

TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY	
VOLUME:	

ISSUE:

1. Rule-Making Agency: North Carolina Wildlife Resources Commission		
2. Rule citation & name: 15A NCAC 10C .0307 FLOUNDER		
3. Action: Adoption Amendment Repeal		
4. Was this an Emergency Rule: Yes Effective date: No		
5. Provide dates for the following actions as applicable:		
a. Proposed Temporary Rule submitted to OAH: 6/7/24		
b. Proposed Temporary Rule published on the OAH website: 6/11/24		
c. Public Hearing date: 6/26/24, 6/27/24		
d. Comment Period: 6/10/24 – 7/5/24		
e. Notice pursuant to G.S. 150B-21.1(a3)(2): 6/10/24		
f. Adoption by agency on: 7/25/24		
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:		
Explain: The N.C. Division of Marine Fisheries (NCDMF) has stated they will not open the recreational flounder harvest season in 2024 due to the recreational sector exceeding the 2023 harvest allotment last year. Initially, NCWRC proposed a temporary rule to close the flounder harvest season in 2024 in its jurisdiction, all Inland Fishing Waters and hook and line fishing in Joint Fishing Waters, to remain consistent with NCDMF. However, after reviewing and considering the available data and public comments, the NCWRC adopted amendments to provide a limited 2024 flounder season that balances the needs of the resource and the public.		

rule is required?	ontrary to the public interest and the immediate adoption of the
Changes are needed to reflect the 2024 season dates.	
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 No	
23 110	
9. Rule-making Coordinator: Carrie Ruhlman	10. Signature of Agency Head*:
Phone: 919-707-0011	Moty R Cup
E-Mail: carrie.ruhlman@ncwildlife.org	6 Mot M Cup
	* If this function has been delegated (reassigned) pursuant
	to G.S. 143B-10(a), submit a copy of the delegation with this form.
Agency contact, if any: Melva Bonner	Typed Name: Monty R. Crump
Phone: 919-707-0014	Title: Chairman
E-Mail: melva.bonner@ncwildlife.org	E-Mail: monty@gorockingham.com
RULES REVIEW COMMIS	SSION USE ONLY
Action taken:	Submitted for RRC Review:
☐ Date returned to agency:	
Date returned to agency.	

```
1
      15A NCAC 10C .0307 is amended under temporary procedures with changes as follows:
 2
 3
                               FLOUNDER
      15A NCAC 10C .0307
 4
      (a) The daily creel limit for flounder is [one] four fish.
 5
      (b) The minimum size limit is 15 inches.
 6
      (c) The season for taking and possessing flounder is September 1 through and 2; and September 14. 7 and 8.
 7
      [Flounder shall not be taken or possessed.]
 8
 9
      History Note:
                       Authority G.S. 113-134; 113-292; 113-304; 113-305;
10
                       Eff. November 1, 2013;
11
                       Readopted Eff. October 1, 2021;
12
                       Temporary Amendment Eff. September 1, 2022;
13
                       Amended Eff. August 1, 2024; March 15, 2023. 2023;
14
                       Temporary Amendment Eff. August 8, 2024.
```

15



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY	
VOLUME:	

ISSUE:

1. Rule-Making Agency: North Carolina Wildlife Resources Commission				
2. Rule citation & name: 15A NCAC 10D .0252 NEEDMORE GAME LAND IN MACON AND SWAIN COUNTIES				
3. Action: Adoption Amendment Repeal				
4. Was this an Emergency Rule:				
5. Provide dates for the following actions as applicable:				
a. Proposed Temporary Rule submitted to OAH: 6/7/24				
b. Proposed Temporary Rule published on the OAH website: 6/11/24				
c. Public Hearing date: 6/20/24				
d. Comment Period: 6/10/24 – 7/5/24				
e. Notice pursuant to G.S. 150B-21.1(a3)(2): 6/10/24				
f. Adoption by agency on: 7/25/24				
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: 150B-21.1(a)(7) b. and d.				
Explain: Because of the changes to the 2024 deer season, this amendment is needed to remove the one day of introductory antlerless deer harvest during the gun season on the Needmore Game Land in Macon and Swain County, and align the Needmore Game Land to the same antlerless deer season structure as the adjacent Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, and Swain counties.				

rule is required?	ework on this game land and update season dates in the 2024-2025
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: Carrie Ruhlman Phone: 919-707-0011 E-Mail: carrie.ruhlman@ncwildlife.org Agency contact, if any: Melva Bonner	* 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
Phone: 919-707-0014 E-Mail: melva.bonner@ncwildlife.org	Title: Chairman E-Mail: monty@gorockingham.com
RULES REVIEW COMMIS	·
	Submitted for RRC Review:

15A NCAC 101	D .0252 is amended under temporary procedures with changes as follows:
15A NCAC 10	D .0252 NEEDMORE GAME LAND IN MACON AND SWAIN COUNTIES
Needmore game	e land is a Seven Days per Week Area, in which the following applies:
(1)	Horseback riding is prohibited except on designated trails May 16 through August 31, and all
	horseback riding is prohibited from September 1 through May 15.
(2)	On posted dove fields, dove hunting on the opening day of dove season is by permit only.
<u>(3)</u>	[No antlerless deer may be taken during the first open Saturday of the Deer With Visible Antlers
	season on Needmore Game Land. No antlerless deer shall be taken during the Deer With Visible
	Antler season.
History Note:	Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
	Eff. <u>August 8, 2024</u> ; October 1, 2022. <u>2023;</u>
	Temporary Amendment Eff. August 8, 2024.
	(3)