

Burgos, Alexander N

Subject: FW: WRC Temporary Rules for February 2026 RRC meeting

From: Ascher, Seth M <seth.ascher@oah.nc.gov>

Sent: Monday, February 23, 2026 4:08 PM

To: Casola, William <william.casola@ncwildlife.gov>; Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.gov>; mcraig@rhbarringer.com

Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: Re: WRC Temporary Rules for February 2026 RRC meeting

Thank you for your prompt response. I anticipate recommending approval of the final revised version of this rule, and the other rules as filed.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

Subject: FW: WRC Temporary Rules for February 2026 RRC meeting
Attachments: 15A NCAC 10C .0218.docx

From: Casola, William <william.casola@ncwildlife.gov>
Sent: Monday, February 23, 2026 2:41 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>; Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.gov>; mcraig@rhbarringer.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: WRC Temporary Rules for February 2026 RRC meeting

Seth,

After consulting with our Inland Fisheries Division, we agree that combining upstream and downstream is a bit confusing. We have reframed this section of the rule, using the term upstream throughout. I've attached updated rule text for your review.

Please let me know if you have any follow-up questions or concerns.

I plan to attend the meeting on Thursday in case Commissioners have any additional questions.

Thanks,

Will Casola

1 15A NCAC 10C .0218 is amended under temporary procedures with changes as follows:

2
3 **15A NCAC 10C .0218 HARVEST REPORTING REQUIREMENTS**

4 (a) For the purpose of this Rule, the following definitions shall apply:

5 (1) "Division" means the North Carolina Division of Marine Fisheries.

6 (2) "inland fishing waters adjacent to joint or coastal fishing waters" means inland fishing waters
7 upstream of joint or coastal fishing waters of the Roanoke River upstream to [downstream of]
8 Roanoke Rapids Dam, the Tar River upstream to [downstream of] Rocky Mount Mill Dam, the
9 Neuse River upstream to [downstream of] Falls Lake Dam and the Cape Fear River upstream to
10 [downstream of] Buckhorn Dam, and their tributaries extending upstream to the first impoundment,
11 Roanoke, Tar, Neuse, and Cape Fear rivers and their tributaries extending upstream to the first
12 impoundment of the main course on the river or its tributaries, and in all other inland fishing waters
13 east of Interstate 95 except in the Lumber and Waccamaw rivers ~~River~~ and ~~their~~ tributaries.

14 (3) "harvest" means catching or taking a fish and reducing it to permanent possession by not returning
15 it to the water.

16 (b) An individual who harvests the following species, from joint fishing waters or inland fishing waters adjacent to
17 joint or coastal fishing waters, shall report the information required in Rule 15A NCAC 03I .0124(b) to the Division
18 at <https://www.ncmarinefisheries.net> or record the harvest on a Division-issued report card when harvest is complete:

19 (1) flounder;

20 (2) red drum;

21 (3) spotted seatrout;

22 (4) striped bass; and

23 (5) weakfish.

24 (c) Individuals using a Division-issued report card shall report the information electronically at
25 <https://www.ncmarinefisheries.net> in a manner consistent with requirements of Rule 15A NCAC 03I .0124(b).

26 (d) An individual shall not remove the head or tail or otherwise change the appearance of the fish to render it
27 impractical to identify, count, or measure while fishing or afield and until harvest has been recorded or reported.

28 (e) The requirements of this Rule shall be effective in accordance with the schedule in S.L. 2023-137, s. 6(f).

29
30 *History Note: Authority G.S. 113-134; 113-170.3;*

31 *Temporary Adoption Eff. July 5, 2024.*

32 *Temporary Amendment Eff. March 10, 2026.*

Burgos, Alexander N

From: Casola, William
Sent: Friday, February 20, 2026 2:03 PM
To: Ascher, Seth M; Ruhlman, Carrie A; mcraig@rhbarringer.com
Cc: Burgos, Alexander N
Subject: RE: WRC Temporary Rules for February 2026 RRC meeting

Seth,

Thank you for reviewing the three rules.

To answer your first question, we currently do not have a timeline for the permanent rule. The Division of Marine Fisheries is working on a permanent reporting tool (e.g., mobile app, web form, or similar) for Mandatory Harvest Reporting. Once the tool is developed and both agencies can complete a regulatory impact analysis, the Wildlife Resources Commission will begin permanent rulemaking.

On your second question, I would like to speak with our Inland Fisheries Division about possibly clarifying this language. I will have a response to you on Monday.

Please let me know if you have any additional questions.

Best,

Will Casola



Will Casola, PhD
Policy Analyst
Office of Conservation Policy & Analysis
51 Varsity Drive, Raleigh, NC 27606
Office: 919-707-0125

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, February 20, 2026 12:56 PM
To: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.gov>; Casola, William <william.casola@ncwildlife.gov>; mcraig@rhbarringer.com
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: WRC Temporary Rules for February 2026 RRC meeting

Good afternoon,

I am the attorney who reviewed the WRC's temporary rules for the February 26 RRC meeting.

I have no questions regarding 15A NCAC 10C .0314 and 15A NCAC .0414, and currently anticipate recommending approval of the rules as filed. I did have questions regarding the remaining rule:

15A NCAC 10C .0218:

I see that this is a temporary amendment to a temporary rule originally effective in 2024. Does the agency have an estimate timeline for starting the permanent rule process?

I find the phrasing on lines 7 through 10 somewhat confusing, combining upstream and downstream in a way that doesn't read easily to me. It currently says "upstream of joint or coastal fishing waters of the [river] downstream of the [particular] dam" for several dams. Could this be more simply stated as "upstream of joint or coastal fishing waters of the [river] from the [particular] dam"? I.e. "upstream of joint or coastal fishing waters of the Roanoke River from the Roanoke Rapids Dam"? Or something similar?

Please send me your responses and any updates as soon as possible.

Seth Ascher

Counsel to the North Carolina Rules Review Commission
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