
11 Wilson Creek, the game land portion
12 (B) Hatchery Supported Trout Waters are as follows:
13 Boyde Coffey Lake
14 Elk River from the S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee
15 state line
16 Linville River from S.R. 1504 to the Blue Ridge Parkway boundary line, except where
17 posted against trespassing
18 Milltimber Creek
19 North Toe River from Watauga St. to Roby Shoemaker Wetlands and Family Recreational
20 Park, except where posted against trespassing
21 North Toe River from S.R. 1164 to Mitchell Co. line, except where posted against
22 trespassing
23 Squirrel Creek
24 Wildcat Lake
25 (C) Wild Trout Waters are as follows:
26 Birchfield Creek
27 Cow Camp Creek
28 Cranberry Creek from the headwaters to the U.S. 19E, N.C. 194, bridge
29 Gragg Prong
30 Horse Creek
31 Kentucky Creek
32 North Harper Creek
33 Plumtree Creek
34 Roaring Creek
35 Rockhouse Creek
36 Shawneehaw Creek, the portion adjacent to Banner Elk Greenway
37 South Harper Creek

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

1 Buffalo Creek from the mouth of Joes Creek to McCloud Branch
2 Joes Creek from the first falls upstream of S.R. 1574 to the confluence with Buffalo Creek
3 Wilson Creek from Phillips Branch to Brown Mountain Beach Dam, except where posted
4 against trespassing
5 Yadkin River from the Happy Valley Ruritan Community Park to S.R. 1515
6 (C) Wild Trout Waters are as follows:
7 Buffalo Creek from the Watauga Co. line to Long Ridge Branch including game land
8 tributaries
9 Joes Creek from the Watauga Co. line to the first falls upstream of the end of S.R. 1574
10 Rockhouse Creek
11 (7) Cherokee County
12 (A) Hatchery Supported Trout Waters are as follows:
13 Davis Creek from the confluence of Bald Creek and Dockery Creek to Hanging Dog Creek
14 Hyatt Creek from Big Dam Branch to the Valley River
15 Junaluska Creek from Ashturn Creek to the Valley River
16 Shuler Creek from the Joe Brown Hwy, S.R. 1325 bridge, to the Tennessee state line
17 Valley River from S.R. 1359 to the U.S. 19 Business bridge in Murphy
18 (B) Special Regulation Trout Waters are as follows:
19 Apalachia Reservoir
20 (8) Clay County
21 (A) Delayed Harvest Trout Waters are as follows:
22 Fires Creek from Rockhouse Creek to the foot bridge in the USFS Fires Creek Picnic Area
23 (B) Hatchery Supported Trout Waters are as follows:
24 Buck Creek, the game land portion downstream of the U.S. 64 bridge
25 Fires Creek from the foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300
26 Tusquitee Creek from Compass Creek to the lower S.R. 1300 bridge
27 (9) Graham County
28 (A) Delayed Harvest Trout Waters are as follows:
29 Snowbird Creek from the USFS footbridge at the old railroad junction to USFS Rd. 2579
30 (B) Hatchery Supported Trout Waters are as follows:
31 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
32 Cheoah Reservoir
33 Panther Creek from the confluence of Stand Creek and Rock Creek to Lake Fontana
34 Santeetlah Creek from Johns Branch to Lake Santeetlah
35 Snowbird Creek from USFS Rd. 2579 to the S.R. 1127 bridge
36 Stecoah Creek from the upper game land boundary to Lake Fontana
37 Tulula Creek from S.R. 1201 to the lower bridge on S.R. 1275

- 1 West Buffalo Creek
- 2 Yellow Creek from Lake Santeetlah hydropower pipeline to the Cheoah River
- 3 (C) Wild Trout Waters are as follows:
- 4 Little Buffalo Creek
- 5 South Fork Squally Creek
- 6 Squally Creek
- 7 (10) Haywood County
- 8 (A) Delayed Harvest Trout Waters are as follows:
- 9 West Fork Pigeon River from Queen Creek to the first game land boundary upstream of
- 10 Lake Logan
- 11 (B) Hatchery Supported Trout Waters are as follows:
- 12 Cold Springs Creek from Fall Branch to the Pigeon River
- 13 Jonathan Creek from upstream of the S.R. 1302 bridge to the Pigeon River, except where
- 14 posted against trespassing
- 15 Pigeon River from Stamey Cove Branch to the upstream U.S. 19-23 bridge
- 16 Richland Creek from the Russ Avenue, U.S. 276, bridge to the U.S. 19 bridge
- 17 West Fork Pigeon River from Tom Creek to Queen Creek
- 18 (11) Henderson County
- 19 (A) Delayed Harvest Trout Waters are as follows:
- 20 North Fork Mills River, the game land portion below the Hendersonville watershed dam
- 21 (B) Hatchery Supported Trout Waters are as follows:
- 22 Broad River from the end of S.R. 1611 to the Rutherford Co. line
- 23 Cane Creek from the railroad bridge upstream of the S.R. 1551 bridge to the U.S. 25 bridge
- 24 Clear Creek from Laurel Fork to S.R. 1582
- 25 Green River from the Lake Summit powerhouse to the game land boundary
- 26 Hungry River from ~~S.R. 1885~~ Little Hungry River to the Green River
- 27 (12) Jackson County
- 28 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 29 Flat Creek
- 30 Tuckasegee River, the game land portion upstream of Tanasee Creek Lake, including the
- 31 Duke Energy powerline corridor
- 32 Tuckasegee River the portion upstream from the Clark property
- 33 (B) Delayed Harvest Trout Waters are as follows:
- 34 Tuckasegee River from downstream of the N.C. 107 bridge to the falls located 275 yards
- 35 upstream of the U.S. 23-441 bridge, marked by a sign on both banks
- 36 (C) Hatchery Supported Trout Waters are as follows:
- 37 Balsam Lake

- 1 Bear Creek Lake
- 2 Cedar Cliff Lake
- 3 Cullowhee Creek from Tilley Creek to the Tuckasegee River
- 4 Dark Ridge Creek from Jones Creek to Scott Creek
- 5 Greens Creek from Greens Creek Baptist Church on S.R. 1370 to Savannah Creek
- 6 Savannah Creek from Shell Branch to Cagle Branch
- 7 Scott Creek from Dark Ridge Creek to the Tuckasegee River, except where posted against
- 8 trespassing
- 9 Tanasee Creek Lake
- 10 Tuckasegee River from John Brown Branch to the downstream N.C. 107 bridge
- 11 Tuckasegee River from the falls located 275 yards upstream of the U.S. 23-441 bridge,
- 12 marked by a sign on both banks, to the S.R. 1534 bridge at Wilmont
- 13 Wolf Creek Lake
- 14 (D) Wild Trout Waters are as follows:
- 15 Gage Creek
- 16 North Fork Scott Creek
- 17 Tanasee Creek
- 18 Whitewater River from Silver Run Creek to the South Carolina state line
- 19 Wolf Creek except Balsam Lake and Wolf Creek Lake
- 20 (13) Macon County
- 21 (A) Delayed Harvest Trout Waters are as follows:
- 22 Nantahala River from Whiteoak Creek to the Nantahala hydropower discharge canal
- 23 (B) Hatchery Supported Trout Waters are as follows:
- 24 Burningtown Creek from Left Prong to the Little Tennessee River
- 25 Cartoogechaye Creek from downstream of the U.S. 64 bridge to the Little Tennessee River
- 26 Cliffside Lake
- 27 Cullasaja River from Sequoyah Dam to the U.S. 64 bridge near the junction of S.R. 1672
- 28 Nantahala River from Dicks Creek to Whiteoak Creek
- 29 Nantahala River from the Nantahala hydropower discharge canal to the Swain Co. line
- 30 Queens Creek Lake
- 31 (14) Madison County
- 32 (A) Delayed Harvest Trout Waters are as follows:
- 33 Big Laurel Creek from the N.C. 208 bridge to the U.S. 25-70 bridge
- 34 Shelton Laurel Creek from the N.C. 208 bridge at Belva to the confluence with Big Laurel
- 35 Creek
- 36 Spring Creek from the N.C. 209 bridge at the Hot Springs city limits to the iron bridge at
- 37 end of Andrews Ave.

- 1 (B) Hatchery Supported Trout Waters are as follows:
2 Big Laurel Creek from Puncheon Fork to the S.R. 1318, Big Laurel Rd., bridge downstream
3 of Bearpen Branch
4 Big Pine Creek from the S.R. 1151 bridge to the French Broad River
5 Little Ivy Creek from the confluence of Middle Fork and Paint Fork at Beech Glen to the
6 confluence with Ivy Creek at Forks of Ivy
7 Max Patch Pond
8 Meadow Fork Creek from Meadow Fork Campground to Spring Creek
9 Puncheon Fork from Wolf Laurel Branch to Big Laurel Creek
10 Roaring Fork from Fall Branch to Meadow Fork
11 Shelton Laurel Creek from the confluence of Big Creek and Mill Creek to the N.C. 208
12 bridge at Belva
13 Shut-in Creek
14 Spillcorn Creek
15 Spring Creek from the junction of N.C. 209 and N.C. 63 to the confluence with Meadow
16 Fork
17 West Fork Shut-in Creek from the lower game land boundary to the confluence with East
18 Fork Shut-in Creek
- 19 (15) McDowell County
- 20 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
21 Newberry Creek, the game land portion
- 22 (B) Delayed Harvest Trout Waters are as follows:
23 Catawba River, the portion adjacent to the Marion Greenway
24 Curtis Creek, the game land portion downstream of the USFS boundary at Deep Branch
25 Mill Creek from the U.S. 70 bridge to the I-40 bridge
- 26 (C) Hatchery Supported Trout Waters are as follows:
27 Armstrong Creek from the Cato Holler line downstream to the upper Greenlee line
28 Catawba River from the Catawba Falls Campground to the Old Fort Recreation Park
29 Little Buck Creek, the game land portion
30 North Fork Catawba River from the headwaters to North Cove School at the S.R. 1569
31 bridge
- 32 (16) Mitchell County
- 33 (A) Delayed Harvest Trout Waters are as follows:
34 Cane Creek from the N.C. 226 bridge to the S.R. 1189 bridge
35 North Toe River from the U.S. 19E bridge to the N.C. 226 bridge
- 36 (B) Hatchery Supported Trout Waters are as follows:
37 Big Rock Creek from the headwaters to ~~the N.C. 226 bridge at the S.R. 1307 intersection~~

1 the S.R. 1325 bridge
2 Cane Creek from S.R. 1219 to the N.C. 226 bridge
3 East Fork Grassy Creek
4 Grassy Creek from East Fork Grassy Creek to the mouth
5 ~~Little Rock Creek from the Green Creek bridge to Big Rock Creek, except where posted~~
6 ~~against trespassing~~
7 North Toe River from the Avery Co. line to the S.R. 1121 bridge
8 (C) Wild Trout Waters are as follows:
9 Green Creek from the headwaters to the Green Creek bridge, except where posted against
10 trespassing
11 Little Rock Creek the portion upstream of the Green Creek bridge, including the tributaries,
12 except where posted against trespassing
13 Wiles Creek from the game land boundary to the mouth
14 (17) Polk County
15 (A) Delayed Harvest Trout Waters are as follows:
16 Green River from the Fishtop Falls Access Area to the confluence with Cove Creek
17 (B) Hatchery Supported Trout Waters are as follows:
18 Green River from the mouth of Cove Creek to the natural gas pipeline crossing
19 North Pacolet River from Joels Creek to the N.C. 108 bridge
20 (18) Rutherford County
21 (A) Hatchery Supported Trout Waters are as follows:
22 Broad River from the Henderson Co. line to the U.S. 64/74 bridge, except where posted
23 against trespassing
24 (19) Stokes County
25 (A) Hatchery Supported Trout Waters are as follows:
26 Dan River from the Virginia state line downstream to a point 200 yards below the end of
27 S.R. 1421
28 (20) Surry County
29 (A) Delayed Harvest Trout Waters are as follows:
30 Ararat River, the portion adjacent to the Ararat River Greenway downstream of the N.C.
31 103 bridge
32 Mitchell River from 0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge
33 on S.R. 1330
34 (B) Hatchery Supported Trout Waters are as follows:
35 ~~Ararat River from the S.R. 1727 bridge to~~ River, the portion adjacent to the Ararat River
36 Greenway upstream of the N.C. 103 bridge
37 Big Elkin Creek from the dam 440 yards upstream of the N.C. 268 bridge to a point 265

- 1 yards downstream of N.C. 268, marked by a sign on both banks
 2 Fisher River from the Virginia state line to the I-77 bridge
 3 Little Fisher River from the Virginia state line to the N.C. 89 bridge
 4 Lovills Creek from the U.S. 52 Business bridge to the Ararat River
 5 Pauls Creek from the Virginia state line to 0.3 miles below the S.R. 1625 bridge
 6 (21) Swain County
 7 (A) Delayed Harvest Waters Trout Waters are as follows:
 8 Tuckasegee River from the U.S. 19 bridge to the Slope Street bridge
 9 (B) Hatchery Supported Trout Waters are as follows:
 10 Alarka Creek from the game land boundary to Fontana Reservoir
 11 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
 12 Cheoah Reservoir
 13 Connelly Creek from Camp Branch to the Tuckasegee River
 14 Deep Creek from the Great Smoky Mountains National Park Boundary line to the
 15 Tuckasegee River
 16 Nantahala River from the Macon Co. line to the existing Fontana Lake water level
 17 (22) Transylvania County
 18 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
 19 Davidson River from the headwaters to Avery Creek, excluding Avery Creek, Looking
 20 Glass Creek, Grogan Creek, Cedar Rock Creek and John Rock Branch
 21 (B) Delayed Harvest Trout Waters are as follows:
 22 East Fork French Broad River from East Fork Baptist Church to ~~the~~ 350 yards downstream
 23 S.R. 1107 of Whitmire Falls, marked by a sign on both banks bridge
 24 Little River from the confluence of Lake Dense to 100 yards downstream of Hooker Falls
 25 (C) Hatchery Supported Trout Waters are as follows:
 26 Davidson River from Avery Creek to the lower USFS boundary
 27 French Broad River from the confluence of the North Fork French Broad River and West
 28 Fork
 29 French Broad River to the Island Ford Rd., S.R. 1110, Access Area
 30 Middle Fork French Broad River from upstream of the U.S. 178 bridge to the French Broad
 31 River
 32 West Fork French Broad River from S.R. 1312 to confluence with North Fork French
 33 Broad River
 34 (D) Wild Trout Waters are as follows:
 35 The waters located on Gorges State Park
 36 Whitewater River from Silver Run Creek to the South Carolina state line
 37 (23) Watauga County

- 1 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
2 Laurel Creek from the confluence of North Fork Laurel Creek and South Fork Laurel Creek
3 to Elk Creek, excluding tributaries
4 Pond Creek from the headwaters to the Locust Ridge Rd. bridge, excluding the pond
5 adjacent to Coffee Lake
- 6 (B) Delayed Harvest Trout Waters are as follows:
7 Lake Coffey
8 Watauga River from the S.R. 1114 bridge to the Valle Crucis Community Park lower
9 boundary
10 Watauga River from the S.R. 1103 bridge to the confluence with Laurel Creek
- 11 (C) Hatchery Supported Trout Waters are as follows:
12 Beaverdam Creek from the confluence of Beaverdam Creek and Little Beaverdam Creek
13 to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203
14 Beech Creek
15 Buckeye Creek from Buckeye Creek Reservoir dam to Grassy Gap Creek
16 Buckeye Creek Reservoir
17 Cove Creek from the S.R. 1233 bridge at Zionville to the S.R. 1214 bridge at Sherwood
18 Dutch Creek from the second S.R. 1136 bridge to the mouth
19 Elk Creek from the S.R. 1510 bridge at Triplett to the Wilkes Co. line, except where posted
20 against trespassing
21 Laurel Creek from the S.R. 1123 bridge at the S.R. 1157 intersection to the Watauga River
22 Meat Camp Creek from the S.R. 1340 bridge at the S.R. 1384 intersection to N.C. 194
23 Middle Fork New River from adjacent to the intersection of S.R. 1539 and U.S. 321 to the
24 South Fork New River
25 Norris Fork Creek
26 South Fork New River from the canoe launch 70 yards upstream of U.S. 421 bridge to the
27 lower boundary of Brookshire Park
28 Stony Fork from the S.R. 1500 bridge at the S.R. 1505 intersection to the Wilkes Co. line
- 29 (D) Wild Trout Waters are as follows:
30 Dutch Creek from the headwaters to the second S.R. 1136 bridge
31 Howard Creek
32 Maine Branch from the headwaters to the North Fork New River
33 North Fork New River from the confluence with Maine Branch and Mine Branch to the
34 Ashe Co. line
35 Winkler Creek from the lower bridge on S.R. 1549 to the confluence with the South Fork
36 New River
- 37 (24) Wilkes County

- 1 (A) Delayed Harvest Trout Waters are as follows:
2 East Prong Roaring River from Bullhead Creek to the Stone Mountain State Park lower
3 boundary
4 Elk Creek from the Watauga Co. line to the lower boundary of the Blue Ridge Mountain
5 Club
6 Elk Creek, the portion on Leatherwood Mountains development
7 Reddies River from the Town of North Wilkesboro water intake dam to the confluence
8 with the Yadkin River
9 Stone Mountain Creek from the falls at the Alleghany Co. line to the confluence with the
10 East Prong Roaring River and Bullhead Creek
- 11 (B) Hatchery Supported Trout Waters are as follows:
12 Basin Creek from the S.R. 1730 bridge to the confluence with Lovelace Creek
13 Bell Branch Pond
14 Boundary Line Pond
15 Cub Creek from 0.5 miles upstream of the S.R. 2460 bridge to the S.R. 1001 bridge
16 Darnell Creek from the downstream ford on S.R. 1569 to the confluence with the North
17 Fork Reddies River
18 East Prong Roaring River from the Stone Mountain State Park lower boundary to the Low
19 Meadows Lane bridge
20 Fall Creek from the S.R. 1300 bridge to the confluence with South Prong Lewis Fork,
21 except where posted against trespassing
22 Middle Fork Reddies River from the headwaters to the bridge on S.R. 1580
23 Middle Prong Roaring River from the headwaters to the second bridge on S.R. 1736
24 North Fork Reddies River from the headwaters to the Union School bridge on S.R. 1559
25 Pike Creek
26 Pike Creek Pond
27 South Fork Reddies River from the S.R. 1355 bridge to the confluence with the Middle
28 Fork Reddies River
29 South Prong Lewis Fork from Fall Creek to the U.S. 421 bridge adjacent to the S.R. 1155
30 intersection
- 31 (C) Wild Trout Waters are as follows:
32 The waters located on Stone Mountain State Park, except East Prong Roaring River from
33 Bullhead Creek to the Stone Mountain State Park lower boundary where Delayed Harvest
34 Trout Waters regulations apply, and Stone Mountain Creek from the falls at the Alleghany
35 Co. line to the confluence with the East Prong Roaring River and Bullhead Creek in Stone
36 Mountain State Park where Delayed Harvest Trout Waters regulations apply
- 37 (25) Yancey County

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

17

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

19 *Eff. February 1, 1976;*

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

21 *October 1, 1992;*

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

23 *Amended Eff. July 1, 2000;*

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

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

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

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

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

29 *2003);*

30 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*

31 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*

32 *1, 2007; May 1, 2006; June 1, 2005;*

33 *Readopted Eff. August 1, 2019;*

34 *Amended Eff. August 1, 2025; August 1, 2024; August 1, 2023; August 1, 2022; August 1, 2021;*

35 *August 1, 2020.*

36

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, November 7, 2024 12:26 PM
To: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

I don't see 15A NCAC 10C .205 attached. Please send it.

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: November RRC Meeting-Request for Technical Changes
Attachments: 11_2024_Wildlife Commission-Request for Technical Changes - 11.4.24.docx; 15A NCAC 10B .0306 - tech.docx; 15A NCAC 10B .0405 - tech.docx; 15A NCAC 10B .0209 - tech.docx; 15A NCAC 10B .0301 - tech.docx; 15A NCAC 10D .0229 - Tech.docx; 15A NCAC 10D .0232 - Tech.docx

From: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.org>
Sent: Thursday, November 7, 2024 10:07 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: November RRC Meeting-Request for Technical Changes

Hi Travis,

Thank you for giving me a few extra days to turn this around. Please see attached for responses and revised rules. Let me know if you have any additional questions or concerns.

Carrie



Carrie Ruhlman // Policy Manager
Office of Conservation Policy & Analysis
Office: 919-707-0011 / Mobile: 919-606-2241

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0209

DEADLINE FOR RECEIPT: November 5, 2024

PLEASE NOTE: *This request may extend to 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 our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a), line 4, is "open season" defined in a rule or statute? The term "open season" and "closed season" are mentioned throughout Chapter 113. However, there is no definition. All hunting rules for specific species in 15A NCAC 10B .0200 use this terminology. If so, please provide a citation. If not, does the regulated public know the meaning of this phrase? Yes

In line 4, consider adding "immediately" before "after" for clarity on which Saturday is being referred to. We would prefer not to. We have been told not to use "immediately" and have therefore updated language throughout the 10B .0200 rules to accommodate this request. We believe it is clear and correct.

In line 4, consider adding "in April" after "fourth Saturday" for clarity. That Saturday would actually be in May. Because of how the calendar shifts, we would prefer to keep this language consistent throughout the 10B .0200 rules as-is. Also, consider adding a comma after the newly inserted "in April" and add a comma after "thereafter" (line 5). Added a comma after "thereafter".

In line 5 and elsewhere, are "bearded" and "male turkeys" the same? Usually but not always. If so, is "bearded" necessary? Yes.

In (b), line 6, does the "possession limit" apply to each person or each group of people who may be hunting together? Limits apply to individuals. Does the regulated public know how to interpret this restriction? Yes.

In (c), can dogs be present while hunting wild turkeys? Or are dogs only prohibited from being actively involved in hunting? Dogs are not traditionally used to hunt wild turkeys in the spring. In (c), how does this section comply with G.S. 113-291.5(a) and (b)? It doesn't since the dates shifted. Removed.

In (d), can people over 16 years of age be present with "youth" while hunting during Spring Youth Only Wild Turkey Season? Yes, per 113-276(d) they have to be accompanied by an adult of at least 18 years of age who is licensed to hunt.

Travis Wiggs
Rules Review Commission Counsel
Submitted October 22, 2024

In (d)(1), line 9, there could be two weekends “prior to April 11”. Using “the” instead of “a” indicates that it is the weekend immediately prior to that date. Please clarify which “Saturday and Sunday” would apply. See comment in your second question above about “immediately”. Also, add a comma after “April 11”. Done.

In the History Note, line 29, is “August 1, 2025” the intended effective date? Yes, our hunting, fishing, trapping and game land rules typically have an effective date on August 1 to coincide with the publishing of our annual Regulations Digest for the public. December 1, 2024, is the earliest possible effective date.

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0301

DEADLINE FOR RECEIPT: November 5, 2024

PLEASE NOTE: This request may extend to 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 our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (1), line 5, consider deleting "a" and make "device" plural. Done.

In (3), line 11, consider deleting "that". Done.

In (8), line 20, is "taut" defined in a Rule or statute? No, we rely on the standard definition of the term. If so, please provide a citation. If not, does the regulated public know the definition? Trappers understand this term.

In the History Note, line 29, is "March 1, 2025" the intended effective date? I assume you are including the desired effective dates since you're using different dates. That is the desired effective date.

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

Travis Wiggs
Rules Review Commission Counsel
Submitted October 22, 2024

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0306

DEADLINE FOR RECEIPT: November 5, 2024

PLEASE NOTE: This request may extend to 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 our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (b), line 8, add a comma after "attached". Done.

In line 9, is "trapper" necessary? Yes, this is a specific number. Also, add a comma after "Commission". Done.

In line 11, add a comma after "address". Done. Also added a comma after address on line 8 for consistency.

In the History Note, how does G.S. 113-291.12 provide authority for this Rule? Good question, not sure. Deleted.

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

Travis Wiggs
Rules Review Commission Counsel
Submitted October 22, 2024

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10B .0405

DEADLINE FOR RECEIPT: November 5, 2024

PLEASE NOTE: This request may extend to 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 our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (e) line 13, add a comma after both uses of "animal". Done.

In (e), what is the authority for your agency to mandate that the public be knowledgeable of the tagging requirements in other states? G.S. 113-291.2. Added to history note.

In (f), does the exception to (e), in lines 15-16, also apply in (f)? The exception does not apply when it comes to resale or removal from the place of business, the carcass must be tagged according to (e).

In line 21, add a comma after "Commission". Done. Also, how will the regulated public know which counties are "exempt from fox tagging requirements"? In the annual Regulations Digest, we direct them to our annual publication, County Fox Harvest Seasons Legislated by The North Carolina General Assembly (<https://online.flippingbook.com/view/995472256/>) to find exempt counties because they are all in session laws created over the last 40 years.

In (h), how long shall licensed fur dealers "maintain records of all acquisitions"? A year after submittal. Clarified.

In line 25, consider replacing "acquisition" with "all acquisitions". Done.

In line 27, add a comma at the end after ".org". Done.

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

Travis Wiggs
Rules Review Commission Counsel
Submitted October 22, 2024

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10C .0205

DEADLINE FOR RECEIPT: November 5, 2024

PLEASE NOTE: This request may extend to 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 our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (b)(3), line 24, consider replacing “until” with “through” if October 1 is included. It's not included.

In (5), what are “watercourse-specific regulations”? A stretch of or portion of a waterbody with the regulation. Is there a definition or where can the regulations be found? There is no definition but both Burke and Cherokee counties have “Special Regulation Trout Waters”. See (d)(5)(D) and (d)(6)(B). Limits for those waters can be found in 10C .0316(e).

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

Travis Wiggs
Rules Review Commission Counsel
Submitted October 22, 2024

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0229

DEADLINE FOR RECEIPT: November 5, 2024

PLEASE NOTE: This request may extend to 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 our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*In (2), line 7, I don't see "(d)(2)" in the cited Rule. Did you intend to cite "(e)"? **Fixed.***

*In (3), line 12, add a comma after "October". **Done.***

*In lines 19-20, add a comma after "February" and after "14". **Done.***

*In line 24, add a comma after "33". **Done.***

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

Travis Wiggs
Rules Review Commission Counsel
Submitted October 22, 2024

REQUEST FOR TECHNICAL CHANGE

AGENCY: Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0232

DEADLINE FOR RECEIPT: November 5, 2024

PLEASE NOTE: This request may extend to 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 our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (3), lines 12-13, add a comma after "February" and after "14". Done.

In line 15, add a comma after "Season". Done.

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

Travis Wiggs
Rules Review Commission Counsel
Submitted October 22, 2024

1 15A NCAC 10B .0209 is amended as published in 39:02 NCR 69 as follows:

2

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

4 (a) The open season for wild turkey is from the ~~second~~ Saturday on or after ~~in~~ April 11 through the fourth Saturday
5 ~~thereafter~~ thereafter, on bearded or male turkeys only.

6 (b) The daily bag limit is one, the possession limit is two, and the season limit is two.

7 ~~(e) The use of dogs for hunting wild turkeys is prohibited.~~

8 ~~(d)~~ (c) The following shall apply to Spring Youth Only Wild Turkey Season:

9 (1) the open season is ~~from~~ the ~~first~~ Saturday and Sunday ~~in~~ prior to April ~~[11]~~ 11, ~~through the Friday~~
10 ~~thereafter~~ on bearded or male wild turkeys ~~only-~~ only;

11 (2) the season limit is ~~one-~~ one; and

12 (3) youth are individuals under 16 years of age.

13

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

15 *Eff. February 1, 1976;*

16 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
17 *July 1, 1992;*

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

19 *Amended Eff. July 1, 2000;*

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

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

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

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. February 1, 2018; August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2007;*
27 *November 1, 2005;*

28 *Readopted Eff. February 1, ~~2022~~, 2022;*

29 *Amended Eff. August 1, 2025.*

30

31

1 15A NCAC 10B .0301 is amended as published in 39:02 NCR 69 as follows:
2

3 **15A NCAC 10B .0301 DEFINITIONS**

4 As used in this Section, the following definitions apply:

- 5 (1) "Box trap", "corral trap", and "cage trap" are **a device devices** designed so that the animal enters the
6 trap through a door that closes and is meant to prevent the animal from exiting.
- 7 (2) "Breakaway device" means a device incorporated into a snare or snare component that allows the
8 loop to break open, and an animal to escape completely free of the snare, when a specified amount
9 of force is applied.
- 10 (3) "Collarum™-type trap" means a power-activated snare that is activated when the trigger is pulled
11 and **that** is designed to capture and restrain the animal by a cable around the neck.
- 12 (4) "Conibear®", "Conibear®-type", and "bodygrip" traps are designed to catch an animal in a body
13 hold resulting in a quick kill.
- 14 (5) "Leghold" and "foothold" mean a trap designed to hold an animal by the foot.
- 15 (6) "Loop stop" means a device that is attached to the snare cable to prevent the loop from closing
16 beyond a specified point.
- 17 (7) "Power-activated" means a snare on which the speed or direction of the loop closure is initiated or
18 augmented by a powering device like a spring.
- 19 (8) "Relaxing lock" means a snare lock that allows the snare loop to release constriction pressure on the
20 captured animal when the cable is not taut.
- 21 (9) "Snare" means a cable restraining device.
- 22 (10) "Steel-jaw" means a leghold or foothold trap in which the jaws are made of metal.
- 23 (11) "Submersion trapping systems" are traps, other than snares and Conibear®-type traps, that are set
24 in a manner that allow or cause the captured animal to become irreversibly submerged in water.
25

26 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.6;*
27 *Eff. January 1, 2011;*
28 *Readopted Eff. February 1, 2022;*
29 *Amended Eff. March 1, 2025; August 1, 2023.*
30

1 15A NCAC 10B .0306 is amended as published in 39:02 NCR 69 as follows:

2
3 **15A NCAC 10B .0306 ATTENDANCE AND TAGGING OF TRAPS**

4 (a) Traps shall be visited daily and animals caught shall be removed, except for completely submerged Conibear®-
5 type, Conibear®, ~~or bodygrip traps~~ traps, and submersion trapping systems, as defined in 15 NCAC 10B .0301, which
6 shall be visited once per 72 hours and animals caught shall be removed.

7 (b) Steel-jaw, leghold, Conibear®, Conibear®-type traps, Collarum™-type traps, snares, box traps, and cage traps
8 must have a weather-resistant permanent tag ~~attached~~ attached, legibly giving the trapper's name and ~~address~~ address,
9 or the trapper's trapper identification number provided by the Wildlife Resources ~~Commission~~ Commission, and the
10 Wildlife Resources Commission's telephone number to report wildlife violations. Box traps for rabbits shall have a
11 weather-resistant permanent tag attached legibly giving the hunter's name and ~~address~~ address, or the hunter's Wildlife
12 Resources Commission customer ~~number~~ number, and the Wildlife Resources Commission's telephone number to
13 report wildlife violations.

14 (c) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following
15 features:

- 16 (1) a control unit that monitors the trap in real-time and reports trap status and unit status to a centralized
17 application database a minimum of once every two hours;
- 18 (2) a software application that notifies the user of unit status, trap activity, and system health issues
19 within 10 minutes of these events via email, text-based messaging systems, or an in-application
20 notification; and
- 21 (3) an on-demand test procedure that is used at deployment of a unit to confirm that the unit is placed
22 in a location where its wireless communication can be received and processed.

23 (d) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within
24 24 hours of the time the trap was reported closed.

25 (e) If a remote trap checking system control unit fails to report its status after a 12-hour period, or reports a system
26 health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.

27 (f) Remote trap checking system users shall maintain records of trap status and notification alarms for a minimum of
28 seven days after receipt. Records shall be made available for inspection upon request by a representative of the
29 Commission.

30
31 *History Note:* Authority G.S. 113-134; 113-291.1; 113-291.2; ~~113-291.12;~~

32 *Eff. March 1, 2025; August 1, 2023.*

1 15A NCAC 10B .0405 is amended as published in 39:02 NCR 69 as follows:

2
3 **15A NCAC 10B .0405 FUR DEALERS**

4 (a) Any individual wanting to engage in the business of buying or selling fur-bearing animals or other wild animals
5 that may lawfully be sold, as specified in G.S. 113-273(f), shall first obtain a fur dealer license from the Commission.

6 (b) Application for a fur dealer license shall be made online at www.ncwildlife.org or at the Commission headquarters
7 located at 1751 Varsity Drive, Raleigh, NC 27606. Information required from the applicant shall include:

- 8 (1) the applicant's name, address, telephone number, date of birth; and
9 (2) a list of all employees to be covered under the license.

10 (c) The fur dealer license shall not be transferable.

11 (d) Any individual working on behalf of the licensed fur dealer shall have a copy of the fur dealer's current license.

12 (e) It is unlawful for ~~any a~~ fur dealer, or person acting on his or her behalf, to import, buy, or accept delivery of a
13 carcass or pelt of ~~any a~~ fur-bearing ~~animal animal~~, or other wild ~~animal animal~~, from a source located in any other
14 state that has not been affixed with a tag in accordance with the tagging requirements of the state from which the
15 animal was taken, unless documentation of the date and hour of the arrival of such carcass or pelt at the fur dealer's
16 place of business is available for inspection.

17 (f) Imported carcasses and pelts shall not be resold or removed from a fur dealer's place of business without having
18 been tagged as required by Paragraph (e) of this Rule.

19 (g) Except as provided by Paragraph (e) of this Rule, it is unlawful for any licensed fur dealer to have in his or her
20 possession the carcass or pelt of any bobcat, otter, or fox which has not been affixed with a fur tag provided by the
21 ~~Commission~~ Commission, unless the fox was taken from a county exempt from fox tagging requirements.

22 (h) Licensed fur dealers shall maintain records of all acquisitions of carcasses and pelts of beaver, bobcat, coyote,
23 groundhog, mink, muskrat, nutria, opossum, otter, raccoon, striped skunk, spotted skunk, weasel, and ~~foxes~~ foxes, on
24 forms supplied by the Commission, for one year following expiration of the license. ~~Such records shall consist of~~
25 ~~receipts, copies of receipts, or other written evidence of the transactions showing the sources and numbers of~~
26 ~~acquisition.~~ Records shall contain the following information:

- 27 (1) fur dealer license number;
28 (2) date of purchase;
29 (3) county of harvest in North Carolina, or state of origin if not in North Carolina;
30 (4) seller's name and address;
31 (5) manner of harvest and applicable license number; and
32 (6) species, quantity, fur grade, unit price and total price for each fur purchased.

33 (i) ~~Monthly~~ [Annual] reports shall be submitted to the Commission on or before the 15th day of the succeeding month
34 [within 15 days following the date of license expiration] ~~on forms supplied by the Commission at www.ncwildlife.org~~
35 ~~or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576. Reports shall include the~~
36 ~~following:~~

1 (4) Records from all acquisitions of carcasses and pelts, except those which have been acquired from
2 and reported by other fur dealers licensed by the State; State, shall be submitted to the Commission
3 at 1751 Varsity Drive, Raleigh, NC 27606-2576 within 15 days following the date of license
4 expiration.

5 ~~(2) — all acquisitions made during each month beginning with October and ending with March of the~~
6 ~~following year;~~

7 ~~(3) — distinguishment between acquisitions made within the State and those made from outside the State;~~
8 ~~and~~

9 ~~(4) — counties in which the animals were taken if within the State.~~

10 In the case of nonresident fur dealers licensed to do business in this State, the records and reports required by this
11 Paragraph apply only to carcasses or pelts of animals acquired from within this State, and no reports are required from
12 nonresident fur dealers who acquire pelts only from other fur dealers licensed in the State.

13 (j) The records required by Paragraph ~~(4)~~ (h) of this Rule and the inventory of carcasses and pelts on hand shall be
14 made available for inspection by representatives of the Commission upon request or during the fur dealer's business
15 hours.

16
17 *History Note: Authority G.S. 113-129; 113-134; 113-273; 113-291.2; 113-291.3; 113-291.4; 50 C.F.R. 23; 87*
18 *Stat. 884;*
19 *Eff. November 14, 1978;*
20 *Amended Eff. August 1, 2010; January 1, 1992; December 1, 1981; August 1, 1981; February 2,*
21 *1981;*
22 *Readopted Eff. October 1, ~~2022~~, 2022;*
23 *Amended Eff. March 1, 2025.*
24

1 15A NCAC 10D .0229 is amended with changes as published in 39:02 NCR 78 as follows:

2
3 **15A NCAC 10D .0229 GOOSE CREEK GAME LAND IN BEAUFORT AND PAMLICO COUNTIES**

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

- 5 (1) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers
6 Season.
- 7 (2) Except as provided in 15A NCAC 10D ~~.0103(d)(2)~~, .0103(e), waterfowl in posted waterfowl
8 impoundments shall be taken only on the following days:
9 (a) the opening and closing days of the applicable waterfowl seasons;
10 (b) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
11 (c) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 12 (3) Beginning on the first open waterfowl season day in ~~October~~ October, through the end of all
13 waterfowl seasons, waterfowl hunting is by permit only on the following waterfowl impoundments:
14 Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith Creek, and Hobucken.
- 15 (4) On Spring Lake, Pamlico Point, and Campbell Creek Waterfowl Impoundments, all activities,
16 except waterfowl hunting on designated waterfowl hunting days and trapping during the trapping
17 season, are restricted to the posted Scouting-only Zone during the period November 1 through
18 March 15.
- 19 (5) Camping is restricted to September 1 through the last day of ~~February~~ February, and March 31
20 through May ~~14~~ 14, in areas both designated and posted as camping areas.
- 21 (6) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 through
22 January 1 and April 1 through May 15 to individuals that possess a valid hunting opportunity permit.
- 23 (7) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on
24 the Beaufort County portion north of ~~NC N.C. 33~~ 33, except for that portion east of Smith Creek
25 and south of Campbell Creek.
- 26 (8) Bear shall not be harvested on Sunday.
- 27 (9) Hunting for deer, bear, and turkey on the Bates-Bay Tract is by permit only.

28
29 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
30 *Temporary Adoption Eff. December 1, 2022;*
31 *Eff. March 15, ~~2023~~. 2023;*
32 *Amended Eff. August 1, 2025.*
33

1 15A NCAC 10D .0232 is amended as published in 39:02 NCR 79 as follows:

2

3 **15A NCAC 10D .0232 GULL ROCK GAME LAND IN HYDE COUNTY**

4 Gull Rock is a Seven Days per Week Area, in which the following applies:

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

7 (2) Waterfowl on ~~posted waterfowl impoundments~~ the E. Merle Edwards/Loop Road Impoundment
8 shall be taken only on the following days:

9 (a) the opening and closing days of the applicable waterfowl seasons;

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

11 (c) Tuesdays and Saturdays of the applicable waterfowl season.

12 (3) Camping is restricted to September 1 through the last day of ~~February~~ February, and March 31
13 through May ~~14~~ 14, in areas designated and posted as camping areas.

14 (4) Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear ~~Season~~
15 Season, and the second Saturday, Monday, and Tuesday of the December Bear Season.

16 (5) Waterfowl hunting on posted waterfowl impoundments on the Willow Point tract is by permit only.

17

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

19 *Eff. October 1, 2022;*

20 *Temporary Amendment Eff. December 1, 2022;*

21 *Amended Eff. August 1, 2025; June 1, 2023.*

22

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Tuesday, October 22, 2024 11:03 AM
To: Ruhlman, Carrie A; melva.bonner@wildlife.org
Cc: Burgos, Alexander N
Subject: November RRC Meeting-Request for Technical Changes
Attachments: 11_2024_Wildlife Commission-Request for Technical Changes.docx

Good morning,

I'm the attorney who reviewed the rules submitted by the N.C. Wildlife Resources Commission for the November 2024 RRC meeting. The RRC will formally review these Rules at its meeting on Tuesday, November 26, 2024, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised Rules and forms to me via email, no later than 5 p.m. on November 5, 2024. Let me know if you have any questions.

Thank you.

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.