



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency:

Wildlife Resources Commission

2. Rule citation & name:

15A NCAC 10C .0325 SEA TROUT

3. Action: Adoption Amendment Repeal

4. Was this an Emergency Rule: Yes No **Effective date:**

5. Provide dates for the following actions as applicable:

- a. Proposed Temporary Rule submitted to OAH: 2/6/2025
- b. Proposed Temporary Rule published on the OAH website: 2/10/2025
- c. Public Hearing date: 2/27/2025
- d. Comment Period: 2/10/2025 - 3/14/2025
- e. Notice pursuant to G.S. 150B-21.1(a3)(2): 2/10/2025
- f. Adoption by agency on: 4/17/2025
- g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:

6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite:
Effective date:
- A recent change in federal or state budgetary policy.
Effective date of change:
- A recent federal regulation.
Cite:
Effective date:
- A recent court order.
Cite order:
- Other: G.S. 150B-21.1(a)(7) b. and c.

Explain:

As a result of a cold stun event and in accordance with the North Carolina Spotted Sea Trout Fishery Management Plan, the N.C. Division of Marine Fisheries (NCDMF) issued a proclamation closing the recreational and commercial harvest of Spotted Sea Trout in joint and coastal fishing waters until June 15, 2025. To alleviate angler confusion, the proposed amendments closed the Spotted Sea Trout harvest until June 15, 2025, in waters within NCWRC's jurisdiction (Inland Fishing Waters and hook-and-line in Joint Fishing Waters) to be consistent with the NCDMF closure. Since noticing the rule, the NCDMF has issued another proclamation closing the season until June 30, 2025.

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

Changes are needed to be consistent with the NCDMF closure, alleviating angler confusion and protecting the resource. The initial proclamation was issued January 22, 2025, and the second proclamation extending the closure was issued April 8, 2025.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

- Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
- No

9. Rule-making Coordinator:

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Agency contact, if any:

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10. Signature of Agency Head*:

* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name:
Monty R. Crump
Title:
Chairman
E-Mail: monty@gorockingham.com

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 15A NCAC 10C .0325 is amended under temporary procedures with changes as follows:

2

3 **15A NCAC 10C .0325 SEA TROUT**

4 ~~(a) The daily creel limit for sea trout (spotted or speckled) is four fish.~~

5 ~~(b) The minimum size limit is 14 inches.~~

6 ~~(c) There is no closed season.~~

7 (a) Sea trout (spotted or speckled) shall not be taken or possessed.

8 (b) The temporary amendment shall expire on June [15,] 30, 2025.

9

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

11 *Temporary Adoption Eff. September 1, 2022;*

12 *Eff. March 15, 2023.*

13 *Temporary Amendment Eff. May 1, 2025;*