



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency:

NC 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: 4/17/2025
- b. Proposed Temporary Rule published on the OAH website: 4/23/2025
- c. Public Hearing date: 5/8/2025
- d. Comment Period: 4/21/2025 - 5/16/2025
- e. Notice pursuant to G.S. 150B-21.1(a3)(2): 4/21/2025
- f. Adoption by agency on: 6/5/2025
- 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]: 7/1/2025

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:

The N.C. Marine Fisheries Commission adopted the Spotted Seatrout Fishery Management Plan Amendment 1 at their March 2025 meeting. To be consistent with the Spotted Seatrout Fishery Management Plan, a slot limit for Spotted Seatrout where the minimum size limit remains 14 inches, but no fish may be possessed between 20 and 26 inches and only one fish in the creel may be over 26 inches in length is proposed. The daily creel limit will be reduced from four fish to three fish per person. Current data indicates that the Spotted Seatrout population is not overfished but overfishing is occurring. These measures should end overfishing within two years.

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

In April 2025, the WRC adopted the current temporary rule to match the NC Division of Marine Fisheries season closure through June 30, 2025.

To be consistent with the the Spotted Seatrout Fishery Management Plan Amendment 1, adopted by the NC Marine Fisheries Commission at their March 2025 meeting, the WRC is now proposing a slot limit for Spotted Seatrout and reduction in the daily creel limit to three fish per person.

The current temporary amendments to the rule expire on June 30 2025. The requested effective date of 7/1/2025 will align this temporary rule with the expiration of the current temporary rule, alleviating angler confusion and protecting the resource.

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:

Carrie Ruhlman

Phone:

919-707-0011

E-Mail:

carrie.ruhlman@ncwildlife.gov

Agency contact, if any:

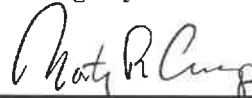
William Casola

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919-707-0125

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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 as follows:

2
3 **15A NCAC 10C .0325 SEA TROUT**

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

5 (b) The minimum size limit is 14 ~~inches.~~ inches, but no fish between 20 and 26 inches in length may be possessed
6 and only one sea trout greater than 26 inches may be possessed.

7 (c) There is no closed season.
8

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

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

11 *Eff. March 15, 2023; ~~2023~~.*

12 *Temporary Amendment Eff. July 1, 2025.*
13
14
15



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency:

NC Wildlife Resources Commission

2. Rule citation & name:

15A NCAC 10D .0260 PISGAH GAME LAND IN AVERY, BUNCOMBE, BURKE, CALDWELL, HAYWOOD, HENDERSON, MADISON, MCDOWELL,

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: 4/17/2025
- b. Proposed Temporary Rule published on the OAH website: 4/23/2025
- c. Public Hearing date: 5/7/2025
- d. Comment Period: 4/21/2025 - 5/16/2025
- e. Notice pursuant to G.S. 150B-21.1(a3)(2): 4/21/2025
- f. Adoption by agency on: 6/5/2025
- 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]: 7/1/2025

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: 150B-21.1(a)(7)d.

Explain:

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.

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

The safety concerns in the summer months expressed by the Caldwell County Sheriff's Office and the recent US Forest Service road closure necessitate the expedited timeline.

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:

Carrie Ruhlman

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Agency contact, if any:

William Casola

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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 10D .0260 is amended under temporary procedures with changes as follows:

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3 **15A NCAC 10D .0260 PISGAH GAME LAND IN AVERY, BUNCOMBE, BURKE, CALDWELL,**
4 **HAYWOOD, HENDERSON, MADISON, MCDOWELL, MITCHELL,**
5 **TRANSYLVANIA, WATAUGA, AND YANCEY COUNTIES**

6 Pisgah ~~game land~~ **Game Land** is a Seven Days per Week Area, in which the following applies:

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

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21 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
22 *Eff. October 1, 2022; ~~2022~~.*
23 *Temporary Amendment Eff. July 1, 2025.*
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