



AGENDA
N.C. WILDLIFE RESOURCES COMMISSION
February 22, 2024 9:00 a.m.
1751 Varsity Drive
NCWRC Conference Room, 5th Floor
Raleigh, North Carolina

CALL TO ORDER – *Chairman Monty Crump*

This electronic meeting is being streamed live for the public to attend and recorded as a public record. The recording of the meeting will be available at www.ncwildlife.org.

PLEDGE OF ALLEGIANCE – *Commissioner Kelly Davis*

INVOCATION – *Commissioner John Alexander*

ROLL CALL OF COMMISSIONERS PRESENT – *Margo Minkler, Commission Liaison*

MANDATORY ETHICS INQUIRY – North Carolina General Statute §138A-15 mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also inquires as to whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the Commission at this time. It is the duty of each Commissioner who is aware of such personal conflict of interest or of an appearance of a conflict to notify the Chair of the same. *Chairman Crump*

NOTICES OF COMMISSION APPOINTMENTS – Receive Notices of Appointment by Governor Roy Cooper of N. Wes Seegars, District 3; Monty Crump, District 6, and Bradford G. Stanback, District 9 for terms ending April 25, 2029; **(EXHIBITS A-1, A-2, A-3)**; Appointments by Senate President Pro Tempore Phil Berger of Mark Craig, Thomas A. Berry, John M. Alexander, Landon Zimmer, and Joseph R. Budd for terms ending June 30, 2025 **(EXHIBITS A-4, A-5, A-6, A-7, A-8 Appointments Bill)**; and Appointments by House Speaker Tim Moore of John T. Coley IV, Vernon Ray Clifton, Jr., Tommy Fonville, John A. Stone, and Reid M. Smith for terms ending June 30, 2025 **(EXHIBITS A-9, A-10, A-11, A-12, A-13 Appointments Bill)** – *Margo Minkler*

RECEIVE STATE ETHICS COMMISSION REVIEWS OF 2023 STATEMENT OF ECONOMIC INTEREST FOR COMMISSIONER JOSEPH R. BUDD - Pursuant to NCGS §138A-15(c), any actual or potential conflict of interest by a public servant sitting on a board and cited by the Ethics Commission under NCGS 138A-24(e) is required to be read into the minutes of the applicable board. Read into the Minutes relevant portions of the evaluations by the N.C. Ethics Commission of the 2023 Statement of Economic Interest for Joseph R. Budd, President Pro Tempore Phil Berger Appointee – *Margo Minkler*

APPROVAL OF DECEMBER 7, 2023 MEETING MINUTES – Take action on the December 7, 2023 Wildlife Resources Commission meeting minutes as written in the exhibit. **(EXHIBIT B)**

FINANCIAL STATUS REPORT – Receive Financial Status Report on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund. – *Jason Cottle, Chief Financial Officer (EXHIBIT C)*

COMMITTEE MEETING REPORTS

Education & Communication Committee – February 21, 2024 – *Tom Haislip, Chair*

Fisheries Committee – February 21, 2024 – *Brad Stanback, Committee Member*

Finance, Audit & Compliance Committee – February 21, 2024 – *Landon Zimmer, Chair*

Boating Safety Committee – February 21, 2024 – *JC Cole, Chair*

Small Game & Wild Turkey Committee – February 21, 2024 – *Jim Ruffin, Chair*

Committee of the Whole – February 21, 2024 – *Monty Crump, Chair*

AGENCY SPOTLIGHT – Environmental Health and Safety – *Allen Strickland, Environmental Health and Safety Director*

RULEMAKING

Permanent Rulemaking Adoption – 2024-2025 Annual Cycle Inland Fisheries Rules – Review public comments and consider request to adopt proposed changes to Inland Fisheries rules – *Christian Waters, Inland Fisheries Division Chief (EXHIBITS D-1, D-2)*

Permanent Rulemaking Adoption – 2024-2025 Annual Cycle Land and Water Access Rules – Review public comments and consider request to adopt proposed changes to Land and Water Access rules – *Daron Barnes, Land and Water Access Division Chief (EXHIBITS E-1, E-2)*

Permanent Rulemaking Adoption – 2024-2025 Annual Cycle Wildlife Management Rules – Review public comments and consider request to adopt proposed changes to Wildlife Management rules – *Brad Howard, Wildlife Management Division Chief (EXHIBITS F-1, F-2)*

Permanent Rulemaking Adoption – 2024-2025 Annual Cycle Administrative Rules – Review public comments and consider request to adopt proposed changes to Administrative rules – *Ben Meyer, Law Enforcement Division Colonel (EXHIBITS G-1, G-2)*

Permanent Rulemaking Adoption – 10A .0500 Declaratory Rulings Rules – Review public comments and consider request to readopt 10A .0501 through .0503 Declaratory Rulings rules as part of the periodic review – *Melva Bonner, Regulatory Analyst (EXHIBITS H-1, H-2)*

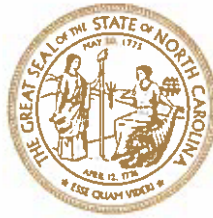
Permanent Rulemaking Adoption – 10E Fishing and Boating Access Areas Rules – Review public comments and consider request to readopt 10E .0101 through .0104 Fishing and Boating Access Areas rules as part of the periodic review – *Melva Bonner (EXHIBITS I-1, I-2)*

Permanent Rulemaking Notice of Text – 10I Endangered, Threatened, and Special Concern Species Rules – Consider request to notice proposed rule text with an open comment period and public hearing for amendments to 10I .0102 through .0105. Review and consider approval of fiscal note. – *Melva Bonner (EXHIBITS J-1, J-2)*

COMMENTS BY THE CHAIRMAN – *Chairman Crump*

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram*

ADJOURN



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

ROY COOPER
GOVERNOR

April 26, 2023

Mr. Neal Wes Seegars
[REDACTED]

Dear Wes:

I am pleased to reappoint you to serve as a member of the North Carolina Wildlife Resources Commission. Pursuant to N.C. Gen. Stat. § 143-241, your reappointment is effective immediately. Your term will expire on April 25, 2029.

Your board or commission is covered by the State Ethics Act. As a result, please remember that you must participate in ethics training every two years, and you are required to file a Statement of Economic Interest by April 15 of each year.

Thank you for continuing to serve the people of North Carolina. I am grateful that you are willing to give your time and talents to move North Carolina forward.

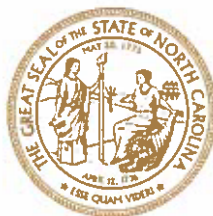
Please read the enclosed instructions carefully so that we may complete the reappointment process. If you have any questions, contact the Office of Boards and Commissions at [REDACTED]

With kind regards, I am

Very truly yours,
[REDACTED]

Roy Cooper

cc: Mr. Cam Ingram



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

ROY COOPER
GOVERNOR

April 26, 2023

Mr. Monty R. Crump
[REDACTED]

Dear Monty:

I am pleased to reappoint you to serve as a member of the North Carolina Wildlife Resources Commission. Pursuant to N.C. Gen. Stat. § 143-241, your reappointment is effective immediately. Your term will expire on April 25, 2029.

Your board or commission is covered by the State Ethics Act. As a result, please remember that you must participate in ethics training every two years, and you are required to file a Statement of Economic Interest by April 15 of each year.

Thank you for continuing to serve the people of North Carolina. I am grateful that you are willing to give your time and talents to move North Carolina forward.

Please read the enclosed instructions carefully so that we may complete the reappointment process. If you have any questions, contact the Office of Boards and Commissions at [REDACTED]

With kind regards, I am

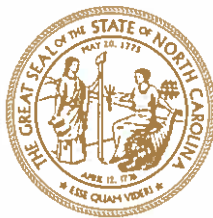
Very truly yours,

[REDACTED]

Roy Cooper

cc: Mr. Cam Ingram

[REDACTED]



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

ROY COOPER
GOVERNOR

April 26, 2023

Mr. Bradford G. Stanback
[REDACTED]

Dear Brad:

I am pleased to reappoint you to serve as a member of the North Carolina Wildlife Resources Commission. Pursuant to N.C. Gen. Stat. § 143-241, your reappointment is effective immediately. Your term will expire on April 25, 2029.

Your board or commission is covered by the State Ethics Act. As a result, please remember that you must participate in ethics training every two years, and you are required to file a Statement of Economic Interest by April 15 of each year.

Thank you for continuing to serve the people of North Carolina. I am grateful that you are willing to give your time and talents to move North Carolina forward.

Please read the enclosed instructions carefully so that we may complete the reappointment process. If you have any questions, contact the Office of Boards and Commissions at [REDACTED]

With kind regards, I am

Very truly yours,

[REDACTED]

Roy Cooper

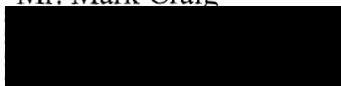
cc: Mr. Cam Ingram



NORTH CAROLINA GENERAL ASSEMBLY
SENATOR PHILIP E. BERGER
PRESIDENT PRO TEMPORE
NORTH CAROLINA SENATE

August 18, 2023

Mr. Mark Craig



Dear Mark:

Pursuant to the authority granted to me in North Carolina General Statute §143-241 and by the General Assembly, I am pleased to reappoint you to serve on the North Carolina Wildlife Resources Commission. Your term is effective this date, pending evaluation of your Statement of Economic Interest and will continue until June 30, 2025.

In order to provide fuller disclosure of information about my appointees to boards and commissions, I ask that you complete a Statement of Economic Interest in accordance with North Carolina Statute §138A-22. The North Carolina State Ethics Commission will review this information for any potential conflicts of interest. Your appointment will become final after their review is complete.

I appreciate your willingness to serve in this capacity, and I am confident that you will continue to contribute greatly to the North Carolina Wildlife Resources Commission.

Sincerely,



Phil Berger

PEB:st

Honorable Roy Cooper
Honorable Mark Robinson
Honorable Elaine F. Marshall
Honorable Tim Moore
Sarah Holland, Senate Principal Clerk
James White, House Principal Clerk
Office of State Controller
Legislative Library
State Library





NORTH CAROLINA GENERAL ASSEMBLY
SENATOR PHILIP E. BERGER
PRESIDENT PRO TEMPORE
NORTH CAROLINA SENATE

August 18, 2023

Mr. Thomas A. Berry



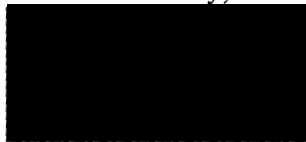
Dear Thomas:

Pursuant to the authority granted to me in North Carolina General Statute §143-241 and by the General Assembly, I am pleased to reappoint you to serve on the North Carolina Wildlife Resources Commission. Your term is effective this date, pending evaluation of your Statement of Economic Interest and will continue until June 30, 2025.

In order to provide fuller disclosure of information about my appointees to boards and commissions, I ask that you complete a Statement of Economic Interest in accordance with North Carolina Statute §138A-22. The North Carolina State Ethics Commission will review this information for any potential conflicts of interest. Your appointment will become final after their review is complete.

I appreciate your willingness to serve in this capacity, and I am confident that you will continue to contribute greatly to the North Carolina Wildlife Resources Commission.

Sincerely,



Phil Berger

PEB:st

Honorable Roy Cooper
Honorable Mark Robinson
Honorable Elaine F. Marshall
Honorable Tim Moore
Sarah Holland, Senate Principal Clerk
James White, House Principal Clerk
Office of State Controller
Legislative Library
State Library





NORTH CAROLINA GENERAL ASSEMBLY
SENATOR PHILIP E. BERGER
PRESIDENT PRO TEMPORE
NORTH CAROLINA SENATE

August 18, 2023

The Honorable John M. Alexander, Jr.



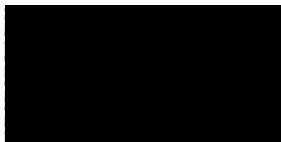
Dear John:

Pursuant to the authority granted to me in North Carolina General Statute §143-241 and by the General Assembly, I am pleased to appoint you to serve on the North Carolina Wildlife Resources Commission. Your term is effective this date, pending evaluation of your Statement of Economic Interest and will continue until June 30, 2025.

In order to provide fuller disclosure of information about my appointees to boards and commissions, I ask that you complete a Statement of Economic Interest in accordance with North Carolina Statute §138A-22. The North Carolina State Ethics Commission will review this information for any potential conflicts of interest. Your appointment will become final after their review is complete.

I appreciate your willingness to serve in this capacity, and I am confident that you will contribute greatly to the North Carolina Wildlife Resources Commission.

Sincerely,



Phil Berger

PEB:st

Honorable Roy Cooper
Honorable Mark Robinson
Honorable Elaine F. Marshall
Honorable Tim Moore
Sarah Holland, Senate Principal Clerk
James White, House Principal Clerk
Office of State Controller
Legislative Library
State Library





NORTH CAROLINA GENERAL ASSEMBLY
 SENATOR PHILIP E. BERGER
 PRESIDENT PRO TEMPORE
 NORTH CAROLINA SENATE

August 18, 2023

Mr. Landon G. Zimmer

Dear Landon:

Pursuant to the authority granted to me in North Carolina General Statute §143-241 and by the General Assembly, I am pleased to reappoint you to serve on the North Carolina Wildlife Resources Commission. Your term is effective this date, pending evaluation of your Statement of Economic Interest and will continue until June 30, 2025.

In order to provide fuller disclosure of information about my appointees to boards and commissions, I ask that you complete a Statement of Economic Interest in accordance with North Carolina Statute §138A-22. The North Carolina State Ethics Commission will review this information for any potential conflicts of interest. Your appointment will become final after their review is complete.

I appreciate your willingness to serve in this capacity, and I am confident that you will continue to contribute greatly to the North Carolina Wildlife Resources Commission.

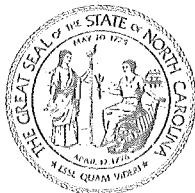
Sincerely,

A black rectangular redaction box covering the handwritten signature of Phil Berger.

Phil Berger

PEB:st

Honorable Roy Cooper
 Honorable Mark Robinson
 Honorable Elaine F. Marshall
 Honorable Tim Moore
 Sarah Holland, Senate Principal Clerk
 James White, House Principal Clerk
 Office of State Controller
 Legislative Library
 State Library



NORTH CAROLINA GENERAL ASSEMBLY
SENATOR PHILIP E. BERGER
PRESIDENT PRO TEMPORE
NORTH CAROLINA SENATE

October 30, 2023

Mr. Joseph R. Budd



Dear Joe:

Pursuant to the authority granted to me in North Carolina General Statute §143-241, Session Law 2023-136 and by the General Assembly, I am pleased to appoint you to serve on the North Carolina Wildlife Resources Commission. Your term is effective immediately, pending evaluation of your Statement of Economic Interest, and will continue until June 30, 2025.

In order to provide fuller disclosure of information about my appointees to boards and commissions, I ask that you complete a Statement of Economic Interest in accordance with North Carolina Statute §138A-22. The North Carolina State Ethics Commission will review this information for any potential conflicts of interest. Your appointment will become final after their review is complete.

I appreciate your willingness to serve in this capacity, and I am confident that you will contribute greatly to the North Carolina Wildlife Resources Commission.

Sincerely,

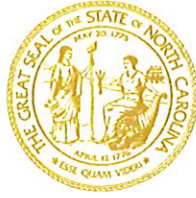


Phil Berger

PEB:am

Honorable Roy Cooper
Honorable Mark Robinson
Honorable Elaine F. Marshall
Honorable Tim Moore
Sarah Holland, Senate Principal Clerk
James White, House Principal Clerk
Office of State Controller
Legislative Library
State Library





Office of the Speaker
North Carolina House of Representatives

TIM MOORE
SPEAKER OF THE HOUSE

August 23, 2023

Mr. John T. Coley, IV

Dear Mr. Coley:

Pursuant to the authority granted in the North Carolina General Statute 143-241, I am pleased to reappoint you to serve on the North Carolina Wildlife Resources Commission. In accordance with General Statute 138A-22, your appointment is subject to the State Ethics Commission evaluating your Statement of Economic Interest. Pending this evaluation, your appointment will become effective immediately and will expire on June 30, 2025.

Enclosed is a copy of Senate Bill 754 which was recently ratified by the North Carolina General Assembly. This bill contains your appointment.

Thank you for your willingness to serve in this capacity. I am confident you will have much to offer to North Carolina Wildlife Resources Commission and will be effective and diligent in your service to our State.

Best Regards

Tim Moore
Speaker of the House

TM/jgl
Enclosure—SB 733

CC: Governor Roy Cooper
Lieutenant Governor Mark Robinson
The Honorable Phil Berger
The Honorable Elaine Marshall
James White, House Principal Clerk
Sarah Holland, Senate Principal Clerk

Paul Y. Coble, Legislative Services Officer
Jeffrey Hudson, Legislative Analysis
Office of the State Controller
State Library
Legislative Library
State Ethics Commission



Office of the Speaker
North Carolina House of Representatives

TIM MOORE
SPEAKER OF THE HOUSE

August 23, 2023

Mr. Vernon Ray Clifton, Jr.



Dear Mr. Clifton:

Pursuant to the authority granted in the North Carolina General Statute 143-241, I am pleased to reappoint you to serve on the North Carolina Wildlife Resources Commission. In accordance with General Statute 138A-22 your appointment is subject to the State Ethics Commission evaluating your Statement of Economic Interest. Pending this evaluation, your appointment will become effective immediately and will expire on June 30, 2025.

Enclosed is a copy of Senate Bill 754 which was recently ratified by the North Carolina General Assembly. This bill contains your appointment.

Thank you for your willingness to serve in this capacity. I am confident you will have much to offer to North Carolina Wildlife Resources Commission and will be effective and diligent in your service to our State.

Best Regards



Tim Moore
Speaker of the House

TM/jgl
Enclosure—SB 754

CC: Governor Roy Cooper
Lieutenant Governor Mark Robinson
The Honorable Phil Berger
The Honorable Elaine Marshall
James White, House Principal Clerk
Sarah Holland, Senate Principal Clerk

Paul Y. Coble, Legislative Services Officer
Jeffrey Hudson, Legislative Analysis
Office of the State Controller
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Legislative Library
State Ethics Commission





Office of the Speaker
North Carolina House of Representatives

TIM MOORE
SPEAKER OF THE HOUSE

August 23, 2023

Mr. Tommy Fonville



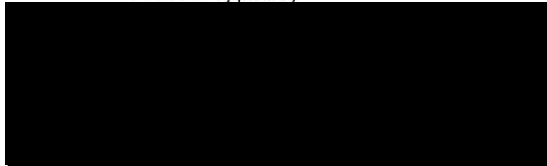
Dear Mr. Fonville:

Pursuant to the authority granted in the North Carolina General Statute 143-241, I am pleased to reappoint you to serve on the North Carolina Wildlife Resources Commission. In accordance with General Statute 138A-22 your appointment is subject to the State Ethics Commission evaluating your Statement of Economic Interest. Pending this evaluation, your appointment will become effective immediately and will expire on June 30, 2025.

Enclosed is a copy of Senate Bill 754 which was recently ratified by the North Carolina General Assembly. This bill contains your appointment.

Thank you for your willingness to serve in this capacity. I am confident you will have much to offer to North Carolina Wildlife Resources Commission and will be effective and diligent in your service to our State.

Best Regards,



Tim Moore
Speaker of the House

TM/jgl
Enclosure—SB 754

CC: Governor Roy Cooper
Lieutenant Governor Mark Robinson
The Honorable Phil Berger
The Honorable Elaine Marshall
James White, House Principal Clerk
Sarah Holland, Senate Principal Clerk

Paul Y. Coble, Legislative Services Officer
Jeffrey Hudson, Legislative Analysis
Office of the State Controller
State Library
Legislative Library
State Ethics Commission





Office of the Speaker
North Carolina House of Representatives

TIM MOORE
SPEAKER OF THE HOUSE

August 23, 2023

Mr. John A. Stone
[REDACTED]

Dear Mr. Stone:

Pursuant to the authority granted in the North Carolina General Statute 143-241, I am pleased to reappoint you to serve on the North Carolina Wildlife Resources Commission. In accordance with General Statute 138A-22 your appointment is subject to the State Ethics Commission evaluating your Statement of Economic Interest. Pending this evaluation, your appointment will become effective immediately and will expire on June 30, 2025.

Enclosed is a copy of Senate Bill 754 which was recently ratified by the North Carolina General Assembly. This bill contains your appointment.

Thank you for your willingness to serve in this capacity. I am confident you will have much to offer to North Carolina Wildlife Resources Commission and will be effective and diligent in your service to our State.

Best Regards,

[REDACTED]
Tim Moore
Speaker of the House

TM/jgl
Enclosure—SB 754

CC: Governor Roy Cooper
Lieutenant Governor Mark Robinson
The Honorable Phil Berger
The Honorable Elaine Marshall
James White, House Principal Clerk
Sarah Holland, Senate Principal Clerk

Paul Y. Coble, Legislative Services Officer
Jeffrey Hudson, Legislative Analysis
Office of the State Controller
State Library
Legislative Library
State Ethics Commission



Office of the Speaker
North Carolina House of Representatives

TIM MOORE
SPEAKER OF THE HOUSE

November 6, 2023

Mr. Reid M. Smith



Dear Mr. Smith:

Pursuant to the authority granted in the North Carolina General Statute 143-241 and in Session Law 2023-136, I am pleased to appoint you to serve on the North Carolina Wildlife Resources Commission. In accordance with General Statute 138A-22, your appointment is subject to the State Ethics Commission evaluating your Statement of Economic Interest. Pending this evaluation, your appointment will become effective immediately and will expire on June 30, 2025.

Enclosed is a copy of Senate Bill 761 which was recently ratified by the North Carolina General Assembly. This bill contains your appointment.

Thank you for your willingness to serve in this capacity. I am confident you will have much to offer to North Carolina Wildlife Resources Commission and will be effective and diligent in your service to our State.

Best Regards,



Tim Moore
Speaker of the House

TM/jgl
Enclosure—SB 761

CC: Governor Roy Cooper
Lieutenant Governor Mark Robinson
The Honorable Phil Berger
The Honorable Elaine Marshall
James White, House Principal Clerk
Sarah Holland, Senate Principal Clerk

Paul Y. Coble, Legislative Services Officer
Jeffrey Hudson, Legislative Analysis
Office of the State Controller
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State Ethics Commission



EXHIBIT B



MINUTES

December 7, 2023

N.C. Wildlife Resources Commission Meeting Raleigh, North Carolina

Chairman Monty Crump called the December 7, 2023 N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Crump reminded everyone that the meeting is being audio streamed live and will be available at www.ncwildlife.org.

Commissioner Ray Clifton led the Pledge of Allegiance.

Commissioner John Alexander gave the invocation.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. John Coley, Wes Seegars, Tommy Fonville, and Hayden Rogers were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Brad Stanback	Steve Windham	Tom Haislip
Mark Craig	Jim Ruffin	Landon Zimmer	Mike Alford
David Hoyle	Ray Clifton	John Stone	JC Cole
Tom Berry	Kelly Davis	John Alexander	

VISITORS

Shawn Horsley, NC Handicapped Sportsmen

Richard Broadwell

Dr. Theron Terhun, Orton Plantation

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15. Chairman Crump recused himself from discussion and action on **EXHIBIT D-1**.

MINUTES

On a motion by Landon Zimmer and second by David Hoyle, the Commission approved the Minutes of the following meetings:

OCTOBER 26, 2023 MEETING – The Wildlife Resources Commission Minutes of the October 26, 2023 meeting were approved as presented in **EXHIBIT A**.

NOVEMBER 16, 2023 MEETING – The Wildlife Resources Commission Minutes of the November 16, 2023 meeting were approved as presented in **EXHIBIT B**.

EXHIBIT A & B are incorporated into the official record of this meeting.

ADMINISTRATION

Jason Cottle, *Chief Financial Officer*, presented a status report in **EXHIBIT C** on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund.

EXHIBIT C is incorporated into the official record of this meeting.

LAWRENCE G. DIEDRICK SMALL GAME AWARD - Brad Howard, *Wildlife Management Division Chief*, presented the 2023 Lawrence G. Diedrick Small Game Awards to Louis Bacon, Dillon Epp and Theron Terhune, Orton Plantation, and Richard Broadwell and Family

COMMITTEE MEETING REPORTS

Land Acquisition & Property Committee Report – December 6, 2023 – *Tom Berry, Chair*, reported the Land Acquisition and Property Committee met on December 6, 2023. The Committee reviewed 17 total proposals which included 7 Phase I land acquisition proposals, 5 Phase II land acquisition proposals, and 5 other property matters. In total, the Committee reviewed just over 10,000 acres of land projects ranging from game land additions, establishment of a new boating access area in Pamlico County, as well as a potential boating access area lease in Carteret County. Notably, the Committee opted not to endorse the Falling Waters Phase I proposal. However, they recommended that staff engage in continued discussions with conservation partners, with plans to revisit the Falling Waters Phase I proposal later when more comprehensive information is available. Additionally, the LAP Committee did not endorse the King/Parton Easement request.

Boating Safety Committee Report – December 6, 2023 – *J.C. Cole, Chair*, reported the Boating Safety Committee met on December 6, 2023. *Betsy Haywood, No Wake Zone Coordinator*, reviewed five water safety rulemaking exhibits. She reviewed public comments and requests for final adoptions of four Rules. The Committee endorses final adoption of rule amendments for

Brunswick County with changes, Rockingham County with changes, Caldwell County, and Town of Rhodhiss. She also reviewed one request for Notice of Text to be submitted to the Office of Administrative Hearings to begin rulemaking for Bladen County. The Committee endorses approval to submit Notice of Text for Bladen County.

Habitat, Nongame, Endangered Species Committee Report – December 6, 2023 – *Kelly Davis, Chair*, reported the Habitat, Nongame, Endangered Species Committee met on December 6, 2023. *Katherine Etchison, Wildlife Diversity biologist*, presented an informative presentation on the Virginia Big-eared Bat. Katherine highlighted the monitoring and research she and others are performing to increase our understanding of the species' distribution, abundance, and habitat selection during winter and the summer breeding season. A video on conservation efforts can be found at vimeo.com – Saving the Virginia Big Eared Bats. *Dr. Sara Schweitzer, Wildlife Management Division Assistant Chief*, followed Katherine's presentation with summary of the Virginia Big-eared Bat Conservation Plan and requested approval to post the plan on WRC's website for a 30-day public review period. The Committee approved this request. *Rachael Hoch, Inland Fisheries Division Assistant Chief*, presented a proposed amendment to the Reintroduction Proposal for the Spottfin Chub that would include the Snowbird Creek watershed for the reintroduction of the species under our Programmatic Safe Harbor Agreement. The Committee members approved the amendment. Rachael then provided an update on Zebra Mussels and Giant Applesnails, both recently detected in NC waters for the first time. She also provided information on the new WRC Aquatic Nuisance Species Reporting Tool, which was launched in October of 2023 and allows the public and partners to report sightings of possible ANS species and increase WRC's early detection and rapid response capabilities. Next, Rachael provided an update on the reintroduction efforts for the Magnificent Ramshorn and Roanoke Logperch. In October, 94 Roanoke Logperch were stocked into the Mayo River, and 2,800 Magnificent Ramshorn snails have been stocked into WRC owned property in Brunswick County. Monitoring of the snails post stocking, has already revealed successful establishment and egg-laying. This reintroduction highlights the culmination of years of effort and is the first stocking of a federally listed aquatic species under a Programmatic Safe Harbor Agreement. Last, Dr. Schweitzer presented the nomination packet for the expiring terms of Nongame Wildlife Advisory Committee membership, which will be presented for a vote today.

Finance, Audit & Compliance Committee Report – December 6, 2023 – *Landon Zimmer, Chair*, reported Finance, Audit & Compliance Committee met on December 6, 2023. *Jason Cottle, CFO*, presented an overview of year-to-date revenues and expenditure by category in both the general and capital improvement funds. An update of the agency's endowment fund was presented, including fund balance and current asset allocation, as well as quarterly rates of return for each of the 3 investment vehicles within the fund. The Finance Committee was in agreement to move the remaining Bond Index Fund balance to the Short Term Investment Fund. *Steve Chase, Auditor*, presented a summary of the proposed Go Outdoors NC reporting audit effort, this work will assess the Go Outdoors report reliability. A Go Outdoors NC survey is proposed for later this fiscal year to assess the level of satisfaction with the Go Outdoors NC platform. Auditor Chase also provided a briefing on the Purchasing Card Compliance Review program, and a follow up on the WRC internal audit staffing level and the addition of a resource to the WRC Internal Audit Office.

Motion from the Finance, Audit & Compliance Committee – On a motion by Landon Zimmer and a second by Brad Stanback, the Commission approved a motion to transfer the remaining

funds from the Bond Index Fund to the Short Term Investment Fund (unless the Bond Index Fund loses more than 5% before the transfer is initiated), maintain at least 5% of the total Endowment Fund Portfolio in the Short Term Investment Fund, and that this action overrides all previous actions related to the Endowment Fund Portfolio.

Rules Committee Report – December 6, 2023 – *David Hoyle, Vice Chair*, reported the Rules Committee met on December 6, 2023. The Committee first reviewed proposed amendments to the endangered, threatened, and special concern species rule. This rule is required to be readopted as part of the periodic review and the proposed amendments clarify requirements for ES permits and take of species without a permit. Next, proposed changes to the annual rules cycle were presented to help mitigate potential issues created by changes made to the APA in the 2023 legislative session. The option of moving the annual cycle from a 2-year process to a calendar year was presented to better align with the legislative calendar so if any rules receive 10 letters of objection, they will go to the next legislative session. This will move our rules through the process more quickly. Changing the annual cycle will be an adjustment for staff, Commissioners and the public but will allow the Commission to implement changes in a more timely manner than is currently possible. The Rules Committee is supportive of this change.

Ad hoc Agency Supplemental Funding Model Committee – October 26, 2023 – *David Hoyle, Chair*, reported the Ad Hoc Committee to Assess the Agency Supplemental Funding Model met on October 26, 2023. The Committee reviewed its charge, which is to assess options for generating supplemental revenue from multiple uses of Commission property and develop evidence-based strategies to build support for the Commission's conservation mission among non-licensed users. The Committee discussed priority supplemental revenue options for upcoming assessment. Staff presented a list of potential supplemental revenue options for the Committee's consideration, along with assessment criteria to be used to evaluate each potential revenue stream. The Committee asked staff to proceed with evaluating the feasibility, potential benefits, and potential fees associated with the options presented. Staff will update the Committee on the assessment progress at regular intervals.

Ad hoc Agency Supplemental Funding Model Committee – December 6, 2023 – *David Hoyle, Chair*, reported the Ad Hoc Committee met on December 6, 2023 to review a list of options for further assessment recommended by WRC staff. The options include changes to vessel registration and permitting, changes to selected licenses, partnership opportunities, and discussing an access pass for unlicensed individuals using WRC properties. The Committee asked staff to proceed with the assessment of options, which will be presented to the Ad Hoc Committee in 2024 for consideration and recommendation to the Committee of the Whole.

Committee of the Whole Report – December 6, 2023 – *Monty Crump, Chair*, reported the Committee of the Whole met yesterday afternoon. *Melva Bonner, Regulatory Analyst* began the meeting with proposed changes to Hunter Education Course rules and a petition for rulemaking for a no-wake zone on Bradley Creek in New Hanover County. Next, *Executive Director Ingram* recognized Senior Officer William Boone and Master Officer Richard Becker as recipients of the 2023 Governor's Awards for Excellence for Safety and Heroism, and Gary Gardner recognized staff for receiving the 2023 States Organization for Boating Access' 2023 Outstanding Project Award for work at the Wrightsville Beach Boating Access Area. Gary went on to inform the Committee that we will be hosting the 2024 meeting next August in Wilmington. Then, *Brad Howard, Wildlife Management Division Chief*, provided an update on CWD testing for this season.

Hunters have submitted over 19,000 tests so far this year which is over 2,000 samples more than the entirety of last year. *Christian Waters, Inland Fisheries Division Chief*, provided an update on striped bass in the Albemarle-Roanoke. The Division of Marine Fisheries has announced that they do not plan to open a season in the Albemarle Sound next year, and, based on our sampling on the spawning grounds, staff recommend not opening a season in the Roanoke as well. Christian then updated the committee on recent actions taken by the Marine Fisheries Commission, including rule changes they are proposing for joint rules. We will prepare and submit comments when the public comment period is open. Lastly, I informed the committee of the status of the changes to the Commission by the legislature, including the addition of two new commissioners. There being no further business, the committee adjourned.

AGENCY SPOTLIGHT – The Status of North Carolina’s Crayfish – *Michael Perkins, Aquatic Wildlife Diversity Biologist*, gave a presentation highlighting recent research in collaboration with Dr. Bronwyn Williams of the NC Museum of Natural History on the biodiversity, conservation, and threats of the State’s crayfish fauna. Highlights included the discovery of several native crayfish species new to science and a discussion of invasive crayfish species, particularly the Red Swamp crayfish.

LAND ACQUISITION AND PROPERTY MATTERS

Phase II Land Acquisition – With Chairman Crump recused, on a motion by Tom Berry and second by Mike Alford, the Commission approved the land acquisition of the Jordan Timber – Scotland County presented in **(EXHIBIT D-1)** by *Ben Solomon, Assistant Chief and Land Acquisition Manager*

On a motion by Tom Berry and second by Kelly Davis, the Commission approved the acquisition of the following properties presented in **(EXHIBITS D-2, D-3, D-4, D-5)** by *Ben Solomon*:

- Upper Reedy Creek Tract – Warren County **(EXHIBIT D-2)**
- Lee Tract – Bladen County **(EXHIBIT D-3)**
- TAGM Three Top Addition – Ashe County **(EXHIBIT D-4)**
- Lowland Marina – Pamlico County **(EXHIBIT D-5)**

EXHIBITS D-1, D-2, D-3, D-4, D-5 are incorporated into the official record of this meeting.

OTHER PROPERTY MATTERS - On a motion by Tom Berry and second by Brad Stanback, the Commission approved the following other property matters presented in **(EXHIBITS E-1, E-2, E-3, E-4)** by *Ben Solomon*:

- Burningtown Easement Request – Right-of-way request from Duke Energy at Needmore Game Land **(EXHIBIT E-1)**
- Roanoke Marsh Easement Request – Right-of-way request at Roanoke Island Marshes Game Land **(EXHIBIT E-2)**
- Dominion Easement Request – Right-of-way request from Dominion Energy at Lantern Acres Game Land **(EXHIBIT E-3)**
- Star TMC Easement Request **(EXHIBIT E-4)** Right-of-way request from Star TMC at Suggs Mill Pond Game Land

On a motion by Steve Windham and second by Jim Ruffin, the Commission denied the King-Parton Easement Request presented in **(EXHIBIT E-5)** by *Ben Solomon*

- King-Parton Easement Request – Right-of-way request from at Needmore Game Land **(EXHIBIT E-5)**

EXHIBITS E-1, E-2, E-3, E-4, E-5 are incorporated into the official record of this meeting.

RULEMAKING

Permanent Rulemaking Adoption – 10K Hunter Education Course Rules – On a motion by Jim Ruffin and a second by Landon Zimmer, the Commission reviewed public comments presented in **(EXHIBIT F-1)** and readopted proposed changes to readopt 10K .0101 through .0103 Hunter Education Course rules as part of the periodic review presented in **(EXHIBIT F-2)** by *Melva Bonner, Regulatory Analyst*

EXHIBITS F-1, F-2 are incorporated into the official record of this meeting.

Permanent Rulemaking – 10F .0314 New Hanover County – On a motion by Landon Zimmer and a second by David Hoyle, the Commission approved publishing Notice of Text in the *NC Register* with an open comment period and public hearing for the petition received October 5, 2023 requesting rulemaking to extend the no-wake zone on Bradley Creek presented in **(EXHIBIT G)** by *Melva Bonner*

EXHIBIT G is incorporated into the official record of this meeting.

WATER SAFETY RULEMAKING

On a motion by Landon Zimmer and second by Tom Berry, the Commission approved the following water safety rules presented in **EXHIBITS H-2, I-2, J-2 & K-2** by *Betsy Haywood, Water Safety Rules Coordinator*

Permanent Rulemaking Adoption – 15A NCAC 10F .0305 Brunswick County – The Commission reviewed public comments presented in **(EXHIBIT H-1)** and approved final adoption with changes since published in the *NC Register*, of amendments to establish a No-wake Zone on Lockwood Folly River around a portion of Rourk’s Landing Subdivision; a technical correction to correct the name of the Morningstar Marinas in Southport adjacent to the ICW; technical correction to define the location of the Sunset Beach Bridge and Boating Access Area on the ICW and location of the Ocean Isle Beach Odell Williamson Bridge and Boating Access Area on the ICW; and codify the no-wake zone within 250 feet west and 100 feet east of the Holden Beach Bridge and Boating Access Area on the ICW, within 50 yards of the Oak Island Boating Access Area in Southport adjacent to the ICW, within 50 yards of the Sunset Harbor Boating Access Area adjacent to the ICW in Bolivia, within 20 yards of the shoreline and 50 yards east and 50 yards west of the Brick Landing Boating Access Area in Shallotte on the ICW; and within 50 yards of Rices Creek Boating Access Area in Winnabow, and within 50 yards of the Pireway Boating Access Area on Waccamaw River in Ash, and within 50 yards of the Dutchman Creek Boat Ramp in Southport presented in **(EXHIBIT H-2)**

Permanent Rulemaking Adoption – 15A NCAC 10F .0316 Forsyth, Rockingham, and Stokes Counties – The Commission reviewed public comments presented in **(EXHIBIT I-1)** and approved final adoption of an amendment to establish a No Wake Zone on Belews Lake at Carolina Marina in Rockingham County within 50 yards of the fuel dock, north and east to the cove north of the Marina where the boat ramp, Dry Stacks, and outdoor boat storage facilities are located presented in **(EXHIBIT I-2)**

Permanent Rulemaking Adoption – 15A NCAC 10F .0338 Caldwell County – The Commission reviewed public comments presented in **(EXHIBIT J-1)** and approved final adoption of an amendment to establish a No Wake Zone on Lake Rhodhiss within 50 yards of the marina facilities at Castle Bridge Marina, and within 50 yards of the Castle Bridge Boating Access Area and Conley Creek Boating Access Area; and on Lake Hickory within 30 yards of the docks at the Lake Hickory Marina and Boat Rentals in Hickory, within 50 yards of the Gunpowder Boating Access Area in Granite Falls, and within 50 yards of the Lovelady Boating Access Area in Granite Falls presented in **(EXHIBIT J-2)**

Permanent Rulemaking Adoption – 15A NCAC 10F .0380 Town of Rhodhiss – The Commission reviewed public comments presented in **(EXHIBIT K-1)** and approved final adoption of an amendment to establish a no-wake zone shore to shore on Lake Hickory in the Town of Rhodhiss in Burke and Caldwell counties, beginning west of a line 165 yards east of the S.R. 1611 Bridge, westward to the Rhodhiss Dam presented in **(EXHIBIT K-2)**

EXHIBITS H-1, H-2, I-1, I-2, J-1, J-2, K-1, K-2 are incorporated into the official record of this meeting.

Notice of Text – 15A NCAC 10F .0304 Bladen County – On a motion by Steve Windham and a second by Kelly Davis, the Commission approved publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for the proposed rule revisions to define the restricted area and allowed boating and water recreation activities at White Lake; and to establish a no-wake zone shore to shore 4 on the Cape Fear River in Council to mitigate boater safety hazards within 100 yards east and 100 yards west of the Elwell Ferry and Elwells Ferry Boating Access Area, and codify the waters within 50 yards of the Tar Heel Boating Access Area in Tar Heel and waters within 50 yards of the Tory Hole Boating Access Area in Elizabethtown; and codify the waters within 50 yards of the Hunts Bluff Boating Access Area on the Black River, in Kelly presented in **(EXHIBIT L)** by *Betsy Haywood*

EXHIBIT L is incorporated into the official record of this meeting.

2024 WILDLIFE RESOURCES COMMISSION MEETING SCHEDULE – On a motion by David Hoyle and a second by Steve Windham, the Commission approved the revised 2024 Wildlife Resources Commission meeting schedule presented in **(EXHIBIT M)** by *Cameron Ingram, Executive Director*

EXHIBIT M is incorporated into the official record of this meeting.

NONGAME WILDLIFE ADVISORY COMMITTEE APPOINTMENTS – On a motion by Kelly Davis and a second by Steve Windham, the Commission appointed David G. Cooper, VHB Engineering, Inc.; Todd Ewing, Southeast Aquatic Resources Partnership; and reappointed Sarah McRae, U.S. Fish and Wildlife Service; Judith Ratcliffe, NC Natural Heritage Program; Dr. Liz Rutledge, North Carolina Wildlife Federation, to the Nongame Wildlife Advisory Committee presented in **(EXHIBIT N)** by *Cameron Ingram*

EXHIBIT N is incorporated into the official record of this meeting.

COMMENTS BY THE CHAIRMAN – *Chairman Crump* opened his comments with a reflection on the past year and expressed gratitude for the collaborative effort and dedication demonstrated by everyone throughout the year. In closing, he wished all a restful holiday season and is looking forward to another year of shared successes.

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram* opened his comments by highlighting the collaborative effort that played a pivotal role in the agency's success over the past twelve months. He underscored that the achievements wouldn't have been possible without the hard work and dedication exhibited by staff at all levels. Throughout the year, marked by resilience and dedication, there has been a shared commitment to the agency's mission. Despite uncertainties and obstacles, collective efforts have propelled the agency forward, resulting in the attainment of significant milestones and contributing to overall success. Director Ingram extended his sincere gratitude to each board member for their unwavering support, valuable insights, and unwavering dedication to the agency's goals. In conclusion, he expressed warm wishes for a joyful holiday season and a prosperous New Year to all attendees.

ADJOURNMENT

There being no further business, the WRC meeting was adjourned at 10:19 a.m.
All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

Monty Crump, Chairman

Date

Cameron Ingram, Executive Director

Date

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

**CAFR 52G - STATEMENT OF REVENUES, EXPENDITURES and
CHANGES in FUND BALANCES
GOVERNMENTAL FUNDS AS OF DEC 31, 2023**

	FY 2024 General Fund	FY 2024 Capital Improvement Fund
REVENUES		
Federal funds	\$15,265,585.52	\$1,645,628.88
Local funds	\$1,194.51	\$0.00
Investment earnings	\$187,317.40	\$0.00
Sales and services	\$5,654,395.66	\$0.00
Rental and lease of property	\$5,737.40	\$0.00
Fees, licenses and fines	\$18,937,415.50	\$0.00
Contributions, gifts and grants	\$377,121.47	\$25,000.00
Miscellaneous	\$217,740.74	\$274.00
Unclassified/invalid accounts	\$0.00	\$0.00
Other Financing Sources - Sale of capital assets	\$370,649.44	\$0.00
Other Financing Sources - Insurance recoveries	\$64.20	\$0.00
Other Financing Sources - Transfers in	\$37,215,299.95	\$1,656,446.59
Other Financing Sources - Appropriations	\$10,237,160.00	\$0.00
TOTAL REVENUES	\$88,469,681.79	\$3,327,349.47
EXPENDITURES		
Personal services	\$20,360,163.10	\$0.00
Employee benefits	\$9,606,873.79	\$0.00
Contracted personal services	\$5,487,357.79	\$210,843.52
Supplies and materials	\$5,092,029.70	\$17,940.84
Travel	\$213,417.77	\$0.00
Communication	\$424,806.19	\$0.00
Utilities	\$312,496.45	\$0.00
Data processing services	\$355,364.65	\$0.00
Other services	\$1,759,569.96	\$74,572.08
Claims and benefits	\$761,422.78	\$0.00
Other fixed charges	\$150,291.45	\$120.00
Capital outlay	\$4,079,161.15	\$4,122,861.30
Grants, state aid and subsidies	\$2,518,507.12	\$0.00
Insurance and bonding	\$26,438.00	\$0.00
Other expenditures	\$1,775,042.12	\$0.00
Reimbursements	(\$474,706.21)	\$0.00
Unclassified/invalid accounts	\$345,820.46	\$0.00
Other Financing (Uses) - Transfers out	\$32,906,191.67	\$0.00
TOTAL EXPENDITURES	\$85,700,247.94	\$4,426,337.74
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	\$2,762,833.85	(\$1,098,988.27)
FUND BALANCE - JULY 1, 2023	\$21,214,238.38	\$3,362,551.08
FUND BALANCE - DEC 31, 2023	\$23,977,072.23	\$2,263,562.81

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ENDOWMENT PORTFOLIO

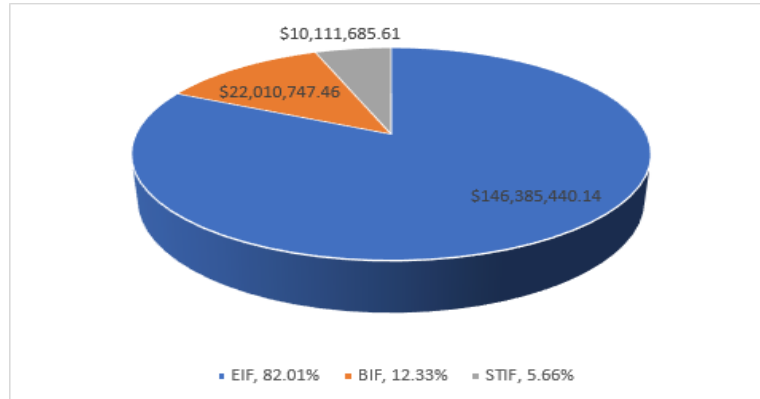
Fund Balance*: Dec 2023 \$178,507,873.21

* Based On Financial Institutions' Data And Does Not Include Time-Lag Entries.

§ 143-250.1. Wildlife Endowment Fund

- (d) (3). No expenditure or disbursement shall be made from the principal of the Wildlife Endowment Fund except as otherwise provided by law.
- (d) (4). The income received and accruing from the investments of the Wildlife Endowment Fund must be spent only in furthering the conservation of wildlife resources and the efficient operation of the North Carolina Wildlife Resources Commission in accomplishing the purposes of the agency as set forth in G.S. 143-239.
- (g) The Wildlife Endowment Fund and the investment income therefrom shall not take the place of State appropriations or Agency receipts placed in the Wildlife Resources Fund, or any part thereof, but any portion of the income of the Wildlife Endowment Fund available for the purpose set out in subdivision (4) of subsection (d) shall be used to supplement other income of and appropriations to the Wildlife Resources Commission to the end that the Commission may improve and increase its services and become more useful to a greater number of people.

ASSET ALLOCATION



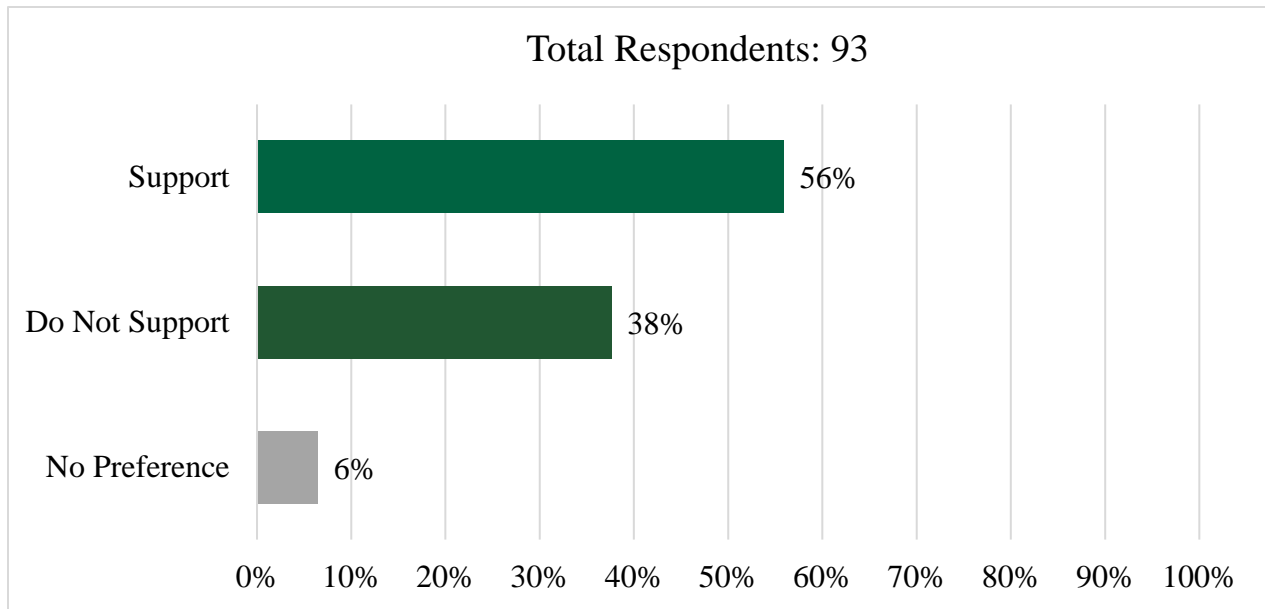
Status:	Principal	ANI		Total
		Nonexpendable	Expendable	
Adult	\$ 83,504,381.40		\$ 55,303,114.26	\$ 138,807,495.66
Magazine	\$ 1,573,477.50		\$ 982,835.26	\$ 2,556,312.76
Contributions	\$ 832,198.00		\$ 2,610,662.37	\$ 3,442,860.37
Diversity	\$ 197,592.72		\$ 25,524.90	\$ 223,117.62
Infant	\$ 21,304,343.00	\$ 8,301,466.70		\$ 29,605,809.70
Youth	\$ 3,015,307.00	\$ 619,766.52		\$ 3,635,073.52
				\$ 178,270,669.63
Total	\$110,427,299.62	\$ 8,921,233.22	\$ 58,922,136.79	\$ 178,270,669.63
				\$ -

*** Include Deposit/s In Transit

Exhibit D-1

Summary of Public Comments on Proposed Changes to Inland Fisheries Rules for 2024-2025

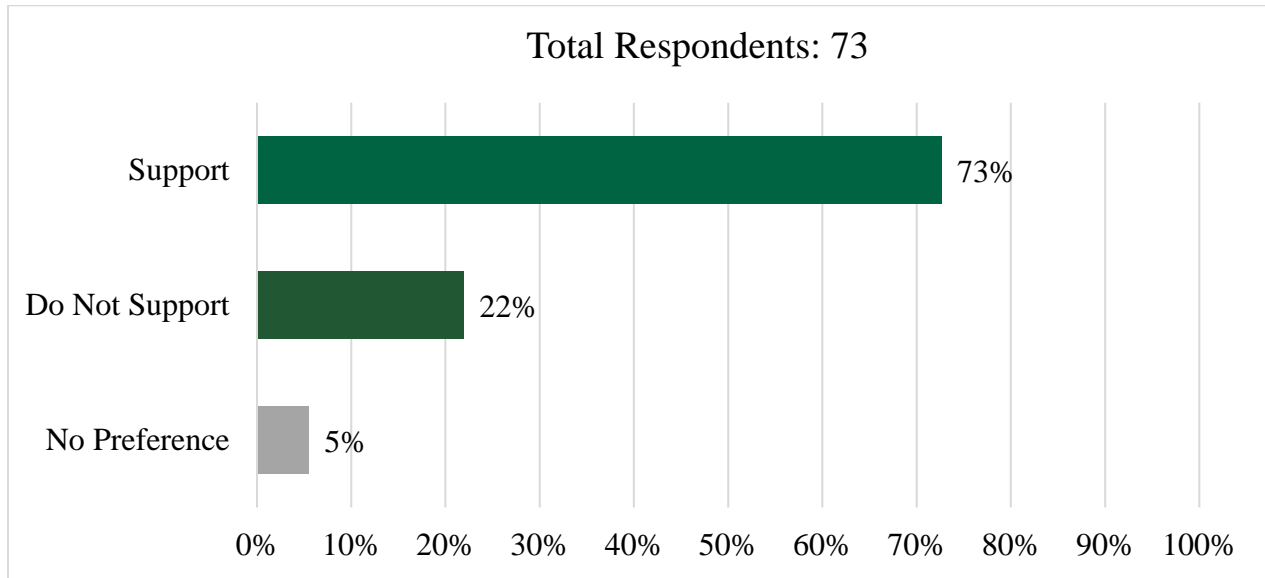
F1 – Remove the Delayed Harvest Trout Waters section on the Little River in Alleghany County and reclassify the lower 1.2-mile section from Delayed Harvest Trout Waters to Hatchery Supported Trout Waters. The new Hatchery Supported Trout Waters reach will be from 400 yards upstream of the S.R. 1128 bridge (marked by a sign on each bank) to the McCann Dam. This proposal will remove approximately 1.3 miles of water from Public Mountain Trout Waters.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	2	3	0	1	2	3	9	27	2	2	52
Do Not Support	0	4	12	0	4	2	1	0	7	1	4	35
No Preference	0	0	0	0	0	1	1	1	2	0	1	6
Total	1	6	15	0	5	5	5	10	36	3	7	93

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

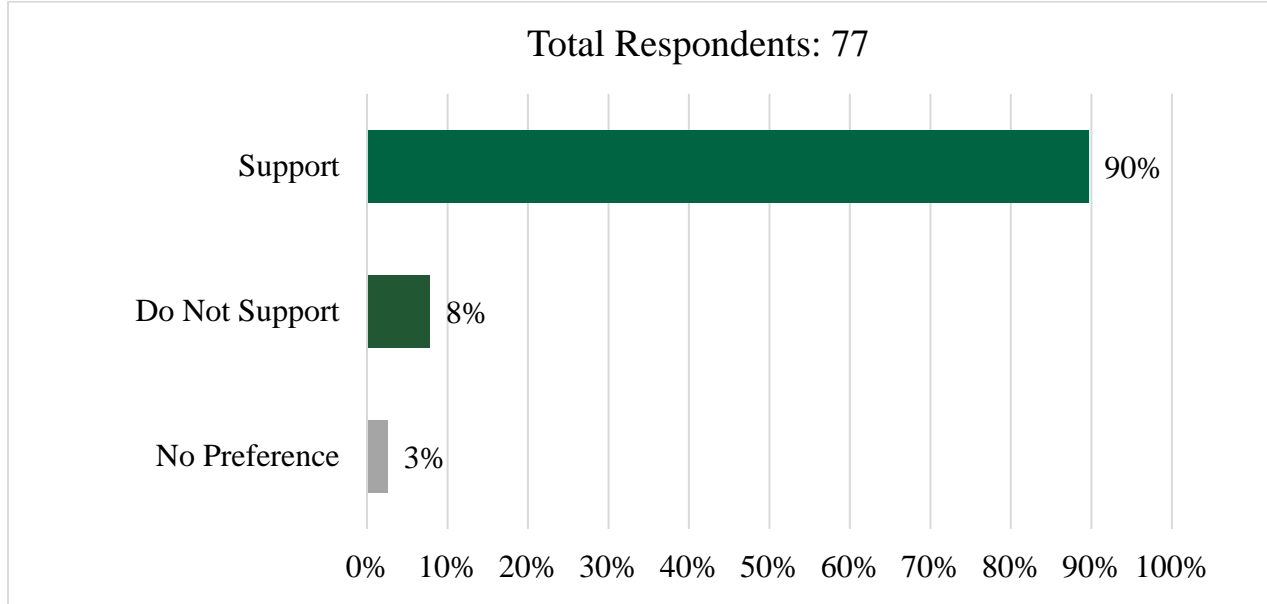
F2 – Modify the lower boundary of Delayed Harvest Trout Waters on Helton Creek in Ashe County. The new reach will be 900 yards upstream of S.R. 1372 bridge (marked by a sign on each bank) to a point adjacent to the intersection of N.C. 16 and S.R. 1536. This proposal will remove approximately 0.7 miles of water from Public Mountain Trout Waters.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	2	3	2	0	1	2	2	10	27	1	3	53
Do Not Support	0	4	1	0	1	3	1	0	4	0	2	16
No Preference	0	0	1	0	0	0	1	0	1	0	1	4
Total	2	7	4	0	2	5	4	10	32	1	6	73

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

F3 – Clarify that tributaries to the Hatchery Supported Trout Waters section of the West Fork Pigeon River in Haywood County on the Pisgah Game Land are classified as Wild Trout Waters. This proposal will not remove any water from Public Mountain Trout Waters.

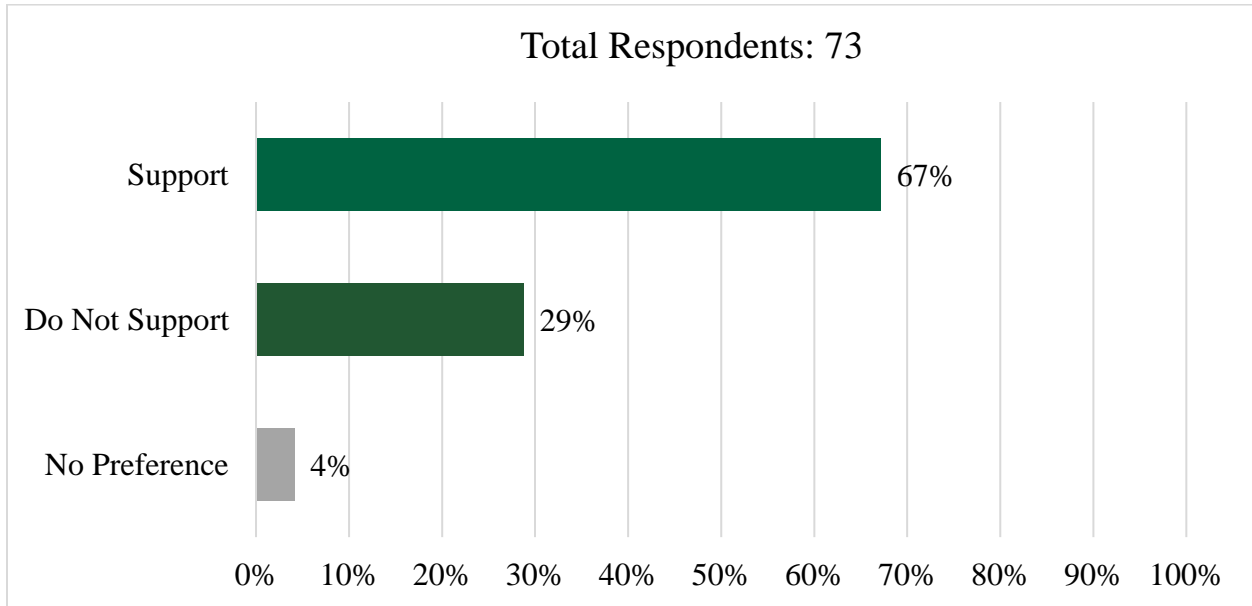


NOTE: Total % > 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	3	4	0	2	4	0	11	39	1	4	69
Do Not Support	0	1	0	0	0	1	0	0	4	0	0	6
No Preference	0	0	0	0	0	0	0	0	1	0	1	2
Total	1	4	4	0	2	5	0	11	44	1	5	77

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

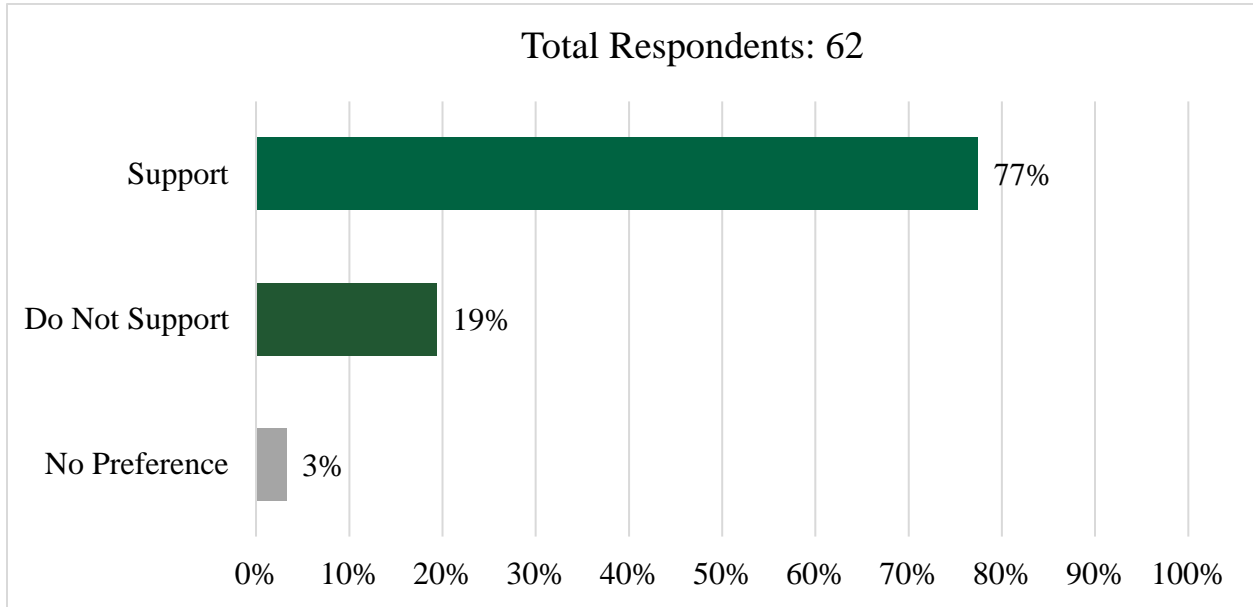
F4 – Remove the Wild Trout Waters section from the Avery County line to S.R. 1580 bridge on the Watauga River in Watauga County from Public Mountain Trout Waters. This proposal will remove approximately 4.0 miles of water from Public Mountain Trout Waters.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	3	3	0	1	2	0	11	23	1	4	49
Do Not Support	0	1	0	0	2	6	1	2	8	0	1	21
No Preference	0	0	0	0	0	1	1	1	0	0	0	3
Total	1	4	3	0	3	9	2	14	31	1	5	73

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

F5 – Modify the lower boundary of Hatchery Supported Trout Waters on East Prong Roaring River in Wilkes County. The new reach will be from the Stone Mountain State Park lower boundary to the Low Meadows Lane bridge. This proposal will remove approximately 0.7 miles of water from Public Mountain Trout Waters.



NOTE: Total % < 100% due to rounding

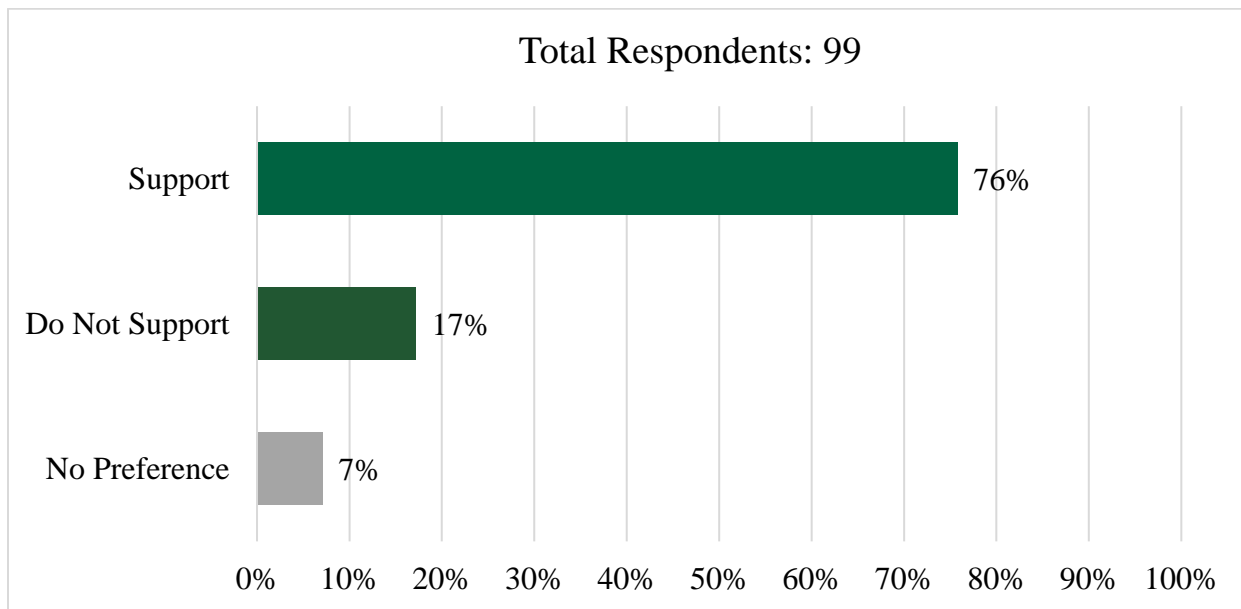
District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	3	2	0	1	1	1	10	25	1	3	48
Do Not Support	0	1	0	0	1	2	1	0	5	0	2	12
No Preference	0	0	1	0	0	1	0	0	0	0	0	2
Total	1	4	3	0	2	4	2	10	30	1	5	62

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

F6 – Reclassify the following waters from Wild Trout Waters/Natural Bait to Wild Trout Waters and remove the Wild Trout Waters/Natural Bait classification from Public Mountain Trout Waters.

- The game land portion of Bald Creek and its tributaries in Cherokee County
- The game land portion of Dockery Creek and its tributaries in Cherokee County
- The game land portion of Long Creek and its tributaries in Graham County
- The game land portion of the Chattooga River and its tributaries in Jackson and Macon counties
- The game land portion of Kimsey Creek and its tributaries in Macon County
- The game land portion of Park Creek and its tributaries in Macon County
- The game land portion of the North Fork French Broad River and its tributaries in Transylvania County
- The game land portion of the Thompson River and its tributaries in Transylvania County

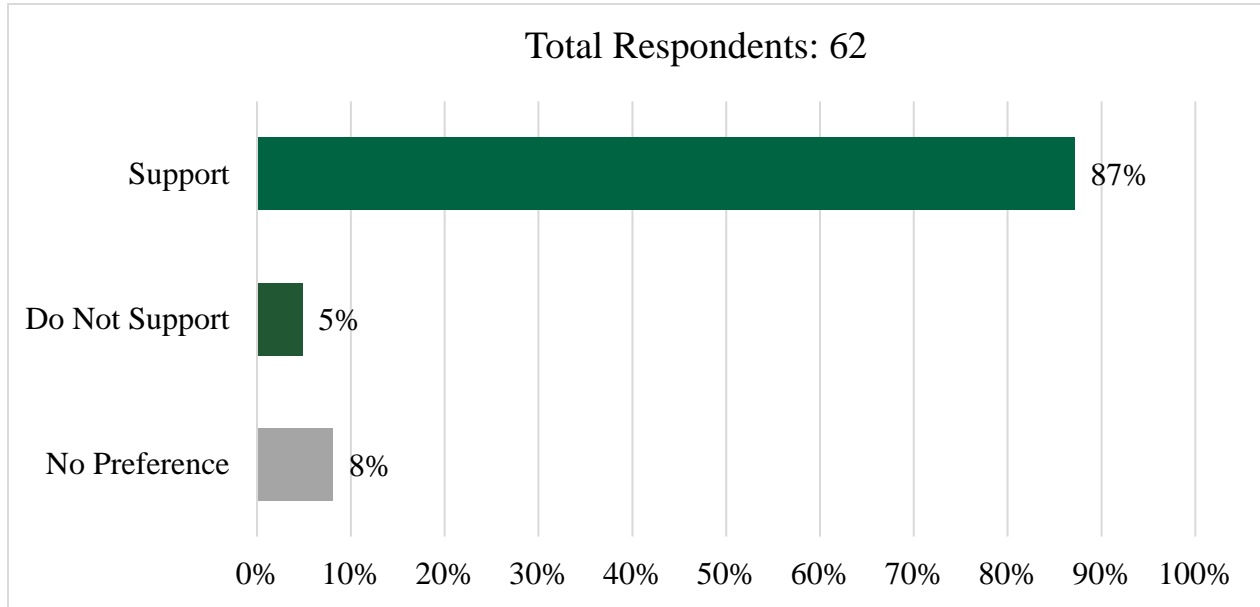
This proposal will not remove any water from Public Mountain Trout Waters.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	4	3	1	2	4	2	16	37	0	5	75
Do Not Support	1	0	0	0	0	2	0	1	11	2	0	17
No Preference	0	0	1	0	0	1	2	1	2	0	0	7
Total	2	4	4	1	2	7	4	18	50	2	5	99

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

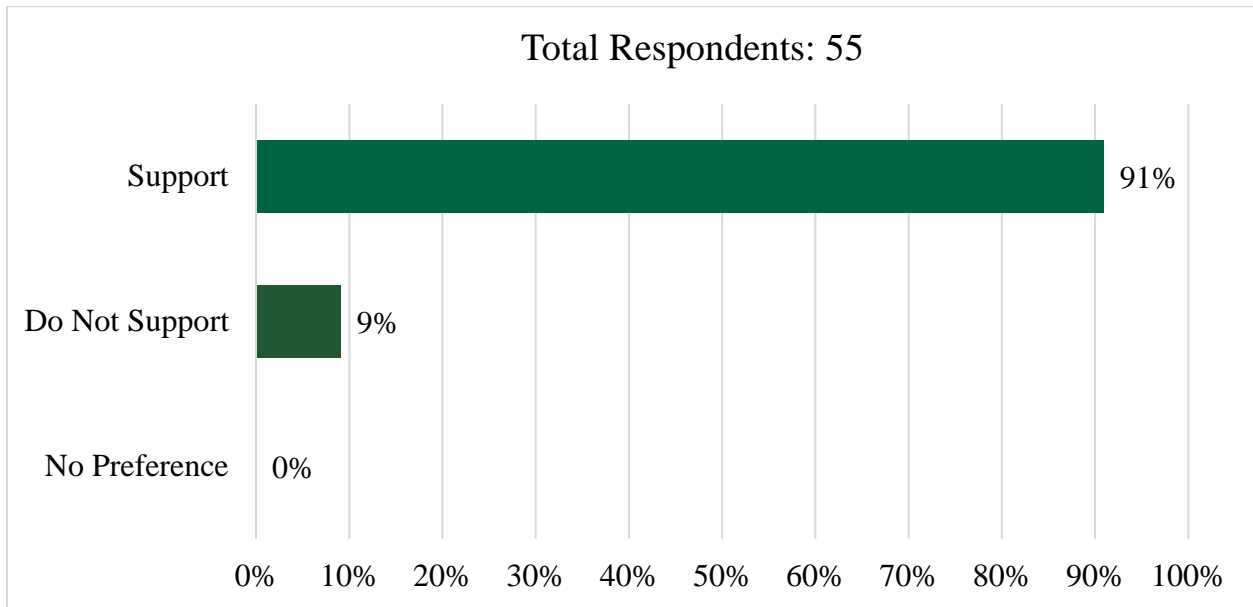
F7 – Modify the size limit for Striped Bass and its hybrids at Kerr Reservoir by prohibiting the possession of fish larger than 26 inches from October 1 through May 31. The minimum size limit will remain 20 inches and daily creel limit will remain two fish per day from October 1 through May 31. The daily creel limit of four fish per day and no size limit will remain from June 1 through September 30.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	4	3	0	4	0	0	8	30	0	4	54
Do Not Support	0	0	1	0	0	1	0	0	1	0	0	3
No Preference	0	0	1	0	2	1	1	0	0	0	0	5
Total	1	4	5	0	6	2	1	8	31	0	4	62

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

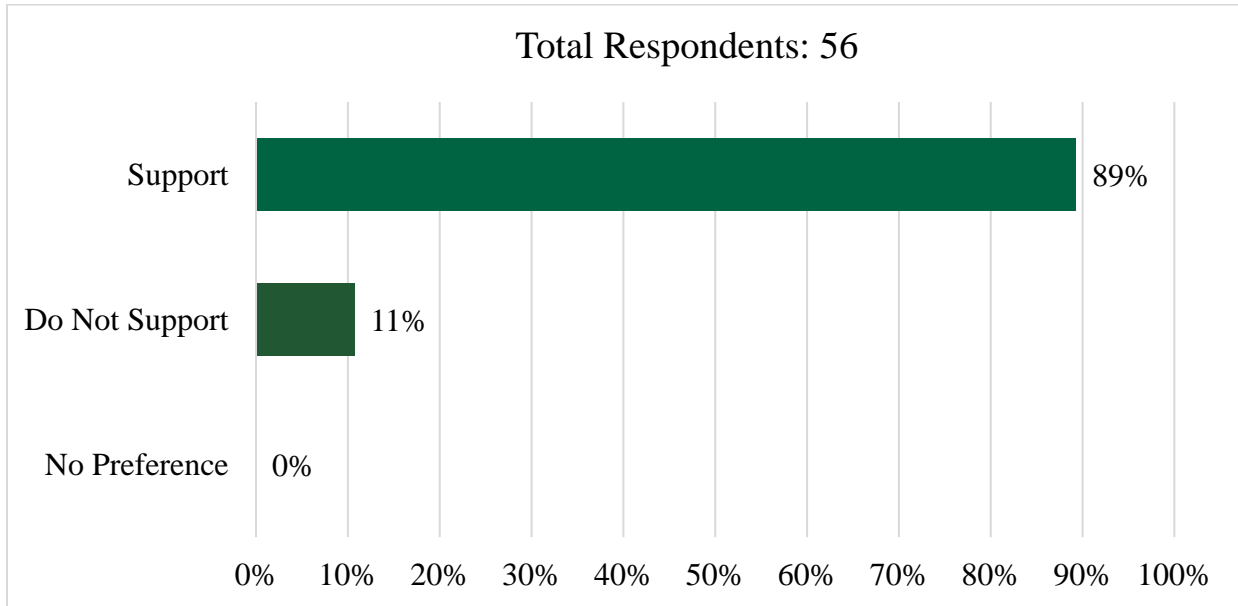
F8 – Establish a 16-inch minimum size limit for Striped Bass and its hybrids at Farmer Lake. The daily creel limit will remain four fish.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	2	2	0	4	1	0	8	29	0	3	50
Do Not Support	0	2	0	0	0	1	0	0	2	0	0	5
No Preference	0	0	0	0	0	0	0	0	0	0	0	0
Total	1	4	2	0	4	2	0	8	31	0	3	55

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

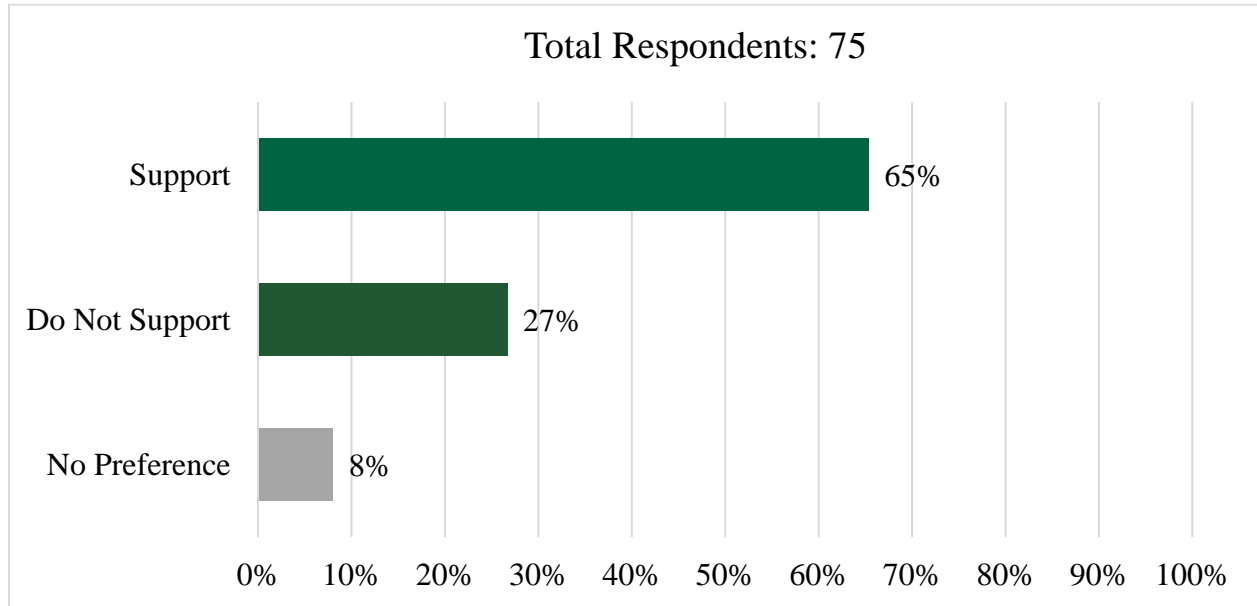
F9 – Remove the 16-inch minimum size limit for Striped Bass and its hybrids at Mountain Island Reservoir and Lake Thom-A-Lex. The general statewide regulation of a 20-inch minimum size limit and four fish daily creel will apply.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	2	1	0	1	4	0	8	30	0	3	50
Do Not Support	0	2	0	0	2	1	0	0	1	0	0	6
No Preference	0	0	0	0	0	0	0	0	0	0	0	0
Total	1	4	1	0	3	5	0	8	31	0	3	56

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

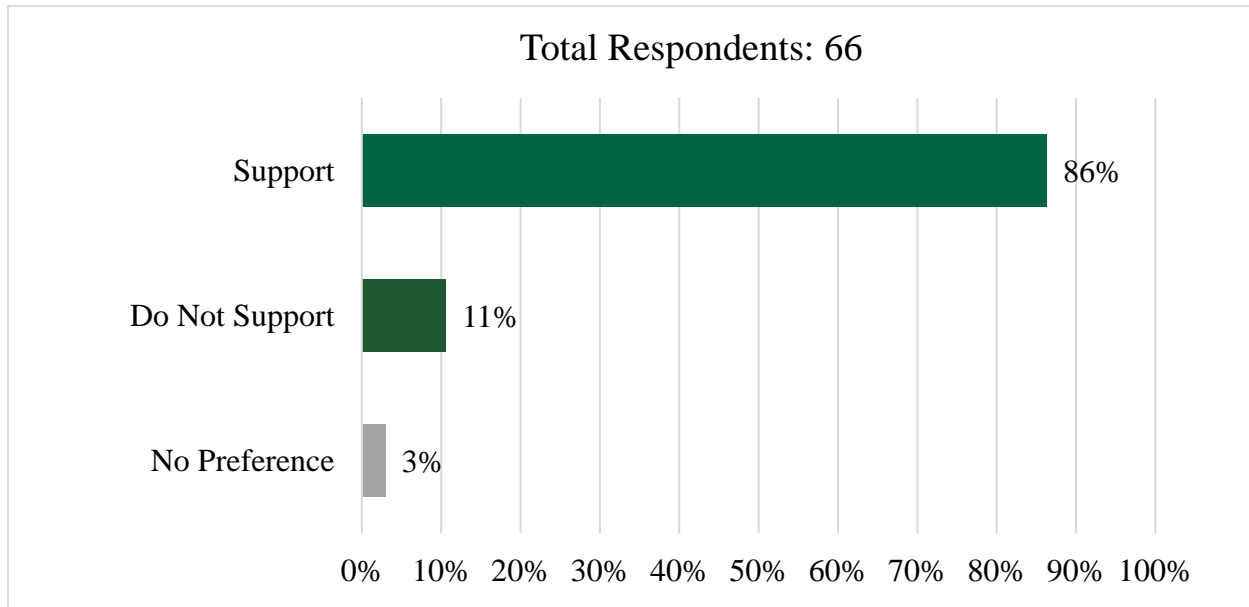
F10 – Clarify in the NCAC that the season for taking and possessing Striped Bass and its hybrids is closed year-round in the Inland Fishing Waters of the Central/Southern Management Area. Waters covered include the Inland Fishing Waters of the Tar, Pungo, and Neuse rivers, and their tributaries.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	3	2	2	1	2	0	8	27	0	3	49
Do Not Support	1	8	3	0	1	2	1	0	4	0	0	20
No Preference	1	0	1	0	3	0	1	0	0	0	0	6
Total	3	11	6	2	5	4	2	8	31	0	3	75

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

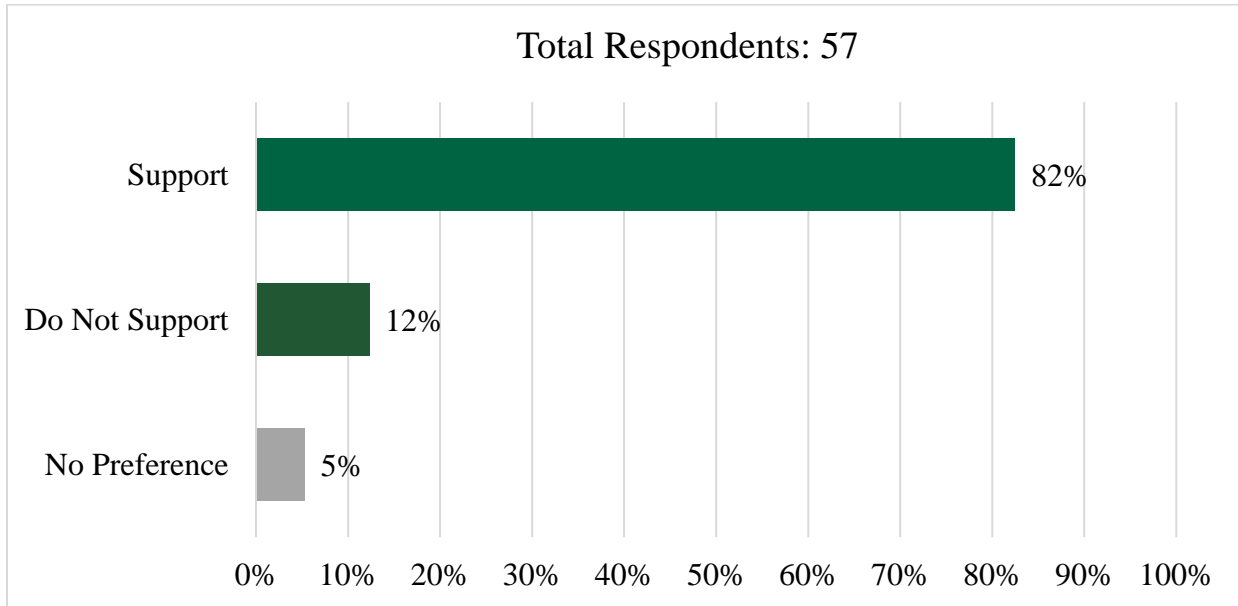
F11 – Establish no minimum size limit except that only two may be less than 14 inches for Largemouth Bass at Shearon Harris Reservoir. The daily creel limit will remain five fish.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	2	6	1	3	3	0	9	28	1	3	57
Do Not Support	0	2	1	0	1	0	0	0	3	0	0	7
No Preference	0	0	1	0	0	0	0	1	0	0	0	2
Total	1	4	8	1	4	3	0	10	31	1	3	66

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

F12 – Prohibit harvest of American Shad in the Yadkin-Pee Dee River basin upstream of Blewett Falls Dam and clarify existing language that prohibits harvest in Roanoke River Reservoirs upstream of Roanoke Rapids Dam. The proposal will not prohibit catch-and-release opportunities.

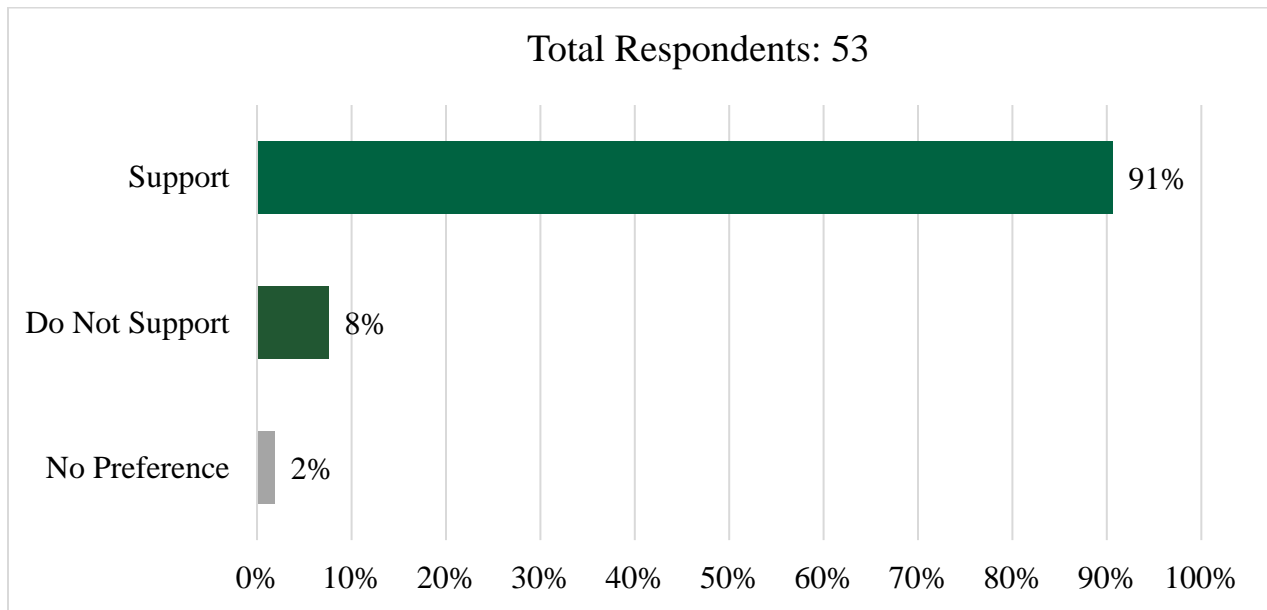


NOTE: Total % < 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	1	4	1	1	1	0	8	27	0	3	47
Do Not Support	0	2	0	0	0	2	0	0	3	0	0	7
No Preference	0	0	0	0	1	1	1	0	0	0	0	3
Total	1	3	4	1	2	4	1	8	30	0	3	57

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

F13 – Remove the daily creel limit of 20 fish and the minimum size limit of 8-inches for Crappie in Ramseur Lake.

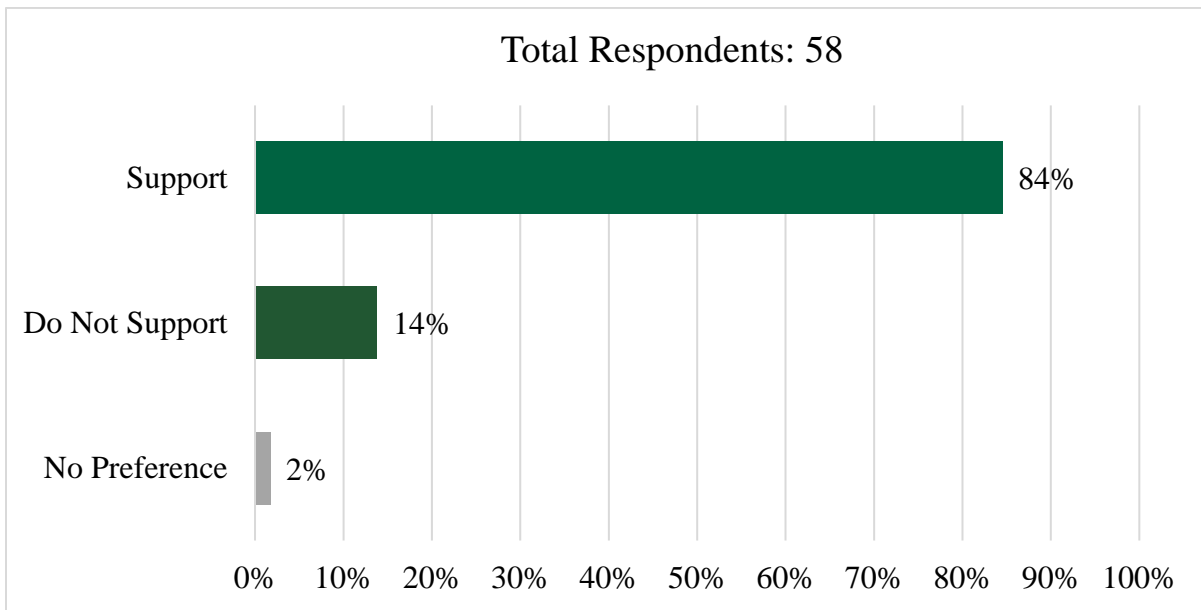


NOTE: Total % > 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	4	1	1	3	2	0	8	25	0	3	48
Do Not Support	0	0	0	0	0	0	0	0	4	0	0	4
No Preference	0	0	1	0	0	0	0	0	0	0	0	1
Total	1	4	2	1	3	2	0	8	29	0	3	53

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

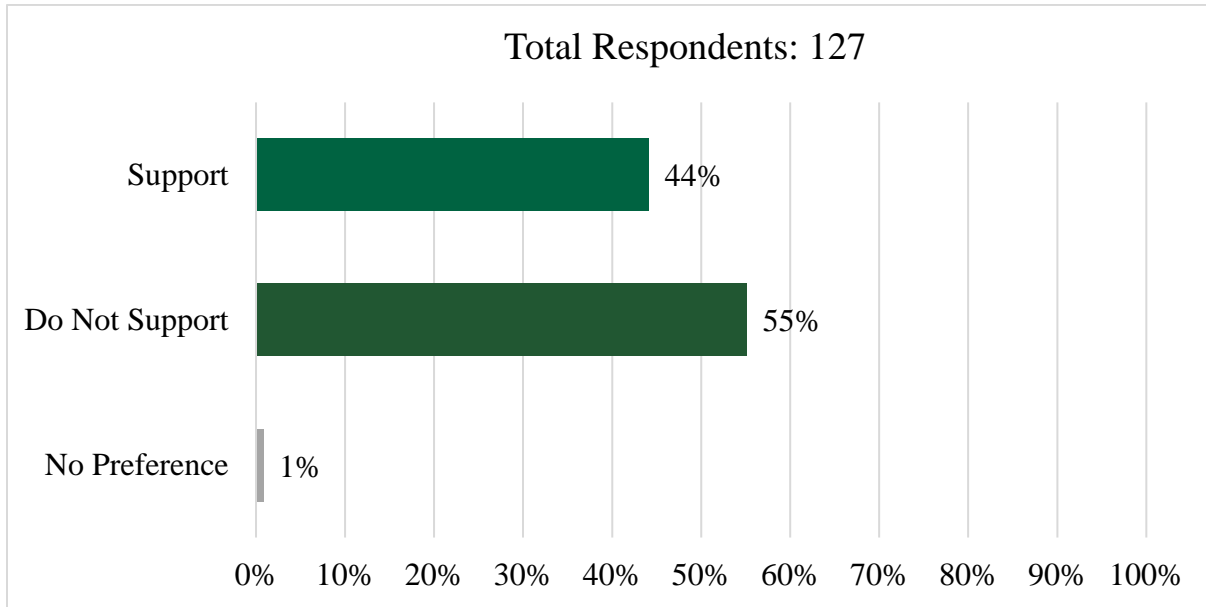
F14 – Prohibit fishing from March 1 through May 31 in the Pleasant Grove floodplain slough connected to the French Broad River, 0.25 miles upstream of S.R. 1205 (Etowah School Road) in Henderson County.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	3	2	0	1	0	1	7	31	0	3	49
Do Not Support	0	0	0	0	1	1	0	1	4	1	0	8
No Preference	0	1	0	0	0	0	0	0	0	0	0	1
Total	1	4	2	0	2	1	1	8	35	1	3	58

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

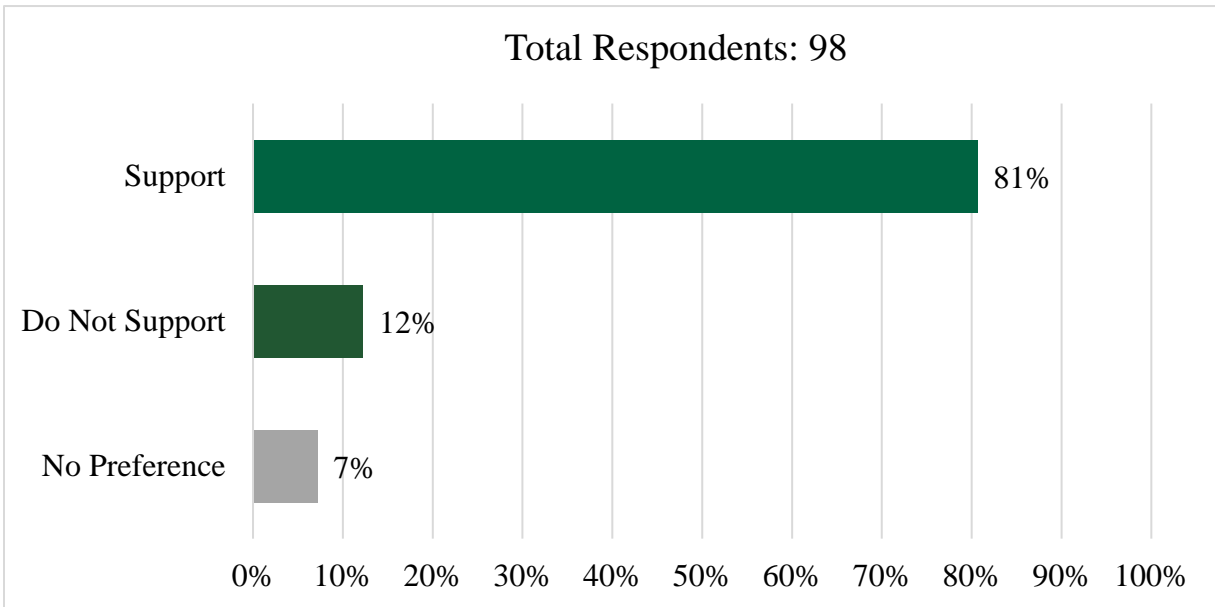
F15 – Reduce the daily creel limit for Flounder from four fish to one fish. The 15-inch minimum size limit and the season for taking and possessing Flounder from September 1 through September 14 will remain.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	5	3	2	1	3	0	9	27	0	5	56
Do Not Support	4	15	5	3	7	7	1	10	11	5	2	70
No Preference	0	0	1	0	0	0	0	0	0	0	0	1
Total	5	20	9	5	8	10	1	19	38	5	7	127

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

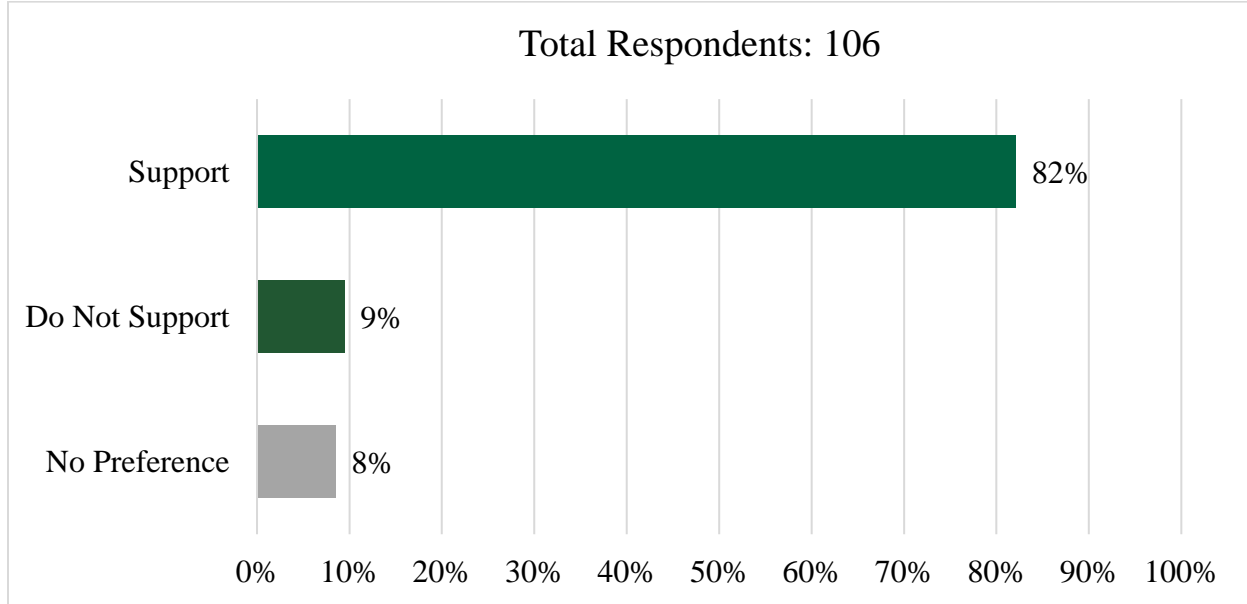
F16 – Reaffirm the Wildlife Resources Commission’s authority over certain species designated as inland game fish in all public fishing waters and clarify the size and creel limits which apply. Additionally, clarify that these species can only be taken with hook and line, that species taken incidental to commercial fishing operations shall be immediately returned to the water unharmed, and that the appearance of species with size and creel limits cannot be altered.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	3	8	7	2	4	6	2	12	31	0	4	79
Do Not Support	2	3	0	0	2	1	0	1	3	0	0	12
No Preference	0	4	1	0	0	1	0	0	0	0	1	7
Total	5	15	8	2	6	8	2	13	34	0	5	98

Summary of Public Comments on Proposed Changes to
Inland Fisheries Rules for 2024-2025

F17 – Reaffirm the Wildlife Resources Commission’s authority over all fishes taken by hook and line in Joint Fishing Waters and clarify the size and creel limits, seasons, and restrictions on species that may be sold. Also, clarify that the appearance of species with size and creel limits cannot be altered.



NOTE: Total % < 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	3	8	7	3	5	6	1	13	33	2	6	87
Do Not Support	1	3	0	0	2	2	0	0	2	0	0	10
No Preference	0	5	1	0	0	0	1	0	2	0	0	9
Total	4	16	8	3	7	8	2	13	37	2	6	106

EXHIBIT D-2

February 22, 2024



Proposed Amendments to Inland Fisheries Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Adoption

Trout

F1. 15A NCAC 10C .0205

Remove the Delayed Harvest Trout Waters section on the Little River in Alleghany County and reclassify the lower 1.2-mile section from Delayed Harvest Trout Waters to Hatchery Supported Trout Waters. The new Hatchery Supported Trout Waters reach will be from 400 yards upstream of the S.R. 1128 bridge (marked by a sign on each bank) to the McCann Dam. This proposal will remove approximately 1.3 miles of water from Public Mountain Trout Waters.

Justification: The upper 1.3-mile section of Delayed Harvest Trout Waters on the Little River is on private property, and angler access and stocking locations have been posted against trespassing. The property owner has formally asked that the section be removed from Public Mountain Trout Waters. The remaining 1.2 miles of the section remain open to public access, so the upper boundary of the existing Hatchery Supported Trout Waters (located directly downstream) is being moved upstream to incorporate the remaining section.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 7-20)

F2. 15A NCAC 10C .0205

Modify the lower boundary of Delayed Harvest Trout Waters on Helton Creek in Ashe County. The new reach will be 900 yards upstream of S.R. 1372 bridge (marked by a sign on each bank) to a point adjacent to the intersection of N.C. 16 and S.R. 1536. This proposal will remove approximately 0.7 miles of water from Public Mountain Trout Waters.

Justification: This section of Helton Creek is on private property, and most of the angler access and stocking locations have been posted against trespassing.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 7-20)

F3. 15A NCAC 10C .0205

Clarify that tributaries to the Hatchery Supported Trout Waters section of the West Fork Pigeon River in Haywood County on the Pisgah Game Land are classified as Wild Trout Waters. This proposal will not remove any water from Public Mountain Trout Waters.

Justification: The tributaries to this section of the West Fork Pigeon River have never been stocked and have been misidentified as Hatchery Supported Trout Waters in the North Carolina Administrative Code (NCAC). This proposal clarifies that the tributaries are managed as Wild Trout Waters.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 7-20)

F4. 15A NCAC 10C .0205

Remove the Wild Trout Waters section from the Avery County line to S.R. 1580 bridge on the Watauga River in Watauga County from Public Mountain Trout Waters. This proposal will remove approximately 4.0 miles of water from Public Mountain Trout Waters.

Justification: This section of the Watauga River is on private property, and most angler access locations have been posted against trespassing.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 7-20)

F5. 15A NCAC 10C .0205

Modify the lower boundary of Hatchery Supported Trout Waters on East Prong Roaring River in Wilkes County. The new reach will be from the Stone Mountain State Park lower boundary to the Low Meadows Lane bridge. This proposal will remove approximately 0.7 miles of water from Public Mountain Trout Waters.

Justification: This section of the East Prong Roaring River is on private property, and most angler access and stocking locations have been posted against trespassing.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 7-20)

F6. 15A NCAC 10C .0205, .0316

Reclassify the following waters from Wild Trout Waters/Natural Bait to Wild Trout Waters and remove the Wild Trout Waters/Natural Bait classification from Public Mountain Trout Waters.

- The game land portion of Bald Creek and its tributaries in Cherokee County
- The game land portion of Dockery Creek and its tributaries in Cherokee County
- The game land portion of Long Creek and its tributaries in Graham County
- The game land portion of the Chattooga River and its tributaries in Jackson and Macon counties
- The game land portion of Kimsey Creek and its tributaries in Macon County
- The game land portion of Park Creek and its tributaries in Macon County
- The game land portion of the North Fork French Broad River and its tributaries in Transylvania County
- The game land portion of the Thompson River and its tributaries in Transylvania County

This proposal will not remove any water from Public Mountain Trout Waters.

Justification: The Wild Trout/Natural Bait classification was intended to diversify angler opportunity and experience; however, bait anglers rarely use Wild Trout/Natural Bait streams. The classification never expanded regionally beyond District 9, is not requested by anglers, and unnecessarily adds complexity to Public Mountain Trout Waters regulations.

Striped Bass and Hybrid Striped Bass (Bodie Bass)

F7. 15A NCAC 10C .0314

Modify the size limit for Striped Bass and its hybrids at Kerr Reservoir by prohibiting the possession of fish larger than 26 inches from October 1 through May 31. The minimum size limit will remain 20 inches and daily creel limit will remain two fish per day from October 1 through May 31. The daily creel limit of four fish per day and no size limit will remain from June 1 through September 30.

Justification: Per agreement, the Virginia Department of Wildlife Resources (VADWR) is the lead for fisheries management at Kerr Reservoir, and VADWR implemented the proposed change for the Virginia portion of Kerr Reservoir effective January 1, 2023. This proposal would implement the regulation in the North Carolina portion of the reservoir. The proposed change will provide additional protection for larger Striped Bass.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27-28)

F8. 15A NCAC 10C .0314

Establish a 16-inch minimum size limit for Striped Bass and its hybrids at Farmer Lake. The daily creel limit will remain four fish.

Justification: The Commission has recently initiated annual stockings of hybrid Striped Bass at Farmer Lake to create a fishery. This proposed change would make regulations for hybrid Striped Bass at Farmer Lake consistent with other reservoirs across North Carolina that are stocked with hybrid Striped Bass.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27-28)

F9. 15A NCAC 10C .0314

Remove the 16-inch minimum size limit for Striped Bass and its hybrids at Mountain Island Reservoir and Lake Thom-A-Lex. The general statewide regulation of a 20-inch minimum size limit and four fish daily creel will apply.

Justification: Striped Bass are no longer stocked in Mountain Island Reservoir due to poor growth and survival. Hybrid Striped Bass may be present in Mountain Island Reservoir through emigration from Lake Norman, but do not require more protection than what is already provided by the statewide regulation. Hybrid Striped Bass have not been stocked at Lake Thom-A-Lex since 2018 due to their high rate of emigration from the reservoir. Striped Bass are not present in Lake Thom-A-Lex. Removing these reservoir-specific regulations will alleviate angler confusion about species availability and simplify rules for anglers.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27-28)

F10. 15A NCAC 10C .0314

Clarify in the NCAC that the season for taking and possessing Striped Bass and its hybrids is closed year-round in the Inland Fishing Waters of the Central/Southern Management Area. Waters covered include the Inland Fishing Waters of the Tar, Pungo, and Neuse rivers, and their tributaries.

Justification: This closure was initially implemented in March 2019 by proclamation. Maintaining the closure was recommended in Amendment 2 to the North Carolina Estuarine Striped Bass Fishery Management Plan. The closure needs to be codified in the NCAC.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27-28)

Largemouth Bass

F11. 15A NCAC 10C .0305

Establish no minimum size limit except that only two may be less than 14 inches for Largemouth Bass at Shearon Harris Reservoir. The daily creel limit will remain five fish.

Justification: Biological data collected over the past 15 years indicates that the current prohibited size range of 16 - 20 inches for Largemouth Bass has not worked as intended. Harvest of Largemouth Bass is low at Shearon Harris Reservoir and few, if any, Largemouth Bass less than 16-inches are being harvested. Low harvest has resulted in reduced overall average condition of Largemouth Bass. Increasing harvest of Largemouth Bass may help increase overall average condition and growth of fish greater than 16 inches.

15A NCAC 10C .0305 LARGEMOUTH BASS (Pg. 22-23)

American Shad

F12. 15A NCAC 10C .0313

Prohibit harvest of American Shad in the Yadkin-Pee Dee River basin upstream of Blewett Falls Dam and clarify existing language that prohibits harvest in Roanoke River Reservoirs upstream of Roanoke Rapids Dam. The proposal will not prohibit catch-and-release opportunities.

Justification: Duke Energy-Progress is required by its Federal Energy Regulatory Commission (FERC) license to provide upstream passage for American Shad at Blewett Falls Dam to help restore American Shad in the Yadkin-Pee Dee River basin. Initial testing of fishway operations is scheduled to begin spring 2024, and full-time operation is anticipated in spring 2025. Harvest restrictions are necessary to protect spawning American Shad passed upstream of the dam. In addition, the existing rule prohibiting harvest of American Shad in Roanoke Rapids Reservoir, Lake Gaston, and John H. Kerr Reservoir is intended to protect American Shad moved upstream of Roanoke Rapids Dam required by Dominion Energy's FERC license. Proposed changes to the current rule will clarify that American Shad shall not be harvested from all public fishing waters upstream of Roanoke Rapids Dam, which was the intent of the original rule. These changes will not prohibit catch-and-release opportunities.

15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD (Pg. 26)

Crappie

F13. 15A NCAC 10C .0306

Remove the daily creel limit of 20 fish and the minimum size limit of 8-inches for Crappie in Ramseur Lake.

Justification: A 2019 assessment of Crappie in Lake Ramseur indicated slow growth and a stunted population evidenced by the abundance of smaller-sized yet older Crappie. Removing the creel and size limit will promote harvest and help to improve growth and body condition.

15A NCAC 10C .0306 CRAPPIE (Pg. 24)

Muskellunge

F14. 15A NCAC 10C .0208

Prohibit fishing from March 1 through May 31 in the Pleasant Grove floodplain slough connected to the French Broad River, 0.25 miles upstream of S.R. 1205 (Etowah School Road) in Henderson County.

Justification: Closure of the Pleasant Grove slough to fishing during the spring would prevent targeted angling and the potential harvest of Muskellunge during their spawning period. Construction of the Pleasant Grove backwater slough was conducted specifically to restore spawning and nursery areas for adult and juvenile Muskellunge to promote natural reproduction and recruitment of juvenile fish to the population. The French Broad River Muskellunge population currently has extremely limited to no natural reproduction or measurable recruitment. The population has been supported by hatchery produced Muskellunge since 1970.

15A NCAC 10C .0208 SPAWNING AREAS (Pg. 21)

Flounder

F15. 15A NCAC 10C .0307

Reduce the daily creel limit for Flounder from four fish to one fish. The 15-inch minimum size limit and the season for taking and possessing Flounder from September 1 through September 14 will remain.

Justification: According to North Carolina Division of Marine Fisheries data, Flounder are overfished, and overfishing is occurring. The reduction in the daily creel limit from four fish to one fish will reduce harvest and potentially end overfishing of the population. The proposed change is consistent with the daily creel limit established in Coastal Fishing Waters.

15A NCAC 10C .0307 FLOUNDER (Pg. 25)

Fishes in Joint Fishing Waters

F16. 15A NCAC 10C .0801

Reaffirm the Wildlife Resources Commission's authority over certain species designated as inland game fish in all public fishing waters and clarify the size and creel limits which

apply. Additionally, clarify that these species can only be taken with hook and line, that species taken incidental to commercial fishing operations shall be immediately returned to the water unharmed, and that the appearance of species with size and creel limits cannot be altered.

Justification: There has been confusion in the public and government agencies as to the Commission's authority over species designated as inland game fish when found in Joint Fishing Waters. Certain inland game fish are under the authority of the Wildlife Resources Commission in all public fishing waters. The proposed changes clarify the regulations for those species that apply to both recreational and commercial fishing in Joint Fishing Waters.

15A NCAC 10C .0801 INLAND GAME FISHES DESIGNATED IN JOINT FISHING WATERS (Pg. 31)

F17. 15A NCAC 10C .0802

Reaffirm the Wildlife Resources Commission's authority over all fishes taken by hook and line in Joint Fishing Waters and clarify the size and creel limits, seasons, and restrictions on species that may be sold. Also, clarify that the appearance of species with size and creel limits cannot be altered.

Justification: There has been confusion in the public and government agencies as to the Commission's authority over fishes taken by hook and line in Joint Fishing Waters. Per 15A 03Q .0106 and 15A NCAC 10C .0106, the Commission has authority for fish taken by hook and line in Joint Fishing Waters. The proposed rule clarifies that authority including size and creel limits, seasons, and if the species may be sold.

15A NCAC 10C .0802 TAKING AND POSSESSION OF OTHER FISHES BY HOOK AND LINE IN JOINT FISHING WATERS (Pgs. 32-33)

1 **15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS**

2 (a) For purposes of this Rule, the following definitions apply:

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

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

- 12 (1) "Public Mountain Trout Waters" are the waters included in this Rule and those designated in 15A
13 NCAC 10D .0104.
- 14 (2) "Catch and Release Artificial Flies and Lures Only Trout Waters" are Public Mountain Trout Waters
15 where only artificial flies and lures having one single hook may be used. No trout may be possessed
16 or harvested while fishing these streams. Waters with this designation include tributaries unless
17 otherwise noted.
- 18 (3) "Delayed Harvest Trout Waters" are Public Mountain Trout Waters where between October 1 and
19 one-half hour after sunset on the Friday before the first Saturday of the following June, it is unlawful
20 to possess natural bait, use more than one single hook on an artificial lure, or harvest or possess trout
21 while fishing. From 6:00 a.m. until noon on the first Saturday in June, only youth anglers may fish
22 and these waters have no bait or lure restrictions. From noon on the first Saturday in June until
23 October 1, anglers ~~of all ages~~ may fish and these waters ~~have~~ with no bait or lure restrictions. Waters
24 with this designation do not include tributaries unless otherwise noted.
- 25 (4) "Hatchery Supported Trout Waters" are Public Mountain Trout Waters that have no bait or lure
26 restrictions. Waters with this designation do not include tributaries unless otherwise noted.
- 27 (5) "Special Regulation Trout Waters" are Public Mountain Trout Waters where watercourse-specific
28 regulations apply. Waters with this designation do not include tributaries unless otherwise noted.
- 29 (6) "Wild Trout Waters" are Public Mountain Trout Waters identified in this Rule or 15A NCAC 10D
30 .0104. Only artificial lures having only one single hook may be used. No person shall possess natural
31 bait while fishing these waters. Waters with this designation do not include tributaries unless
32 otherwise noted.
- 33 ~~(7) "Wild Trout Natural Bait Waters" are Public Mountain Trout Waters where artificial lures and
34 natural baits, except live fish, may be used provided they are fished using only one single hook.
35 Waters with this designation include tributaries unless otherwise noted.~~
- 36 ~~(8)~~(7) "Undesignated Waters" are the other waters in the State. These waters have no bait or lure
37 restrictions.

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

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

5 (1) Alleghany

6 (A) ~~Delayed Harvest Trout Waters are as follows:~~

7 ~~Little River from the S.R. 1133 bridge to 275 yards downstream of the intersection of S.R.~~
8 ~~1128 and S.R. 1129, marked by a sign on both banks~~

9 ~~(B)~~(A) Hatchery Supported Trout Waters are as follows:

10 Big Pine Creek

11 Bledsoe Creek

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

14 Cranberry Creek

15 Glade Creek

16 Little River from ~~275~~ 400 yards ~~downstream~~ upstream of the ~~intersection of S.R. 1128 and~~
17 ~~S.R. 1129, bridge, marked by a sign on both banks, each bank, to McCann Dam~~

18 Meadow Fork

19 Pine Swamp Creek

20 Piney Fork

21 Prathers Creek

22 ~~(C)~~(B) Wild Trout Waters are as follows:

23 The waters located on Stone Mountain State Park

24 (2) Ashe County

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

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

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

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

30 Helton Creek from 900 yards upstream of the S.R. 1372 bridge, marked by a sign on both
31 banks to ~~the North Fork New River~~ a point adjacent to intersection of N.C. 16 and S.R.
32 1536

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

34 Trout Lake

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

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

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

- 1 Big Laurel Creek from the S.R. 1315 bridge to the confluence with the North Fork New
2 River
3 Buffalo Creek from the S.R. 1133 bridge to the N.C. 194-88 bridge
4 Cranberry Creek from the Alleghany Co. line to the South Fork New River
5 Nathans Creek
6 North Fork New River from the Watauga Co. line to Sharp Dam
7 Old Fields Creek from N.C. 221 to the South Fork New River
8 Peak Creek from the upper boundary of the NCDA-NCSU Upper Mountain Research
9 Station to Trout Lake
10 Roan Creek
11 Three Top Creek
12 (3) Avery County
13 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
14 Elk River, the portion on Lees-McRae College property, excluding the millpond
15 Lost Cove Creek, the game land portion, excluding Gragg Prong and Rockhouse Creek
16 Wilson Creek, the game land portion
17 (B) Hatchery Supported Trout Waters are as follows:
18 Boyde Coffey Lake
19 Elk River from the S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee
20 state line
21 Linville River from S.R. 1504 to the Blue Ridge Parkway boundary line, except where
22 posted against trespassing
23 Milltimber Creek
24 North Toe River from Watauga St. to Roby Shoemaker Wetlands and Family Recreational
25 Park, except where posted against trespassing
26 North Toe River from S.R. 1164 to Mitchell Co. line, except where posted against
27 trespassing
28 Squirrel Creek
29 Wildcat Lake
30 (C) Wild Trout Waters are as follows:
31 Birchfield Creek
32 Cow Camp Creek
33 Cranberry Creek from the headwaters to the U.S. 19E, N.C. 194, bridge
34 Gragg Prong
35 Horse Creek
36 Kentucky Creek
37 North Harper Creek

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

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

- 1 (B) Hatchery Supported Trout Waters are as follows:
2 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
3 Cheoah Reservoir
4 Panther Creek from the confluence of Stand Creek and Rock Creek to Lake Fontana
5 Santeetlah Creek from Johns Branch to Lake Santeetlah
6 Snowbird Creek from USFS Rd. 2579 to the S.R. 1127 bridge
7 Stecoah Creek from the upper game land boundary to Lake Fontana
8 Tulula Creek from S.R. 1201 to the lower bridge on S.R. 1275
9 West Buffalo Creek
10 Yellow Creek from Lake Santeetlah hydropower pipeline to the Cheoah River
11 (C) Wild Trout Waters are as follows:
12 Little Buffalo Creek
13 South Fork Squally Creek
14 Squally Creek
15 ~~(D) Wild Trout Natural Bait Waters are as follows:~~
16 ~~Long Creek, the game land portion~~
17 (10) Haywood County
18 (A) Delayed Harvest Trout Waters are as follows:
19 West Fork Pigeon River from Queen Creek to the first game land boundary upstream of
20 Lake Logan
21 (B) Hatchery Supported Trout Waters are as follows:
22 Cold Springs Creek from Fall Branch to the Pigeon River
23 Jonathan Creek from upstream of the S.R. 1302 bridge to the Pigeon River, except where
24 posted against trespassing
25 Pigeon River from Stamey Cove Branch to the upstream U.S. 19-23 bridge
26 Richland Creek from the Russ Avenue, U.S. 276, bridge to the U.S. 19 bridge
27 West Fork Pigeon River from Tom Creek to Queen Creek, ~~including the game land portion,~~
28 ~~except Middle Prong Creek~~
29 (11) Henderson County
30 (A) Delayed Harvest Trout Waters are as follows:
31 North Fork Mills River, the game land portion below the Hendersonville watershed dam
32 (B) Hatchery Supported Trout Waters are as follows:
33 Broad River from the end of S.R. 1611 to the Rutherford Co. line
34 Cane Creek from the railroad bridge upstream of the S.R. 1551 bridge to the U.S. 25 bridge
35 Clear Creek from Laurel Fork to S.R. 1582
36 Green River from the Lake Summit powerhouse to the game land boundary
37 Hungry River from S.R. 1885 to the Green River

- 1 (12) Jackson County
- 2 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 3 Flat Creek
- 4 Tuckasegee River, the game land portion upstream of Tanasee Creek Lake, including the
- 5 Duke Energy powerline corridor
- 6 Tuckasegee River the portion upstream from the Clark property
- 7 (B) Delayed Harvest Trout Waters are as follows:
- 8 Tuckasegee River from downstream of the N.C. 107 bridge to the falls located 275 yards
- 9 upstream of the U.S. 23-441 bridge, marked by a sign on both banks
- 10 (C) Hatchery Supported Trout Waters are as follows:
- 11 Balsam Lake
- 12 Bear Creek Lake
- 13 Cedar Cliff Lake
- 14 Cullowhee Creek from Tilley Creek to the Tuckasegee River
- 15 Dark Ridge Creek from Jones Creek to Scott Creek
- 16 Greens Creek from Greens Creek Baptist Church on S.R. 1370 to Savannah Creek
- 17 Savannah Creek from Shell Branch to Cagle Branch
- 18 Scott Creek from Dark Ridge Creek to the Tuckasegee River, except where posted against
- 19 trespassing
- 20 Tanasee Creek Lake
- 21 Tuckasegee River from John Brown Branch to the downstream N.C. 107 bridge
- 22 Tuckasegee River from the falls located 275 yards upstream of the U.S. 23-441 bridge,
- 23 marked by a sign on both banks, to the S.R. 1534 bridge at Wilmont
- 24 Wolf Creek Lake
- 25 (D) Wild Trout Waters are as follows:
- 26 Gage Creek
- 27 North Fork Scott Creek
- 28 Tanasee Creek
- 29 Whitewater River from Silver Run Creek to the South Carolina state line
- 30 Wolf Creek except Balsam Lake and Wolf Creek Lake
- 31 ~~(E) Wild Trout Natural Bait Waters are as follows:~~
- 32 ~~Chattooga River from the S.R. 1100 bridge to the South Carolina state line~~
- 33 (13) Macon County
- 34 (A) Delayed Harvest Trout Waters are as follows:
- 35 Nantahala River from Whiteoak Creek to the Nantahala hydropower discharge canal
- 36 (B) Hatchery Supported Trout Waters are as follows:
- 37 Burningtown Creek from Left Prong to the Little Tennessee River

- 1 Cartoogechaye Creek from downstream of the U.S. 64 bridge to the Little Tennessee River
2 Cliffside Lake
3 Cullasaja River from Sequoyah Dam to the U.S. 64 bridge near the junction of S.R. 1672
4 Nantahala River from Dicks Creek to Whiteoak Creek
5 Nantahala River from the Nantahala hydropower discharge canal to the Swain Co. line
6 Queens Creek Lake
7 (C) ~~Wild Trout Natural Bait Waters are as follows:~~
8 ~~Chattooga River from the S.R. 1100 bridge to the South Carolina state line~~
9 ~~Kimsey Creek~~
10 ~~Park Creek~~
11 (14) Madison County
12 (A) Delayed Harvest Trout Waters are as follows:
13 Big Laurel Creek from the N.C. 208 bridge to the U.S. 25-70 bridge
14 Shelton Laurel Creek from the N.C. 208 bridge at Belva to the confluence with Big Laurel
15 Creek
16 Spring Creek from the N.C. 209 bridge at the Hot Springs city limits to the iron bridge at
17 end of Andrews Ave.
18 (B) Hatchery Supported Trout Waters are as follows:
19 Big Laurel Creek from Puncheon Fork to the S.R. 1318, Big Laurel Rd., bridge downstream
20 of Bearpen Branch
21 Big Pine Creek from the S.R. 1151 bridge to the French Broad River
22 Little Ivy Creek from the confluence of Middle Fork and Paint Fork at Beech Glen to the
23 confluence with Ivy Creek at Forks of Ivy
24 Max Patch Pond
25 Meadow Fork Creek from Meadow Fork Campground to Spring Creek
26 Puncheon Fork from Wolf Laurel Branch to Big Laurel Creek
27 Roaring Fork from Fall Branch to Meadow Fork
28 Shelton Laurel Creek from the confluence of Big Creek and Mill Creek to the N.C. 208
29 bridge at Belva
30 Shut-in Creek
31 Spillcorn Creek
32 Spring Creek from the junction of N.C. 209 and N.C. 63 to the confluence with Meadow
33 Fork
34 West Fork Shut-in Creek from the lower game land boundary to the confluence with East
35 Fork Shut-in Creek
36 (15) McDowell County
37 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:

- 1 Newberry Creek, the game land portion
- 2 (B) Delayed Harvest Trout Waters are as follows:
- 3 Catawba River, the portion adjacent to the Marion Greenway
- 4 Curtis Creek, the game land portion downstream of the USFS boundary at Deep Branch
- 5 Mill Creek from the U.S. 70 bridge to the I-40 bridge
- 6 (C) Hatchery Supported Trout Waters are as follows:
- 7 Armstrong Creek from the Cato Holler line downstream to the upper Greenlee line
- 8 Catawba River from the Catawba Falls Campground to the Old Fort Recreation Park
- 9 Little Buck Creek, the game land portion
- 10 North Fork Catawba River from the headwaters to North Cove School at the S.R. 1569
- 11 bridge
- 12 (16) Mitchell County
- 13 (A) Delayed Harvest Trout Waters are as follows:
- 14 Cane Creek from the N.C. 226 bridge to the S.R. 1189 bridge
- 15 North Toe River from the U.S. 19E bridge to the N.C. 226 bridge
- 16 (B) Hatchery Supported Trout Waters are as follows:
- 17 Big Rock Creek from the headwaters to the N.C. 226 bridge at the S.R. 1307 intersection
- 18 Cane Creek from S.R. 1219 to the N.C. 226 bridge
- 19 East Fork Grassy Creek
- 20 Grassy Creek from East Fork Grassy Creek to the mouth
- 21 Little Rock Creek from the Green Creek bridge to Big Rock Creek, except where posted
- 22 against trespassing
- 23 North Toe River from the Avery Co. line to the S.R. 1121 bridge
- 24 (C) Wild Trout Waters are as follows:
- 25 Green Creek from the headwaters to the Green Creek bridge, except where posted against
- 26 trespassing
- 27 Little Rock Creek the portion upstream of the Green Creek bridge, including the tributaries,
- 28 except where posted against trespassing
- 29 Wiles Creek from the game land boundary to the mouth
- 30 (17) Polk County
- 31 (A) Delayed Harvest Trout Waters are as follows:
- 32 Green River from the Fishtop Falls Access Area to the confluence with Cove Creek
- 33 (B) Hatchery Supported Trout Waters are as follows:
- 34 Green River from the mouth of Cove Creek to the natural gas pipeline crossing
- 35 North Pacolet River from Joels Creek to the N.C. 108 bridge
- 36 (18) Rutherford County
- 37 (A) Hatchery Supported Trout Waters are as follows:

- 1 Broad River from the Henderson Co. line to the U.S. 64/74 bridge, except where posted
2 against trespassing
- 3 (19) Stokes County
- 4 (A) Hatchery Supported Trout Waters are as follows:
5 Dan River from the Virginia state line downstream to a point 200 yards below the end of
6 S.R. 1421
- 7 (20) Surry County
- 8 (A) Delayed Harvest Trout Waters are as follows:
9 Ararat River, the portion adjacent to the Ararat River Greenway
10 Mitchell River from 0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge
11 on S.R. 1330
- 12 (B) Hatchery Supported Trout Waters are as follows:
13 Ararat River from the S.R. 1727 bridge to the N.C. 103 bridge
14 Big Elkin Creek from the dam 440 yards upstream of the N.C. 268 bridge to a point 265
15 yards downstream of N.C. 268, marked by a sign on both banks
16 Fisher River from the Virginia state line to the I-77 bridge
17 Little Fisher River from the Virginia state line to the N.C. 89 bridge
18 Lovills Creek from the U.S. 52 Business bridge to the Ararat River
19 Pauls Creek from the Virginia state line to 0.3 miles below the S.R. 1625 bridge
- 20 (21) Swain County
- 21 (A) Delayed Harvest Waters Trout Waters are as follows:
22 Tuckasegee River from the U.S. 19 bridge to the Slope Street bridge
- 23 (B) Hatchery Supported Trout Waters are as follows:
24 Alarka Creek from the game land boundary to Fontana Reservoir
25 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
26 Cheoah Reservoir
27 Connelly Creek from Camp Branch to the Tuckasegee River
28 Deep Creek from the Great Smoky Mountains National Park Boundary line to the
29 Tuckasegee River
30 Nantahala River from the Macon Co. line to the existing Fontana Lake water level
- 31 (22) Transylvania County
- 32 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
33 Davidson River from the headwaters to Avery Creek, excluding Avery Creek, Looking
34 Glass Creek, Grogan Creek, Cedar Rock Creek and John Rock Branch
- 35 (B) Delayed Harvest Trout Waters are as follows:
36 East Fork French Broad River from East Fork Baptist Church to the downstream S.R. 1107
37 bridge

- 1 Little River from the confluence of Lake Dense to 100 yards downstream of Hooker Falls
- 2 (C) Hatchery Supported Trout Waters are as follows:
- 3 Davidson River from Avery Creek to the lower USFS boundary
- 4 French Broad River from the confluence of the North Fork French Broad River and West
- 5 Fork
- 6 French Broad River to the Island Ford Rd., S.R. 1110, Access Area
- 7 Middle Fork French Broad River from upstream of the U.S. 178 bridge to the French Broad
- 8 River
- 9 West Fork French Broad River from S.R. 1312 to confluence with North Fork French
- 10 Broad River
- 11 (D) Wild Trout Waters are as follows:
- 12 The waters located on Gorges State Park
- 13 Whitewater River from Silver Run Creek to the South Carolina state line
- 14 (E) ~~Wild Trout Natural Bait Waters are as follows:~~
- 15 ~~North Fork French Broad River, the game land portion downstream of S.R. 1326~~
- 16 ~~Thompson River from S.R. 1152 to the South Carolina state line, except where posted~~
- 17 ~~against trespassing~~
- 18 (23) Watauga County
- 19 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 20 Laurel Creek from the confluence of North Fork Laurel Creek and South Fork Laurel Creek
- 21 to Elk Creek, excluding tributaries
- 22 Pond Creek from the headwaters to the Locust Ridge Rd. bridge, excluding the pond
- 23 adjacent to Coffee Lake
- 24 (B) Delayed Harvest Trout Waters are as follows:
- 25 Lake Coffey
- 26 Watauga River from the S.R. 1114 bridge to the Valle Crucis Community Park lower
- 27 boundary
- 28 Watauga River from the S.R. 1103 bridge to the confluence with Laurel Creek
- 29 (C) Hatchery Supported Trout Waters are as follows:
- 30 Beaverdam Creek from the confluence of Beaverdam Creek and Little Beaverdam Creek
- 31 to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203
- 32 Beech Creek
- 33 Buckeye Creek from Buckeye Creek Reservoir dam to Grassy Gap Creek
- 34 Buckeye Creek Reservoir
- 35 Cove Creek from the S.R. 1233 bridge at Zionville to the S.R. 1214 bridge at Sherwood
- 36 Dutch Creek from the second S.R. 1136 bridge to the mouth
- 37 Elk Creek from the S.R. 1510 bridge at Triplett to the Wilkes Co. line, except where posted

1 against trespassing
2 Laurel Creek from the S.R. 1123 bridge at the S.R. 1157 intersection to the Watauga River
3 Meat Camp Creek from the S.R. 1340 bridge at the S.R. 1384 intersection to N.C. 194
4 Middle Fork New River from adjacent to the intersection of S.R. 1539 and U.S. 321 to the
5 South Fork New River
6 Norris Fork Creek
7 South Fork New River from the canoe launch 70 yards upstream of U.S. 421 bridge to the
8 lower boundary of Brookshire Park
9 Stony Fork from the S.R. 1500 bridge at the S.R. 1505 intersection to the Wilkes Co. line
10 (D) Wild Trout Waters are as follows:
11 Dutch Creek from the headwaters to the second S.R. 1136 bridge
12 Howard Creek
13 Maine Branch from the headwaters to the North Fork New River
14 North Fork New River from the confluence with Maine Branch and Mine Branch to the
15 Ashe Co. line
16 ~~Watauga River from the Avery Co. line to the S.R. 1580 bridge~~
17 Winkler Creek from the lower bridge on S.R. 1549 to the confluence with the South Fork
18 New River
19 (24) Wilkes County
20 (A) Delayed Harvest Trout Waters are as follows:
21 East Prong Roaring River from Bullhead Creek to the Stone Mountain State Park lower
22 boundary
23 Elk Creek from the Watauga Co. line to the lower boundary of the Blue Ridge Mountain
24 Club
25 Elk Creek, the portion on Leatherwood Mountains development
26 Reddies River from the Town of North Wilkesboro water intake dam to the confluence
27 with the Yadkin River
28 Stone Mountain Creek from the falls at the Alleghany Co. line to the confluence with the
29 East Prong Roaring River and Bullhead Creek
30 (B) Hatchery Supported Trout Waters are as follows:
31 Basin Creek from the S.R. 1730 bridge to the confluence with Lovelace Creek
32 Bell Branch Pond
33 Boundary Line Pond
34 Cub Creek from 0.5 miles upstream of the S.R. 2460 bridge to the S.R. 1001 bridge
35 Darnell Creek from the downstream ford on S.R. 1569 to the confluence with the North
36 Fork Reddies River
37 East Prong Roaring River from the Stone Mountain State Park lower boundary to the ~~S.R.~~

- 1 ~~4002~~ Low Meadows Lane bridge
- 2 Fall Creek from the S.R. 1300 bridge to the confluence with South Prong Lewis Fork,
- 3 except where posted against trespassing
- 4 Middle Fork Reddies River from the headwaters to the bridge on S.R. 1580
- 5 Middle Prong Roaring River from the headwaters to the second bridge on S.R. 1736
- 6 North Fork Reddies River from the headwaters to the Union School bridge on S.R. 1559
- 7 Pike Creek
- 8 Pike Creek Pond
- 9 South Fork Reddies River from the S.R. 1355 bridge to the confluence with the Middle
- 10 Fork Reddies River
- 11 South Prong Lewis Fork from Fall Creek to the U.S. 421 bridge adjacent to the S.R. 1155
- 12 intersection
- 13 (C) Wild Trout Waters are as follows:
- 14 The waters located on Stone Mountain State Park, except East Prong Roaring River from
- 15 Bullhead Creek to the Stone Mountain State Park lower boundary where Delayed Harvest
- 16 Trout Waters regulations apply, and Stone Mountain Creek from the falls at the Alleghany
- 17 Co. line to the confluence with the East Prong Roaring River and Bullhead Creek in Stone
- 18 Mountain State Park where Delayed Harvest Trout Waters regulations apply
- 19 (25) Yancey County
- 20 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 21 South Toe River from the headwaters to Upper Creek
- 22 Upper Creek
- 23 (B) Delayed Harvest Trout Waters are as follows:
- 24 Cane River from Blackberry Ridge Rd. to the downstream boundary of Cane River County
- 25 Park
- 26 (C) Hatchery Supported Trout Waters are as follows:
- 27 Bald Mountain Creek, except where posted against trespassing
- 28 Cane River from Bee Branch, S.R. 1110, to Bowlens Creek
- 29 Price Creek from the junction of S.R. 1120 and S.R. 1121 to Indian Creek
- 30 South Toe River from Clear Creek to the lower boundary line of Yancey Co. Recreation
- 31 Park, except where posted against trespassing
- 32 (D) Wild Trout Waters are as follows:
- 33 Cattail Creek from the bridge at Mountain Farm Community Rd. to the N.C. 197 bridge
- 34 Lickskillet Creek
- 35 Middle Creek from the game land boundary to the mouth
- 36

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

1 *Eff. February 1, 1976;*
2 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
3 *October 1, 1992;*
4 *Temporary Amendment Eff. July 1, 1999;*
5 *Amended Eff. July 1, 2000;*
6 *Temporary Amendment Eff. July 1, 2001;*
7 *Temporary Amendment Eff. July 1, 2002;*
8 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*
9 *Temporary Amendment Eff. June 1, 2003;*
10 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
11 *2003);*
12 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*
13 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
14 *1, 2007; May 1, 2006; June 1, 2005;*
15 *Readopted Eff. August 1, 2019;*
16 *Amended Eff. August 1, 2023; August 1, 2022; August 1, 2021; August 1, 2020.*
17

1 **15A NCAC 10C .0208 SPAWNING AREAS**

2 (a) No person shall fish ~~by any method~~ from March 1 to May 31 in the following restored floodplain sloughs connected
3 to the French Broad River and Mud Creek in Henderson County:

4 (1) Slough 1 at 35.403687 N, 82.531970 W connected to the French Broad River, located 0.25 miles
5 upstream of Butler Bridge Rd ~~(SR-1345)~~. Rd. (S.R. 1345).

6 (2) Slough 2 at 35.398380 N, 82.528750 W connected to the French Broad River, located 1.0 miles
7 upstream of Butler Bridge Rd.

8 (3) Slough 3 at 35.396449 N, 82.525462 W connected to Mud Creek, located 0.1 miles upstream from
9 confluence with the French Broad River.

10 (4) Pleasant Grove slough at 35.298384 N, 82.584716 W connected to the French Broad River, located
11 0.25 miles upstream from S.R. 1205, Etowah School Road.

12 (b) Each slough shall be marked with signs on both banks.

13

14 *History Note: Authority G.S. 113-134; 113-292;*

15 *Eff. February 1, 1976;*

16 *Amended Eff. May 1, 2009; August 1, 2004; July 1, 1993; July 1, 1989; July 1, 1985; July 1, 1984;*

17 *Readopted Eff. October 1, 2022.*

18

1 **15A NCAC 10C .0305 LARGEMOUTH BASS**

2 (a) The daily creel limit for Largemouth Bass is five fish, except in waters identified in Paragraphs (d), (e), (f), (l),
3 (m), and (n) of this Rule.

4 (b) There is no minimum size limit for Largemouth Bass, but only two of them may be less than 14 inches except in
5 waters identified in Paragraphs (d) through (n) of this Rule.

6 (c) There is no closed season, except ~~for~~ in waters identified in Paragraph ~~(d)~~(n) of this Rule.

7 (d) In Lake Cammack in Alamance County, and Lake Holt in Granville County, the daily creel limit for Largemouth
8 Bass is 10 fish and no more than two fish greater than 14 inches may be possessed.

9 (e) In Lake Santeetlah in Graham County, there is no daily creel limit for Largemouth Bass and Smallmouth Bass
10 less than 14 inches. The daily creel limit for Largemouth Bass and Smallmouth Bass greater than 14 inches is five fish
11 in ~~the~~ aggregate.

12 (f) In Lake Chatuge in Clay County, the daily creel limit for Largemouth Bass, Smallmouth Bass, Alabama Bass, and
13 Spotted Bass is 10 fish in ~~the~~ aggregate. The minimum size limit for Largemouth Bass is 12 inches.

14 (g) The minimum size limit for Largemouth Bass is 14 inches in the ~~following:~~ following waters:

15 (1) Lake Raleigh in Wake County;

16 (2) Lake Sutton in New Hanover County;

17 (3) Pungo Lake in Washington and Hyde counties;

18 (4) New Lake in Hyde County; and

19 (5) Currituck, Roanoke, Croatan, Albemarle sounds, and ~~all~~ their tributaries, including Roanoke River
20 downstream of Roanoke Rapids Dam, Chowan River, Meherrin River, Yeopim River, Pasquotank
21 River, Perquimans River, Little River, Big Flatty Creek, North River, Northwest River,
22 Scuppernong River, Alligator River, including the Alligator/Pungo Canal east of the ~~NC~~ N.C. Hwy
23 264/45 bridge, and ~~all~~ the other associated tributaries and canals in these river systems.

24 (h) In Cane Creek Lake in Union County, and Buckhorn Reservoir in Wilson and Nash counties, the minimum size
25 limit for Largemouth Bass is 16 inches.

26 (i) In Lake Phelps in Tyrrell and Washington counties, the minimum size limit for Largemouth Bass is 14 inches, and
27 no fish between 16 and 20 inches may be possessed.

28 (j) In ~~Shearon Harris Reservoir in Chatham and Wake counties and~~ Lake Hampton in Yadkin County, there is no
29 minimum size limit for Largemouth ~~Bass, but only~~ Bass. No more than two Largemouth Bass less than 14 inches and
30 no Largemouth Bass between 16 and 20 inches may be possessed.

31 (k) In Lake Thom-A-Lex in Davidson County, the minimum size limit for Largemouth Bass is 18 inches.

32 (l) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia), the daily
33 creel limit for Largemouth Bass, Smallmouth Bass, and Spotted Bass is five fish in aggregate. There is no minimum
34 size limit for Largemouth Bass, but no fish between 14 and 22 inches in length may be possessed and ~~only~~ one
35 Largemouth Bass, Smallmouth Bass, or Spotted Bass greater than 22 inches may be possessed.

36 (m) In Lake Mattamuskeet and associated canals in Hyde County, the minimum size limit for Largemouth Bass is 16
37 inches and ~~only~~ one Largemouth Bass greater than 20 inches may be possessed.

1 (n) In Jean Guite Creek and associated canals within the Town of Southern Shores in Dare County and in the ponds
2 associated with Martin Marietta Park in Craven County, no Largemouth Bass may be possessed.

3
4 *History Note: Authority G.S. 113-134; 113-292;*
5 *Eff. February 1, 1976;*
6 *Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;*
7 *Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;*
8 *Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;*
9 *Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;*
10 *Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule*
11 *becomes effective, whichever is sooner;*
12 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;*
13 *Temporary Amendment Eff. November 1, 1998;*
14 *Amended Eff. April 1, 1999;*
15 *Temporary Amendment Eff. July 1, 1999;*
16 *Amended Eff. July 1, 2000;*
17 *Temporary Amendment Eff. July 1, 2001;*
18 *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*
19 *amendment effective July 1, 2002 and approved by RRC in May 2001];*
20 *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*
21 *Temporary Amendment Eff. June 1, 2003;*
22 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
23 *2003);*
24 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012;*
25 *March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,*
26 *2007; May 1, 2006; June 1, 2005;*
27 *Readopted Eff. August 1, 2019;*
28 *Amended Eff. March 15, 2023; August 1, 2021; August 1, 2020.*
29

1 **15A NCAC 10C .0306 CRAPPIE**

2 (a) There is no daily creel limit for Crappie, except ~~for~~ in waters identified in Paragraphs (d) through (h) of this Rule.

3 (b) There is no minimum size limit except in waters identified in Paragraphs (f) through (h) of this Rule.

4 (c) There is no closed season.

5 (d) In Buckhorn Reservoir in Wilson and Nash counties, the daily creel limit is 20 fish.

6 (e) In Lake Chatuge in Clay County, the daily creel limit is 30 fish.

7 (f) In the following waters, the daily creel limit is 20 fish and the minimum size limit is 10 inches:

8 (1) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

9 (2) Cashie River and its tributaries;

10 (3) Middle River and its tributaries;

11 (4) Eastmost River and its tributaries; and

12 (5) Lake Mattamuskeet in Hyde County.

13 (g) In the following waters, the daily creel limit is 20 fish and the minimum size limit is eight inches:

14 (1) Lake Norman;

15 (2) Lake Hyco;

16 ~~(3)~~ ~~Lake Ramseur;~~

17 ~~(4)~~(3) Cane Creek Lake in Union County;

18 ~~(5)~~(4) Lake Hampton in Yadkin County;

19 ~~(6)~~(5) Tar River downstream of Tar River Reservoir Dam including tributaries;

20 ~~(7)~~(6) Neuse River downstream of Falls Lake Dam including tributaries;

21 ~~(8)~~(7) Haw River downstream of B. Everett Jordan Reservoir Dam including tributaries;

22 ~~(9)~~(8) Deep River downstream of Lockville Dam including tributaries;

23 ~~(10)~~(9) Cape Fear River including tributaries;

24 ~~(11)~~(10) Waccamaw River downstream of Lake Waccamaw Dam including tributaries;

25 ~~(12)~~(11) Lumber River including Drowning Creek including tributaries;

26 ~~(13)~~(12) public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake
27 in New Hanover County, and waters listed in Paragraph (f) of this Rule;

28 ~~(14)~~(13) public waters west of Interstate 77, except Lake Chatuge; and

29 ~~(15)~~(14) B. Everett Jordan Reservoir.

30 (h) In John H. Kerr Reservoir, the daily creel limit is 25 fish and the minimum size limit is nine inches.

31

32 *History Note: Authority G.S. 113-134; 113-292;*

33 *Eff. November 1, 2013;*

34 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015;*

35 *Readopted Eff. August 1, 2019;*

36 *Amended Eff. August 1, 2023; March 15, 2023; August 1, 2020.*

37

1 **15A NCAC 10C .0307 FLOUNDER**

2 (a) The daily creel limit for flounder is ~~four~~ one fish.

3 (b) The minimum size limit is 15 inches.

4 (c) The season for taking and possessing flounder is September 1 through September 14.

5

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

7 *Eff. November 1, 2013;*

8 *Readopted Eff. October 1, 2021;*

9 *Temporary Amendment Eff. September 1, 2022;*

10 *Amended Eff. March 15, 2023.*

11

1 **15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD**

2 (a) The daily creel limit for American and ~~hickory shad~~ Hickory Shad in the aggregate is 10 fish, only one of which
3 may be an American ~~shad~~, Shad, except for waters identified in Paragraphs (d) through (f) of this Rule.

4 (b) There is no minimum size limit.

5 (c) There is no closed season, except for waters identified in Paragraph (g) of this Rule.

6 (d) In the inland waters of the Tar-Pamlico River, Pungo River, Pee Dee River, and their tributaries, the daily creel
7 limit for American and ~~hickory shad~~ Hickory Shad is 10 in the aggregate.

8 (e) In the inland waters of the Cape Fear River and its tributaries, the daily creel limit for American and ~~hickory shad~~
9 Hickory Shad is 10 in the aggregate, only five of which may be American ~~shad~~, Shad.

10 (f) In ~~all~~ public waters of the Roanoke River upstream of Roanoke Rapids Dam, including Roanoke Rapids Reservoir,
11 Lake ~~Gaston~~ Gaston, and John H. Kerr Reservoir, and their tributaries, and in public waters of the Yadkin-Pee Dee
12 River upstream of Blewett Falls Dam, including Blewett Falls Reservoir, and its tributaries, no American ~~shad~~ Shad
13 may be possessed.

14 (g) The season for taking American and ~~hickory shad~~ Hickory Shad with dip nets and bow nets is March 1 through
15 April 30.

16
17 *History Note: Authority G.S. 113-134; 113-292;*
18 *Eff. November 1, 2013;*
19 *Readopted Eff. August 1, 2019;*
20 *Amended Eff. March 15, 2023.*
21

1 **15A NCAC 10C .0314 STRIPED BASS**

2 (a) The daily creel limit for striped bass and its hybrids is four fish in ~~the~~ aggregate, except in waters identified in
3 Paragraphs (d) and (g) through ~~(m)~~(l) of this Rule.

4 (b) The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (d) through ~~(m)~~(l) of
5 this Rule.

6 (c) There is no closed season, except for waters identified in Paragraphs (i) through ~~(m)~~(l) of this Rule.

7 (d) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA
8 and in John H. Kerr Reservoir, the daily creel limit on striped bass and its hybrids is two in ~~the~~ aggregate and the
9 minimum size limit is 20 inches. No fish greater than 26 inches may be possessed from October 1 through May 31.
10 From June 1 through September 30, the daily creel limit ~~on~~ for striped bass and its hybrids is four in ~~the~~ aggregate
11 with no minimum size limit.

12 (e) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for striped bass and its hybrids is 20 inches
13 from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.

14 (f) In Farmer Lake, Hyco Lake, Moss Lake, ~~Mountain Island Reservoir~~, Oak Hollow Lake, ~~Lake Thom A Lex~~, Lake
15 Townsend, and Salem Lake the minimum size limit for striped bass and its hybrids is 16 inches.

16 (g) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, ~~but~~
17 only and two may be greater than 22 inches.

18 (h) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to
19 the South Carolina state line, the daily creel limit for striped bass and its hybrids is three fish in ~~the~~ aggregate, and the
20 minimum size limit is 18 inches.

21 ~~(i) In the inland fishing waters of Neuse, Pungo, and Tar Pamlico rivers and their tributaries extending upstream to
22 the first impoundment of the main course on the river or its tributaries, and in the other inland fishing waters east of
23 Interstate 95 not specified in Paragraphs (h) and (j) through (l) of this Rule, the daily creel limit for striped bass and
24 its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and
25 possessing striped bass is closed from May 1 through September 30.~~

26 ~~(j)~~(i) In the inland fishing waters of the Tar, Pungo, Neuse, and Cape Fear River rivers and its their tributaries
27 ~~downstream of Buekhorn Dam extending upstream to the first impoundment of the main course on the river or its~~
28 tributaries tributaries, in other inland fishing waters east of Interstate 95 not specified in Paragraphs h, j, and k, and
29 in the ponds associated with Martin Marietta Park in Craven County, the season for taking and possessing striped bass
30 is closed year-round.

31 ~~(k)~~(j) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in
32 15A NCAC 03R .0201 and identified in 15A NCAC 10C .0110 which includes the Roanoke, Cashie, Middle, and
33 Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and its hybrids is March
34 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids
35 Lake Dam. During the open season, the daily creel limit for striped bass and its hybrids is one fish in ~~the~~ aggregate,
36 and the minimum size limit is 18 inches. No fish over 22 inches in length shall be ~~possessed in the daily creel limit.~~
37 possessed.

1 ~~(k)~~ In designated inland and joint fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan
2 River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries, excluding the Roanoke River and
3 Cashie River and their tributaries, the striped bass fishing season, size limits, and creel limits are the same as those
4 established by rules or proclamations of the Marine Fisheries Commission in adjacent coastal fishing waters.

5 ~~(m)~~(l) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend or extend the hook-
6 and-line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to
7 violate the provisions of a proclamation issued pursuant to this authority.

8

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

10 *Eff. November 1, 2013;*

11 *Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*

12 *Readopted Eff. August 1, 2019;*

13 *Amended Eff. August 1, 2021; August 1, 2020;*

14 *Temporary Amendment Eff. November 30, 2021;*

15 *Amended Eff. August 1, 2022;*

16 *Temporary Amendment Eff. September 1, 2022;*

17 *Amended Eff. August 1, 2023; March 15, 2023.*

18

1 **15A NCAC 10C .0316 MOUNTAIN TROUT**

2 (a) The daily creel limit for trout in Hatchery-Supported Trout Waters is seven fish. There is no minimum size limit
3 for these fish. The open season is from 7 a.m. on the first Saturday in April until March 1, except for waters designated
4 in Paragraph (g) of this Rule.

5 (b) The daily creel limit for trout in Wild Trout Waters ~~and Wild Trout/Natural Bait Trout Waters~~ is four fish. The
6 minimum size limit for these fish is seven inches. There is no closed season.

7 (c) No trout may be harvested from Catch and Release/Artificial Flies and Lures Only Trout Waters. Trout ~~may~~ shall
8 not be possessed while fishing these waters.

9 (d) The daily creel limit for trout in Delayed Harvest Trout Waters is seven fish. There is no minimum size limit for
10 these fish. The Youth-only Delayed Harvest Trout Water Season is from 6 a.m. on the first Saturday in June until 12
11 p.m. that same day. During this season ~~only~~ individuals under the age of 18 may fish. From 12 p.m. on the first
12 Saturday in June until September 30, the Delayed Harvest Trout Waters Season is open for ~~all~~ anglers. From October
13 1 to one-half hour after sunset on the Friday before the first Saturday in June, trout ~~may~~ shall not be harvested or
14 possessed while fishing these waters. Delayed Harvest Trout Waters are closed to ~~all~~ fishing from one-half hour after
15 sunset on the Friday before the first Saturday in June to 6 a.m. on the first Saturday in June.

16 (e) The daily creel limits, size limits, and seasons for trout in Special Regulation Trout Waters are as follows:

17 (1) Apalachia Reservoir (Cherokee County) the daily creel limit is three trout. There is no minimum
18 size limit, but only one may be greater than 14 inches. There is no closed season.

19 (2) Catawba River (Burke County) from Muddy Creek to the City of Morganton water intake dam the
20 daily creel limit is two fish. The minimum size limit is 14 inches. There is no closed season.

21 (f) The daily creel limit for trout in undesignated trout waters is seven fish. There is no minimum size limit for these
22 fish.

23 (g) There is no closed season on taking trout from Linville River within Linville Gorge Wilderness Area and the
24 impounded waters of the following power reservoirs and municipally-owned water supply reservoirs open to the
25 public for fishing.

26 (1) Bear Creek Lake;

27 (2) Buckeye Creek Reservoir;

28 (3) Calderwood Reservoir;

29 (4) Cedar Cliff Lake;

30 (5) Cheoah Reservoir;

31 (6) Cliffside Lake;

32 (7) Tanassee Creek Lake;

33 (8) Queens Creek Lake; and

34 (9) Wolf Lake.

35 (h) In designated Public Mountain Trout Waters the season for taking all species of fish is the same as the trout fishing
36 season.

37 (i) ~~All trout~~ Trout water designations and manners of take are set forth in 15A NCAC 10C .0205.

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History Note: Authority G.S. 113-134; 113-292;
Eff. November 1, 2013;
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2015;
Readopted Eff. August 1, 2019;
Amended Eff. August 1, 2021; August 1, 2020.

1 SECTION .0800 JOINT FISHING WATERS

2
3 15A NCAC 10C .0801 INLAND GAME FISHES DESIGNATED IN JOINT FISHING WATERS

4 (a) For the purposes of this Rule, the following fishes are classified and designated as inland game fishes in joint
5 fishing waters:

- 6 (1) Alabama bass, largemouth bass, redeye bass, smallmouth bass, and spotted bass;
7 (2) black crappie and white crappie;
8 (3) chain pickerel (jack), muskellunge, and redbfin pickerel;
9 (4) kokanee salmon;
10 (5) mountain trout, including but not limited to brook trout, brown trout, and rainbow trout;
11 (6) Roanoke bass and rock bass (redeye);
12 (7) sauger and walleye; and
13 (8) sunfish, including bluegill (bream), flier, pumpkinseed, redbreast (robin), redear (shellcracker),
14 warmouth, and the other species of the sunfish family (Centrarchidae) not specifically listed in this
15 Rule.

16 (b) Inland game fishes shall not be taken by methods other than with hook and line, except that landing nets may be
17 used to land fishes caught on hook and line.

18 (c) Size, creel limits, and seasons for inland game fishes in joint fishing waters shall be the same as those designated
19 in Section .0300 for inland fishing waters.

20 (d) Inland game fishes taken incidental to commercial fishing operations shall be immediately returned to the water
21 unharmed.

22 (e) Inland game fishes taken from joint fishing waters shall not be sold.

23 (f) Individuals may take up to the daily creel limit of those species of inland game fish having a specified creel limit.

24 (g) On the waters being fished, individuals may possess:

- 25 (1) the specified daily creel limit for the [species; species; and
26 (2) fish conforming to the size limit for the [species; and] species.
27 [3] — the daily creel limit while fishing or afield.]

28 (h) Individuals may possess [up to three days creel limit at any place;] the daily creel limit while fishing or afield and
29 up to three days creel limit at any other place.

30 (i) No person, while fishing or afield, shall:

- 31 (1) unnecessarily destroy any inland game fish taken from public fishing waters;
32 (2) remove the head or tail or otherwise change the appearance of a game fish having a size limit to
33 render it impracticable to measure its total original length; or
34 (3) change the appearance of a game fish having a daily creel limit to obscure its identification or render
35 it impracticable to count the number of fish in possession.

36
37 History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-292;

1 15A NCAC 10C .0802 TAKING AND POSSESSION OF OTHER FISHES BY HOOK AND LINE IN
2 JOINT FISHING WATERS

3 (a) This Rule applies to fish taken by hook and line in joint fishing waters, excluding the species listed in 15A NCAC
4 10C .0801.

5 (b) Landing nets may be used to land fishes caught on hook and line.

6 (c) Set hooks, jug hooks, and trotlines may be used as designated in 15A NCAC 10C .0206 to take fishes in joint
7 fishing waters.

8 (d) Size, creel limits, and seasons for fishes taken by hook and line in joint fishing waters shall be the same as those
9 designated in Sections .0300 and .0400 for inland fishing waters with the following exceptions:

10 (1) In the joint fishing waters of the Tar-Pamlico River, Pungo River, and their tributaries, the daily
11 creel limit for American and Hickory Shad is 10 in aggregate.

12 (2) In the joint fishing waters of the Cape Fear River and its tributaries, the daily creel limit for
13 American and Hickory Shad is 10 in aggregate, five of which may be American Shad.

14 (3) In the joint fishing waters of the Central Southern Management Area, as identified in 15A NCAC
15 03R .0201, size, creel limits, and seasons for striped bass and its hybrids are listed in 15A NCAC
16 10C .0107.

17 (4) In the joint fishing waters of the Roanoke River Striped Bass Management Area, as identified in
18 15A NCAC 10C .0110(a)(2), which includes the Roanoke, Cashie, Middle, and Eastmost rivers and
19 their tributaries, the open season for taking and possessing Striped Bass and its hybrids is March 1
20 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to
21 Roanoke Rapids Lake dam. ~~During the open season, the daily creel limit for Striped Bass and its~~
22 hybrids is two fish in aggregate, and the minimum size limit is 18 inches. No fish between 22 inches
23 and 27 inches in length shall be possessed in the daily creel limit. One fish larger than 27 inches
24 may be possessed in the daily creel limit. During the open season, the daily creel limit for striped
25 bass and its hybrids is one fish in aggregate, and the minimum size limit is 18 inches. No fish over
26 22 inches in length shall be possessed in the daily creel limit.

27 (5) In designated inland and joint fishing waters of the Albemarle Sound Management Area, as
28 identified in 15A NCAC 10C .0110(a)(1), the Striped Bass fishing season, size limits, and creel
29 limits are the same as those established by rules or proclamations of the Marine Fisheries
30 Commission in adjacent coastal fishing waters.

31 (e) Fishes taken by hook and line in joint fishing waters may be sold except those fishes for which the sale is prohibited
32 in Sections .0300 and .0400 for inland fishing waters.

33 (f) For fishes taken by hook and line in joint fishing waters, individuals may take up to the daily creel limit of fish
34 having a specified creel limit.

35 (g) On the waters being fished, individuals may possess:

36 (1) the specified daily creel limit for the ~~species;~~ species; and

37 (2) fish conforming to the size limit for the ~~species; and~~ species.

1 ~~[(3) — the daily creel limit while fishing or afield.]~~

2 (h) Individuals may possess ~~[up to three days creel limit at any place.]~~ the daily creel limit while fishing or afield and
3 up to three days creel limit at any other place.

4 (i) No person, while fishing or afield, shall:

5 (1) remove the head or tail or change the appearance of a fish taken by hook and line specified in
6 Sections .0300 or .0400 as having a size limit, to render it impractical to measure its total original
7 length, except for American Eel as provided in 15A NCAC 10C .0410.

8 (2) change the appearance of a fish taken by hook and line that has a species-specific daily creel limit
9 in Sections .0300 or .0400, to obscure its identification or render it impractical to count the number
10 of fish in possession, except for American Eel as provided in 15A NCAC 10C .0410.

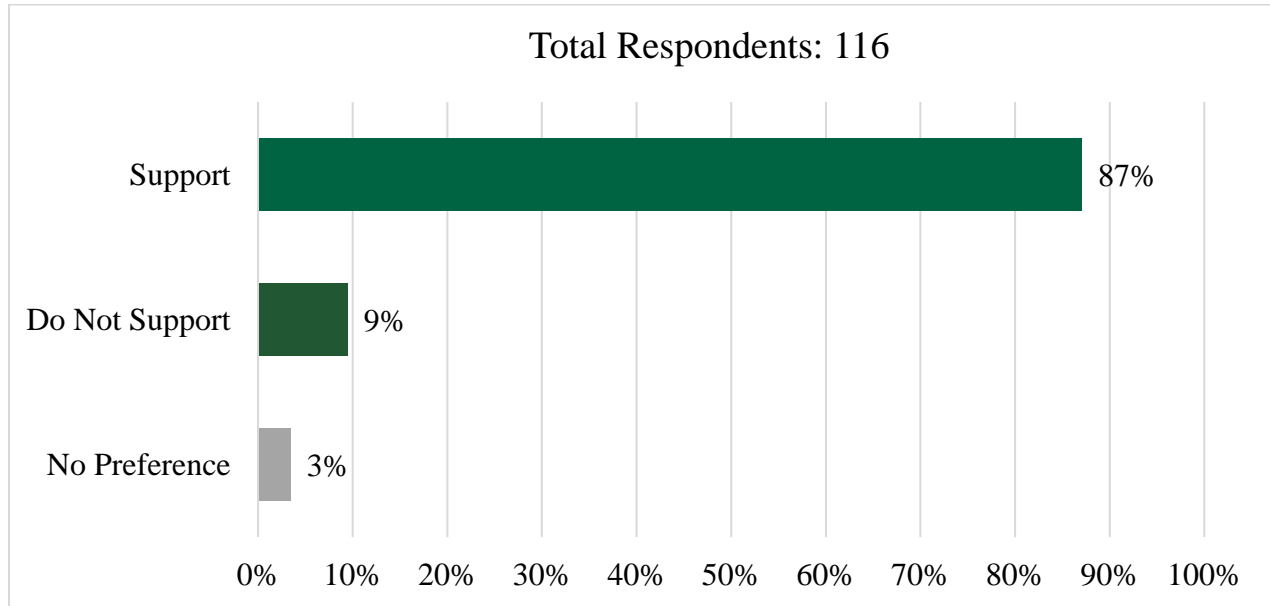
11
12 *History Note: Authority G.S. 11 3-134; 11 3-135; 11 3-135.1; 11 3-292;*

13

Exhibit E-1

Summary of Public Comments on Proposed Changes to Land and Water Access Rules for 2024-2025

G1 – Update the rule language from “under the influence of alcohol or any narcotic drug” to “under the influence of an impairing substance” as defined by North Carolina General Statute 20-4.01(48b) to allow Law Enforcement to enforce the rule more effectively.

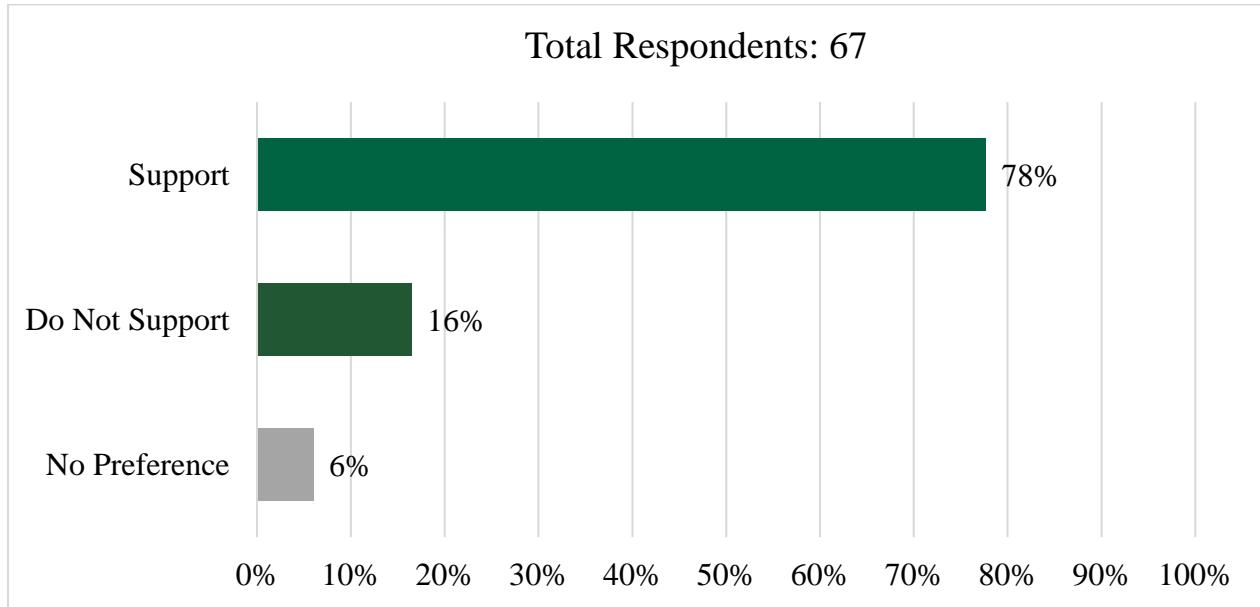


NOTE: Total % < 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	3	5	3	3	8	7	3	17	46	2	4	101
Do Not Support	1	2	0	0	0	0	0	0	6	1	1	11
No Preference	0	1	1	0	0	0	1	0	1	0	0	4
Total	4	8	4	3	8	7	4	17	53	3	5	116

Summary of Public Comments on Proposed Changes to
Land and Water Access Rules for 2024-2025

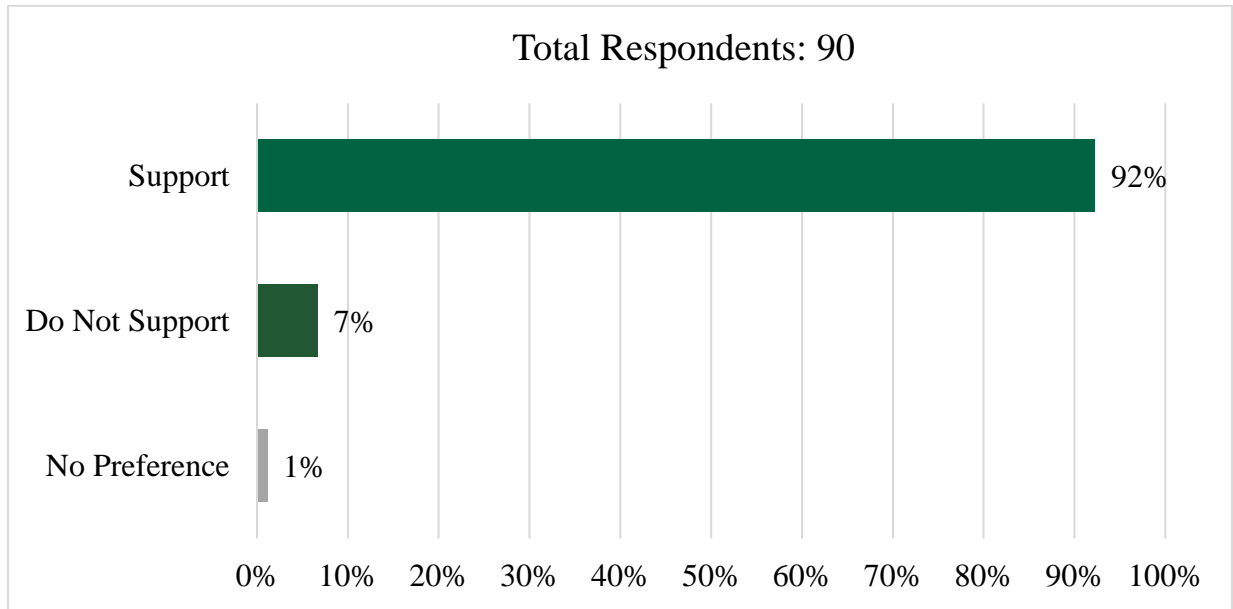
G2 – Prohibit target shooting on Dover Bay Game Land.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	0	2	3	0	2	3	1	7	30	0	4	52
Do Not Support	1	2	0	0	1	2	1	2	2	0	0	11
No Preference	0	0	1	1	0	0	1	0	1	0	0	4
Total	1	4	4	1	3	5	3	9	33	0	4	67

Summary of Public Comments on Proposed Changes to
Land and Water Access Rules for 2024-2025

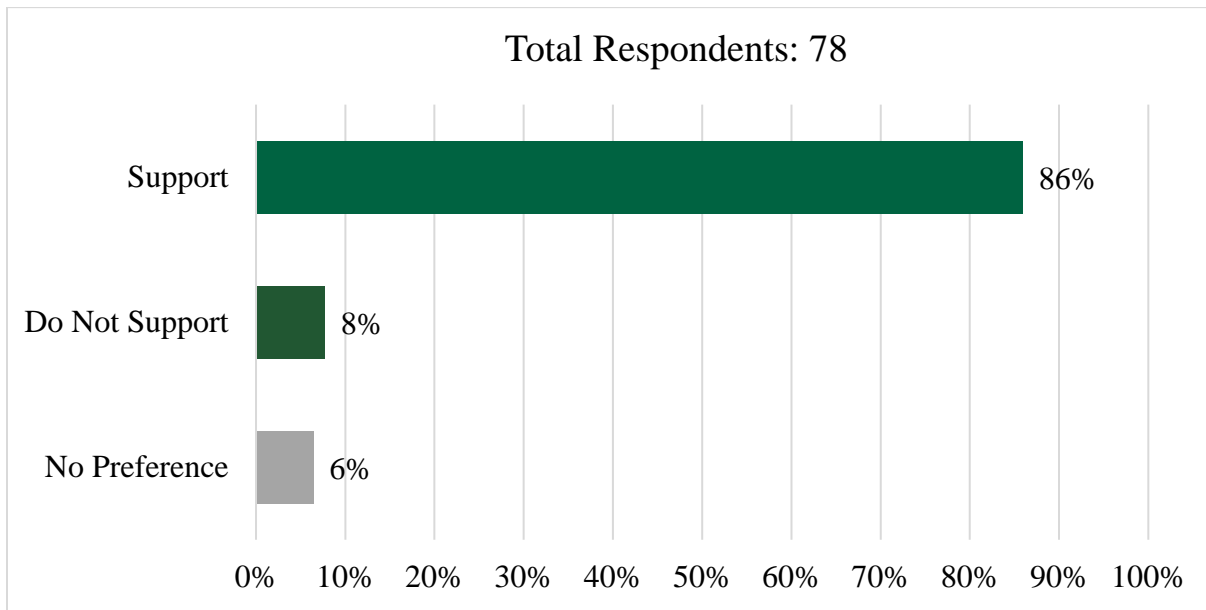
G3 – Restrict recreational and mountain biking on the Chatham, Harris, and Lee game lands. Hunters engaged in the act of hunting will be permitted to use bicycles on these properties.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	3	5	2	9	4	3	11	41	1	3	83
Do Not Support	0	1	0	0	0	0	0	0	5	0	0	6
No Preference	0	0	0	0	0	0	1	0	0	0	0	1
Total	1	4	5	2	9	4	4	11	46	1	3	90

Summary of Public Comments on Proposed Changes to
Land and Water Access Rules for 2024-2025

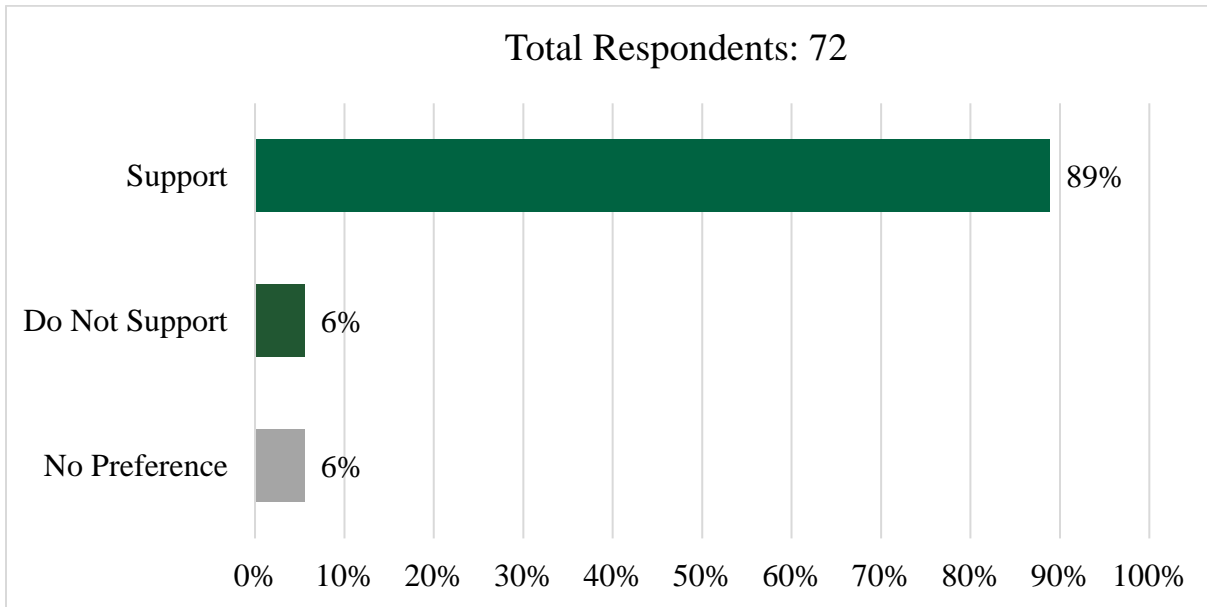
G4 – Establish a “Scouting-only Zone” on North River Game Land for waterfowl impoundments to limit the disturbance to migrating and wintering waterfowl, shorebirds, and wading birds.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	3	3	4	0	2	3	2	8	38	0	4	67
Do Not Support	0	0	0	1	2	0	0	1	1	1	0	6
No Preference	1	0	1	0	0	2	1	0	0	0	0	5
Total	4	3	5	1	4	5	3	9	39	1	4	78

Summary of Public Comments on Proposed Changes to
Land and Water Access Rules for 2024-2025

G5 – Restrict camping at designated camping areas on Thurmond-Chatham Game Land to September 1 through the last day of February and March 31 through May 14.

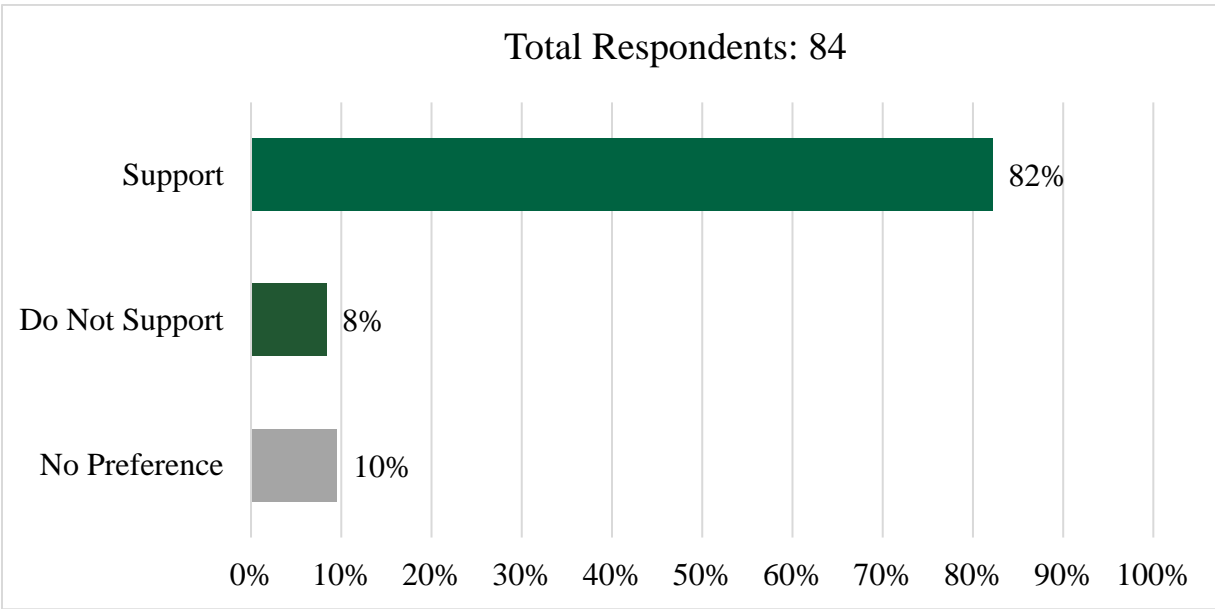


NOTE: Total % > 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	1	4	1	5	4	4	11	30	0	3	64
Do Not Support	0	2	0	0	0	1	0	0	1	0	0	4
No Preference	0	0	0	1	0	0	1	1	1	0	0	4
Total	1	3	4	2	5	5	5	12	32	0	3	72

Summary of Public Comments on Proposed Changes to
Land and Water Access Rules for 2024-2025

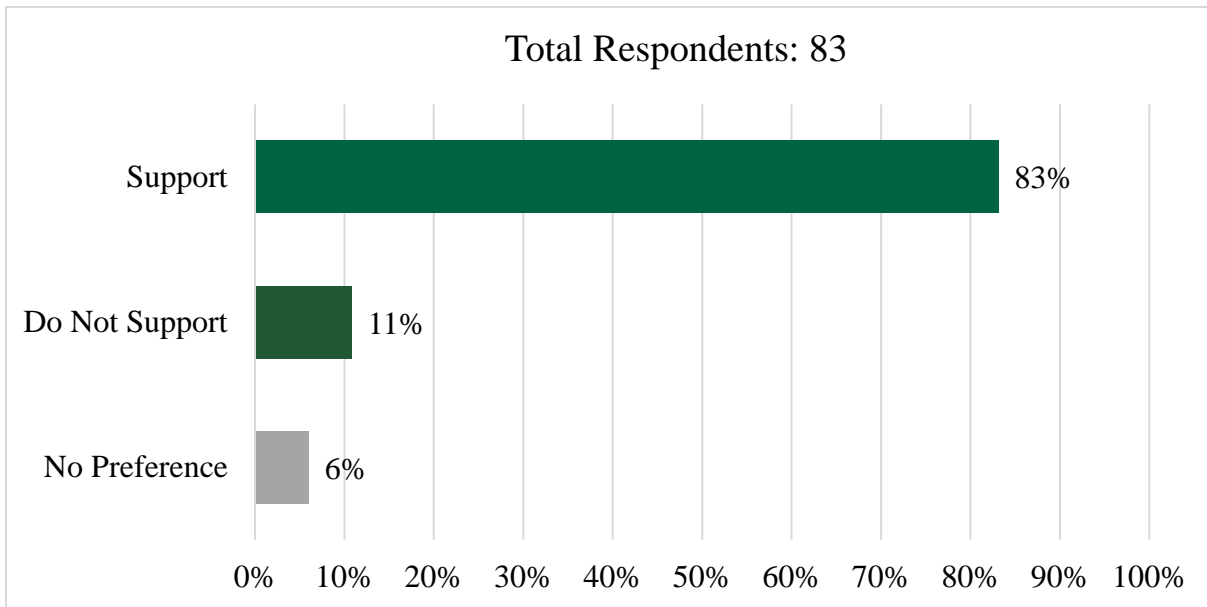
G6 – Change the Gun Antlered or Antlerless Season in the Montgomery County portions of the Yadkin River Game Land from moderate to maximum.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	3	4	1	5	5	5	12	30	0	3	69
Do Not Support	0	0	0	0	0	0	0	0	7	0	0	7
No Preference	0	0	0	1	0	2	3	1	1	0	0	8
Total	1	3	4	2	5	7	8	13	38	0	3	84

Summary of Public Comments on Proposed Changes to
Land and Water Access Rules for 2024-2025

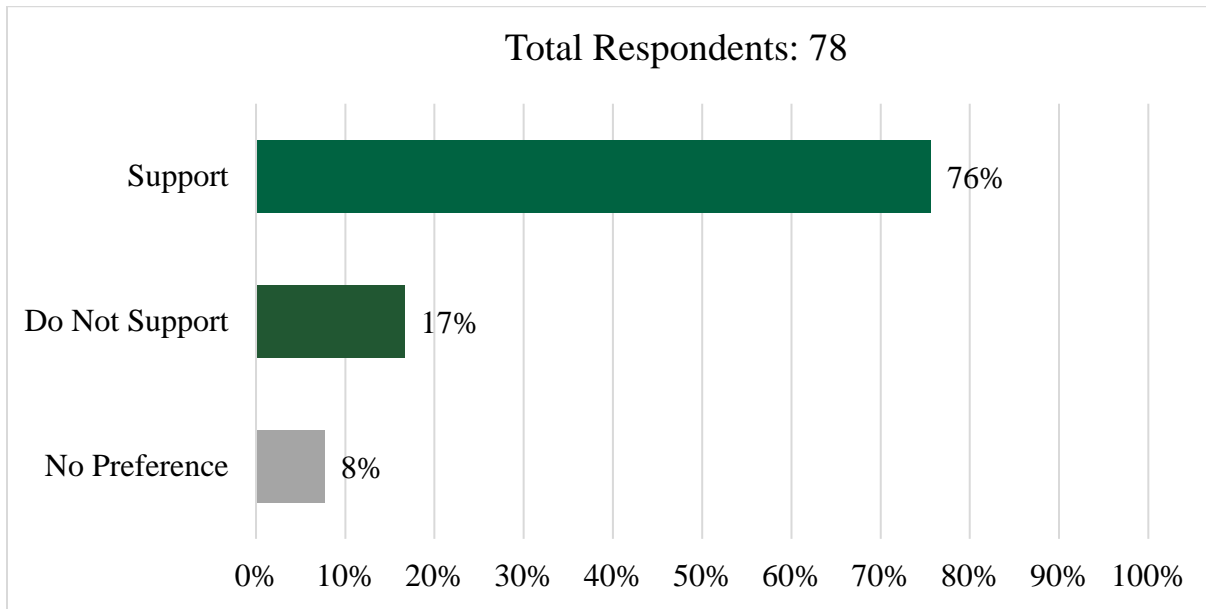
G7 – Define the 4,830-acre portion of the R. Wayne Bailey-Caswell Game Land, as the Caswell Small Game Focal Area (CSGFA). The CSGFA will be a draw permit only for all quail and woodcock hunting and point-of-sale permit only for rabbit and squirrel hunting outside the normal three days per week framework. Hunting for big game and small game will still be allowed during the regular hunt days (Mondays, Wednesdays, and Saturdays) without a permit, except for quail and woodcock hunting.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	0	4	4	0	6	5	3	8	36	0	3	69
Do Not Support	1	0	1	1	1	0	0	2	3	0	0	9
No Preference	0	0	1	1	0	0	1	1	1	0	0	5
Total	1	4	6	2	7	5	4	11	40	0	3	83

Summary of Public Comments on Proposed Changes to
Land and Water Access Rules for 2024-2025

G8 – Add the North Bend Game Land to the Northern Mountain Region Game Land Program as a hunting by permit only game land.



NOTE: Total % > 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	4	4	0	2	3	2	9	32	0	2	59
Do Not Support	1	0	0	0	1	1	0	2	8	0	0	13
No Preference	0	0	1	1	0	1	1	0	1	0	1	6
Total	2	4	5	1	3	5	3	11	41	0	3	78

EXHIBIT E-2

February 22, 2024



Proposed Amendments to Land and Water Access Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Adoption

Use of Game Lands

G1. 15A NCAC 10D .0103

Update the rule language from “under the influence of alcohol or any narcotic drug” to “under the influence of an impairing substance” as defined by North Carolina General Statute 20-4.01(48b) to allow Law Enforcement to enforce the rule more effectively.

Justification: Wildlife Law Enforcement Officers routinely encounter individuals hunting on game lands that are under the influence of impairing substances other than those categorized as alcohol or narcotic drugs. Officers have encountered numerous subjects impaired due to marijuana use. Under G.S. 90-87, marijuana is not defined as a narcotic drug; therefore, officers are currently unable to charge these individuals for hunting while under the influence. Additionally, many other drugs exist that are not defined per General Statute as narcotic drugs. Changing the language to "under the influence of an impairing substance" will allow officers to enforce this rule more effectively. G.S. 20-4.01(14a) defines an impairing substance as, "Alcohol, controlled substance under Chapter 90 of the General Statutes, any other drug or psychoactive substance capable of impairing a person's physical or mental faculties, or any combination of these substances."

15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS (PG. 4-7)

G2. 15A NCAC 10D .0225

Prohibit target shooting on Dover Bay Game Land.

Justification: Opportunities currently exist for target shooting at alternative sites appropriately constructed and monitored to provide a safe environment for participants. Dover Bay Game Land is within 52 miles of the Holly Shelter Shooting Range. This change is consistent with other game lands where target shooting is prohibited within an acceptable radius of shooting ranges. Additionally, target shooting at this game land routinely occurs at or near the parking area, which increases potential conflict between hunters and target shooters.

15A NCAC 10D .0225 DOVER BAY GAME LAND IN CRAVEN COUNTY (PG. 10)

G3. 15A NCAC 10D .0216, .0233, .0245

Restrict recreational and mountain biking on the Chatham, Harris, and Lee game lands. Hunters engaged in the act of hunting will be permitted to use bicycles on these properties.

Justification: Duke Energy, the landowner, requested the prohibition of recreational cycling on these properties. They have experienced a substantial increase in mountain biking and the associated unauthorized trail making, bridge building, creek crossing, and cycling obstacle infrastructure creation in recent years on these properties. Mountain biking has led to ecological damage and potential liabilities on the Harris Game Land.

15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY (PG. 9)

15A NCAC 10D .0233 HARRIS GAME LAND IN CHATHAM, HARNETT, AND WAKE COUNTIES (PG. 11)

15A NCAC 10D .0245 LEE GAME LAND IN LEE COUNTY (PG. 12)

G4. 15A NCAC 10D .0256

Establish a “Scouting-only Zone” on North River Game Land for waterfowl impoundments to limit the disturbance to migrating and wintering waterfowl, shorebirds, and wading birds.

Justification: A “Scouting-only Zone” is a tool used to manage non-hunting and trapping activities on waterfowl impoundments to decrease disturbances during the migration and wintering periods. The North River Game Land posted waterfowl impoundments have significant human disturbances including people walking the dikes of the impoundments and interfering with permitted hunts during the migration and wintering periods. Human presence is a disturbance that most waterfowl species do not tolerate, and they will flee the area. To mitigate this issue, an observation tower adjacent to the parking area near the impoundments will be installed, to provide opportunities to view the posted waterfowl impoundments, while limiting the disturbance. The Scouting-only Zone will be limited to the observation tower from November 1 through March 15. Outside of these dates, the area will be open to public use. This Scouting-only Zone will reduce the amount of disturbance to waterfowl, provide a higher quality hunt for permitted waterfowl hunters, and better align management of the posted waterfowl impoundments with the guidelines of the Federal grant used to create the site.

15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK COUNTIES (PG. 13)

G5. 15A NCAC 10D .0283

Restrict camping at designated camping areas on Thurmond-Chatham Game Land to September 1 through the last day of February and March 31 through May 14.

Justification: The use of camping areas by non-licensed individuals has increased substantially over the years, both during and outside the hunting seasons. Law Enforcement routinely encounter violations including illegal drugs, littering, indecent exposure, and extended camping. Trash, tents, drug paraphernalia, and human waste pose a safety issue for staff and other users. Restricting camping to dates within the hunting seasons will limit use and undesirable activity, decrease the required maintenance at these areas, and make camping on this game land consistent with other game lands.

15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES COUNTIES (PG. 14)

Hunting Season Changes

G6. 15A NCAC 10D .0293

Change the Gun Antlered or Antlerless Season in the Montgomery County portions of the Yadkin River Game Land from moderate to maximum.

Justification: This change aligns the Montgomery County portion of the Yadkin River Game Land with the rest of the game land and aligns Antlered or Antlerless Season dates with surrounding private land seasons.

15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY, ROWAN, AND STANLY COUNTIES (PG. 15)

Establishment of Game Lands

G7. 15A NCAC 10D .0215

Define the 4,830-acre portion of the R. Wayne Bailey-Caswell Game Land, as the Caswell Small Game Focal Area (CSGFA). The CSGFA will be a draw permit only for all quail and woodcock hunting and point-of-sale permit only for rabbit and squirrel hunting outside the normal three days per week framework. Hunting for big game and small game will still be allowed during the regular hunt days (Mondays, Wednesdays, and Saturdays) without a permit, except for quail and woodcock hunting.

Justification: It is imperative that the boundaries of the new CSGFA be conspicuously posted on the ground and the geographic area be defined in rule. This designation will inform constituents of hunting opportunities and allow Law Enforcement to enforce the rules.

15A NCAC 10D .0215 WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY (PG. 8)

G8. 15A NCAC 10D .0294

Add the North Bend Game Land to the Northern Mountain Region Game Land Program as a hunting by permit only game land.

Justification: The Commission acquired 1,225 acres from Duke Energy below Lake James in Burke County. The North Bend Game Land has proximity to multiple residences, portions of the Overmountain National Historic and Fonta Flora Trails, and is a hunting by permit only acquisition. North Bend will provide unique, quality opportunities, and serve user groups from surrounding municipalities such as Marion and Morganton.

15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY (PG. 16)

1 **15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS**

2 (a) The following shall be prohibited on game lands:

- 3 (1) hunting on a designated game land while under the influence of ~~alcohol or a narcotic drug~~; an
4 impairing substance, as defined by G.S. 20-4.01(48b);
5 (2) failing to comply with restrictions enacted by the National Park Service regarding the use of the
6 Blue Ridge Parkway where it adjoins game lands;
7 (3) parking a vehicle on game lands in a manner that blocks traffic or gates, or prevents vehicles from
8 using a roadway; and
9 (4) erecting or occupying a tree stand or platform attached by nails, screws, bolts, or to a tree on a game
10 land to hunt. This prohibition does not apply to lag-screw steps or portable stands that are removed
11 after use with no metal remaining in or attached to the tree.

12 (b) Unless allowed by permit, hunting on game lands shall be during the open season for game animals and game
13 birds.

14 (c) Individual game lands or parts of game lands may be closed to hunting or limited to specific dates by this
15 Subchapter.

16 (d) Persons shall hunt with weapons lawful for the open game animal or game bird seasons.

17 (e) On managed waterfowl impoundments, persons shall:

- 18 (1) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;
19 (2) not hunt after 1:00 p.m. on the permitted hunting dates;
20 (3) not set decoys out prior to 4:00 a.m.;
21 (4) remove decoys by 3:00 p.m. daily; and
22 (5) not operate a vessel or vehicle powered by an internal combustion engine.

23 (f) On Sundays, the following shall be prohibited:

- 24 (1) hunting with a firearm between 9:30 a.m. and 12:30 p.m.;
25 (2) the use of a firearm to take deer that are run or chased by dogs;
26 (3) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-
27 54.1(b), or an accessory structure thereof; and
28 (4) hunting migratory game birds.

29 (g) On designated Youth Waterfowl ~~Days~~ Days, the following shall apply:

- 30 (1) hunting on managed waterfowl impoundments shall be from one-half hour before sunrise to sunset;
31 (2) Subparagraphs (e)(1), (e)(3), and (e)(5) of this Rule; and
32 (3) youth may hunt on a game land and on an impoundment without a special hunt permit, including
33 permit-only areas, except where prohibited in Paragraph (a) of this Rule.

34 (h) On designated Veterans and Military Waterfowl Days veterans, as defined in 38 USC 101, and members of the
35 Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for
36 training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from
37 one-half hour before sunrise to sunset. Subparagraphs (e)(1), (e)(3), and (e)(5) of this Rule shall apply.

1 (i) On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and
2 waterfowl hunting on designated waterfowl hunting days are the activities allowed on the portion of the impoundment
3 outside of the posted "Scouting-only Zone."

4 (j) Definitions:

5 (1) For purposes of this Subchapter, "Dove Only Area" refers to a Game Land on which doves may be
6 taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day,
7 Christmas Day, and New Year's Days within the federally-announced season.

8 (2) For purposes of this Subchapter, "Three Days per Week Area" refers to a Game Land on which
9 game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays,
10 Saturdays, Thanksgiving Day, Christmas Day, Veterans Day, Martin Luther King Day, and New
11 Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays,
12 Thursday, and Fridays. Hunting is not allowed on Christmas Day, Veterans Day, and New Year's
13 Day when these holidays fall on Sunday. Falconry may also be practiced on Sundays. These "open
14 days" also apply to antlerless deer hunting seasons listed for each game land. Raccoon and opossum
15 hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight
16 on Saturdays.

17 (3) For purposes of this Subchapter, "Six Days per Week Area" refers to a Game Land on which game
18 may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday
19 during the open seasons. Falconry may be practiced on Sundays.

20 (4) For purposes of this Subchapter, "Seven Days per Week Area" refers to a Game Land on which
21 game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays,
22 Fridays, Saturdays, and Sundays.

23 (5) For purposes of this Subchapter, "Four Days per Week Area" refers to a Game Land on which game
24 may be taken during the open seasons and hunting is limited to Tuesdays, Thursdays, Saturdays,
25 Sundays, Labor Day, Veterans Day, Christmas Day, New Year's Day, and Martin Luther King Day.
26 Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays,
27 and 7:00 a.m. on Mondays.

28 (6) For purposes of this Subchapter, "Permit" means a written authorization from the Commission
29 required for take or other activities listed on the permit during open seasons, if applicable, in a
30 specified area and subject to annual limitations imposed by the Commission to meet wildlife, hunter,
31 or land management objectives, unless otherwise specified. Individuals may apply for available
32 permits online at ncwildlife.org, by phone, or in person at a wildlife service agent location. The
33 Commission shall issue permits to applicants selected at random by computer in accordance with
34 G.S. 113-264. Permits shall be non-transferrable. The laws and rules regarding the species or activity
35 shall apply.

36 (7) For the purposes of this Subchapter, "Either-Sex" means antlered or antlerless.

37 (k) Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with

1 dogs is prohibited as described in 15A NCAC 10B .0109.

2 (l) On permit hunts, ~~deer of either sex~~ antlered or antlerless deer may be taken on the hunt dates indicated on the
3 permit. Completed applications shall be received by the Commission not later than the first day of September next
4 preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees
5 prior to the hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife
6 cooperator agent or by phone.

7 (m) The following game lands and refuges are closed to hunting except to individuals who have obtained a valid and
8 current permit from the Wildlife Resources Commission:

9 (1) Bertie, ~~Halifax~~ Halifax, and Martin counties—Roanoke River Wetlands;

10 (2) Bertie County—Roanoke River National Wildlife Refuge;

11 (3) Bladen County—Suggs Mill Pond Game Lands;

12 (4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);

13 (5) Dare County—Roanoke Sound Marshes Game Lands; and

14 (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

15 (n) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the
16 Commission. Written permission may be granted when entry onto the Waterfowl Refuge shall not compromise the
17 primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need
18 or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of
19 access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

20 ~~(o) Feral swine may be taken by licensed hunters during the open season for a game animal or game bird using a legal
21 manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that
22 allow the use of dogs for hunting deer or bear, and during the open deer or bear season.~~

23 ~~(o)~~ (o) The Commission may designate special hunts for participants of the disabled sportsman program by permit.
24 The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall
25 be identified on the permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on the permit.

26 ~~(p)~~ (p) As used in the rules of this Subchapter, horseback riding includes all equine species.

27 ~~(q)~~ (q) When waterfowl hunting is authorized on Christmas and New Years' Day and those days fall on Sundays, the
28 open waterfowl hunting day shall be the following day.

29
30 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*

31 *Eff. February 1, 1976;*

32 *Temporary Amendment Eff. October 3, 1991;*

33 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September*
34 *1, 1994; July 1, 1994;*

35 *Temporary Amendment Eff. October 1, 1999; July 1, 1999;*

36 *Amended Eff. July 1, 2000;*

37 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*

1 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
2 *Temporary Amendment Eff. June 1, 2003;*
3 *Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);*
4 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014;*
5 *January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
6 *1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October*
7 *1, 2004;*
8 *Temporary Amendment Eff. August 1, 2018;*
9 *Amended Eff. August 1, 2020; August 1, 2019;*
10 *Temporary Amendment Eff. September 25, 2020;*
11 *Temporary Amendment Eff. August 1, 2021;*
12 *Amended Eff. November 1, 2022; October 1, 2022; August 23, 2022;*
13 *Readopted Eff. August 1, 2023.*
14

1 **15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY**

2 (a) R. Wayne Bailey-Caswell is a Three Days per Week Area, in which the following applies:

- 3 (1) Antlered or antlerless deer may be taken from the first open day of the All Lawful Weapons Season
4 for Deer With Visible Antlers through the second Wednesday thereafter.
- 5 (2) Horseback riding, including all equine species, is allowed seven days per week from May 16 through
6 August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed on
7 roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian
8 use. People age 16 or older horseback riding on this game land shall possess a Game Lands license
9 as required by G.S. 270.3(b)(3).
- 10 ~~(3) The area encompassed by the following roads is permit only for quail and woodcock hunting and~~
11 ~~bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR~~
12 ~~1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR~~
13 ~~1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736~~
14 ~~to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.~~
- 15 ~~(4)~~(3) On the posted waterfowl impoundment, waterfowl hunting is by permit after November 1.
- 16 ~~(5)~~(4) Camping is restricted to September 1 through the last day of February and March 31 through May
17 14.
- 18 ~~(6)~~(5) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

19 (b) Hunting shall be by permit for the following species in the area posted as the Caswell Small Game Focal Area:

- 20 (1) quail and woodcock; and
- 21 (2) rabbit and squirrel on days outside of the three days per week framework.
- 22

23 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
24 *Eff. October 1, 2022;*
25 *Amended Eff. August 1, 2023.*

26

1 **15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY**

2 Chatham game land is a Seven Days per Week Area, in which the following applies:

- 3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.
- 5 (2) Horseback riding, including all equine species, is allowed seven days per week from May 16 through
6 August 31, and on Sundays only September 1 through May 15.
- 7 (3) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
8 days of the seasons for game birds and game animals.
- 9 ~~(3)~~(4) Target shooting is prohibited.

10

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

12 *Eff. October 1, 2022.*

13

1 **15A NCAC 10D .0225 DOVER BAY GAME LAND IN CRAVEN COUNTY**

2 (a) Dover Bay game land is a Six Days per Week Area.

3 (b) On this game land ~~deer of either sex~~ antlered or antlerless deer may be taken on the days of the applicable Deer

4 With Visible Antlers ~~season.~~ Season.

5 (c) Target shooting is prohibited.

6

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

8 *Eff. November 1, 2022.*

9

1 **15A NCAC 10D .0233 HARRIS GAME LAND IN CHATHAM, HARNETT, AND WAKE COUNTIES**

2 Harris game land is a Seven Days per Week Area, in which the following applies:

- 3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.
- 5 (2) Waterfowl on posted waterfowl impoundments may be taken on the following days:
6 (a) the opening and closing days of the applicable waterfowl seasons;
7 (b) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
8 (c) Tuesdays and Saturdays of the applicable waterfowl season.
- 9 (3) The use or construction of permanent hunting blinds shall be prohibited.
- 10 (4) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 11 ~~(5) Target shooting is prohibited.~~
- 12 (5) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
13 days of the seasons for game birds and game animals.
- 14 (6) Horseback riding is prohibited.
- 15 (7) Target shooting is prohibited.

16

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

18 Eff. October 1, 2022

19

1 **15A NCAC 10D .0245 LEE GAME LAND IN LEE COUNTY**

2 Lee game land is a Seven Days per Week Area, in which the following applies:

3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.

5 (2) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
6 days of the seasons for game birds and game animals.

7 ~~(2)~~(3) Target shooting is prohibited.

8

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

10 *Eff. October 1, 2022.*

11

1 **15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK COUNTIES**

2 North River game land is a Seven Days per Week Area, in which the following applies:

3 (1) ~~Deer of either sex Antlered or antlerless deer~~ may be taken all the open days of the applicable Deer
4 With Visible Antlers Season.

5 (2) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.

6 (3) Hunting on the posted waterfowl impoundment is by permit.

7 (4) ~~[During the period November 1 through March 15, all activities,]~~ All activities on the North River
8 Game Land Waterfowl Impoundments except waterfowl hunting and trapping during the trapping
9 season [on North River Game Land Waterfowl Impoundments,] are restricted to the posted
10 Scouting-only [Zone,] Zone from November 1 through March 15.

11 ~~(4)~~(5) Bear shall not be harvested on Sunday.

12
13 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
14 *Eff. October 1, 2022.*

15

1 **15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES**
2 **COUNTIES**

3 Thurmond Chatham game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
5 With Visible Antlers Season through the second Friday thereafter.
- 6 (2) Horseback riding is prohibited except on designated trails May 16 through August 31, and all
7 horseback riding is prohibited from September 1 through May 15. People age 16 or older horseback
8 riding on this game land shall possess a Game Lands license as required by G.S. 270.3(b)(3).
- 9 (3) ~~The maximum period of consecutive overnight camping at any designated campground is 14 days~~
10 ~~within any 30-day period from May 1 through August 31. After 14 consecutive days of camping all~~
11 ~~personal belongings must be removed from the game land. Camping is restricted to September 1~~
12 ~~through the last day of [February]; February and March 31 through May 14.~~

13
14 *History Note:* Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
15 *Eff. October 1, 2022.*
16

1 **15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY,**
2 **ROWAN, AND STANLY COUNTIES**

3 Yadkin River game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) ~~Deer of either sex Antlered or antlerless deer~~ may be taken ~~the first open day of the applicable Deer~~
5 ~~With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery~~
6 ~~county, and deer of either sex may be taken all~~ on the open days of the applicable Deer With Visible
7 Antlers ~~Season in those portions in Davidson, Davie, Rowan, and Stanly counties.~~ Season.
8 (2) On the Lick Creek Tract, deer and bear hunting is archery only.
9

10 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
11 *Eff. October 1, 2022*
12

1 **15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY**

2 North Bend game land is hunting by permit only. The following shall apply:

- 3 (1) The use of bicycles is restricted to designated trails, except for hunters engaged in the act of hunting
4 during the open days of the seasons for game birds and game animals.
- 5 (2) Camping is restricted to September 1 through the last day of [February;] February and March 31
6 through May 14.
- 7 (3) Horseback riding is prohibited.
- 8 (4) Target shooting is prohibited.

9

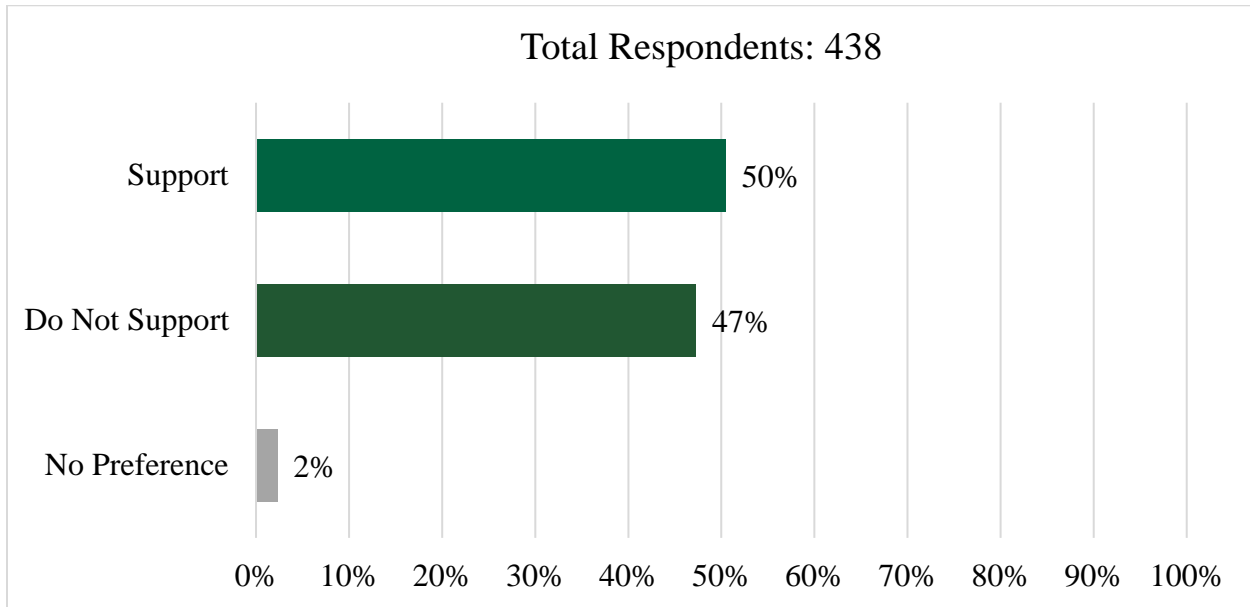
10 History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;

11

Exhibit F-1

Summary of Public Comments on Proposed Changes to Wildlife Management Rules for 2024-2025

H1 – Shift the western blackpowder and gun seasons so that blackpowder season begins two Saturdays before Thanksgiving and runs two weeks until gun season, which will begin the Saturday after Thanksgiving and run through January 1, and shift the timing of the 1-week and 1-day blackpowder antlerless seasons to begin the second Saturday of the season.



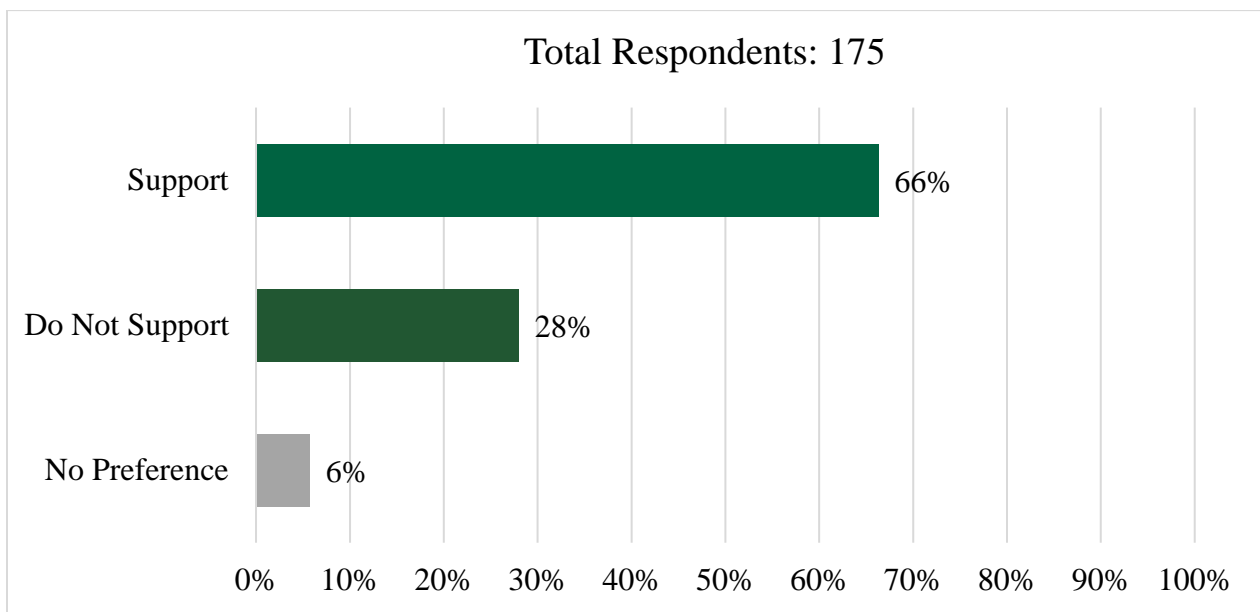
NOTE: Total % < 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	2	6	5	3	9	10	8	58	98	14	8	221
Do Not Support	1	2	2	0	1	5	2	33	116	36	9	207
No Preference	0	1	1	1	1	2	0	1	2	1	0	10
Total	3	9	8	4	11	17	10	92	216	51	17	438

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H2 – Introduce 1-day antlerless gun season on private lands and increase antlerless blackpowder season from 1-day to 1-week on all lands in Cherokee, Clay, Jackson, Macon, and Swain counties.

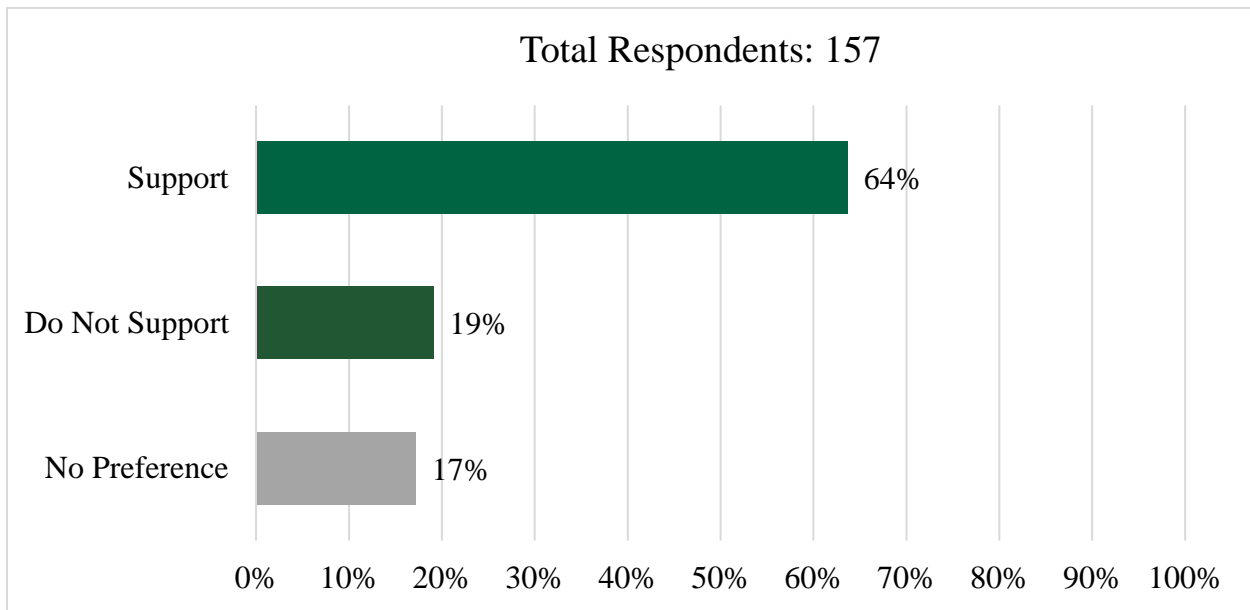
Increase antlerless gun season from 1-day to 1-week on private lands and increase antlerless blackpowder season from 1-week to 2-weeks on all lands in Buncombe and Henderson counties. This change does not apply to the portions of Buncombe and Henderson counties where the harvest of antlerless deer is currently allowed during the entire gun season.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	1	5	3	0	5	4	1	17	73	1	6	116
Do Not Support	0	1	0	0	0	0	0	0	45	1	2	49
No Preference	0	0	2	1	0	1	1	1	4	0	0	10
Total	1	6	5	1	5	5	2	18	122	2	8	175

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H3 – Remove specific youth deer hunts on Belews Creek Steam Station, Mountain Island State Forest, and W. Kerr Scott Reservoir.

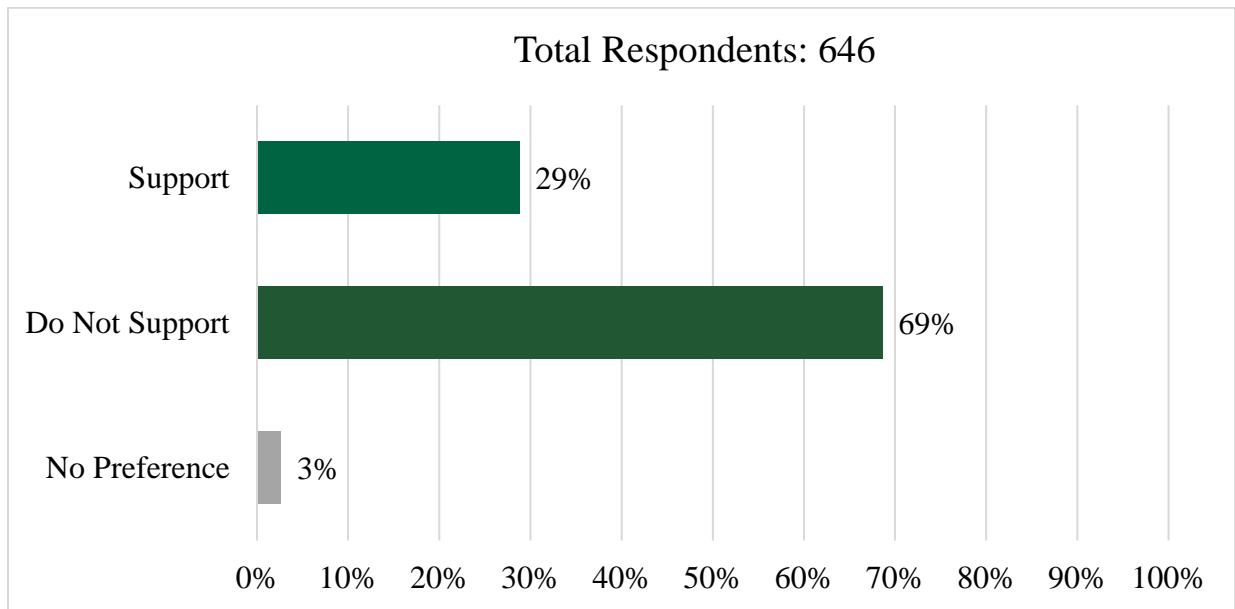


District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	5	3	3	3	6	7	3	20	43	2	5	100
Do Not Support	0	3	1	1	3	3	1	2	10	1	5	30
No Preference	1	1	3	0	1	1	1	2	16	0	1	27
Total	6	7	7	4	10	11	5	24	69	3	11	157

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H4 – Amend the bear rule to incorporate the following changes:

- Update rule text to be consistent with the use of “designated bear management areas” terminology that is used in 15A NCAC 10D .0106.
- Shift the start date of the bear hunting season in the Mountain Bear Management Unit to add nine days and create Saturday openers for each of the two segments.
- Remove the prohibition on hunting bears with the aid of unprocessed bait during the second segment of the Mountain bear season.
- Correct rule text to clarify that dogs can be used to hunt bears in Franklin County.

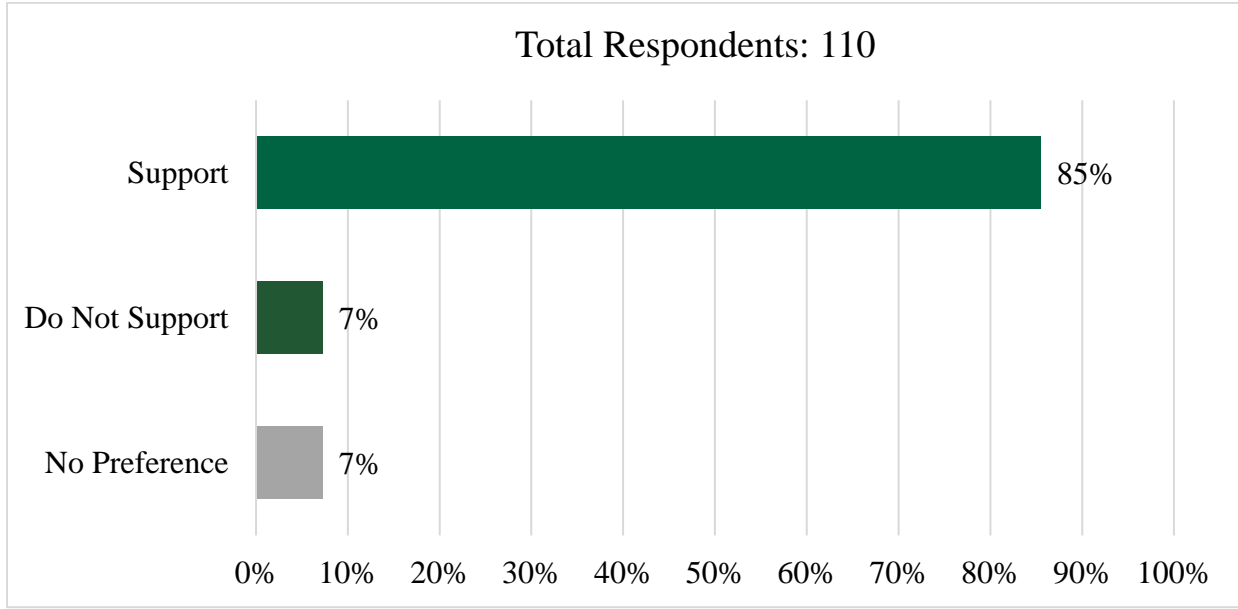


NOTE: Total % > 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	6	12	5	6	8	7	5	34	79	12	12	186
Do Not Support	1	8	41	0	18	6	11	21	107	96	134	443
No Preference	0	2	1	2	2	1	2	1	2	3	1	17
Total	7	22	47	8	28	14	18	56	188	111	147	646

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H5 – Bring the ring-necked pheasant season into alignment with overall conservation goals.

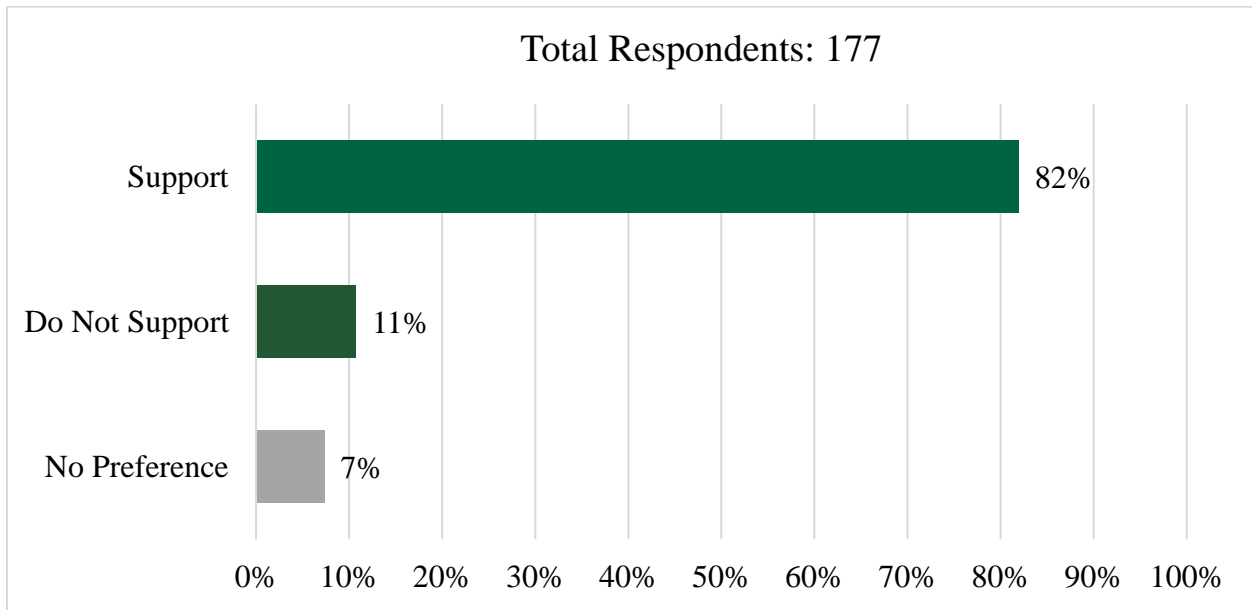


NOTE: Total % < 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	5	7	6	1	5	5	2	17	40	2	4	94
Do Not Support	0	0	1	0	1	0	0	0	4	0	2	8
No Preference	0	1	1	1	0	0	1	1	3	0	0	8
Total	5	8	8	2	6	5	3	18	47	2	6	110

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H6 – Clarify when dogs may be used to take feral swine on game lands and establish additional opportunities for dogs to be used outside of an open deer or bear hunting season by individual game land rule.

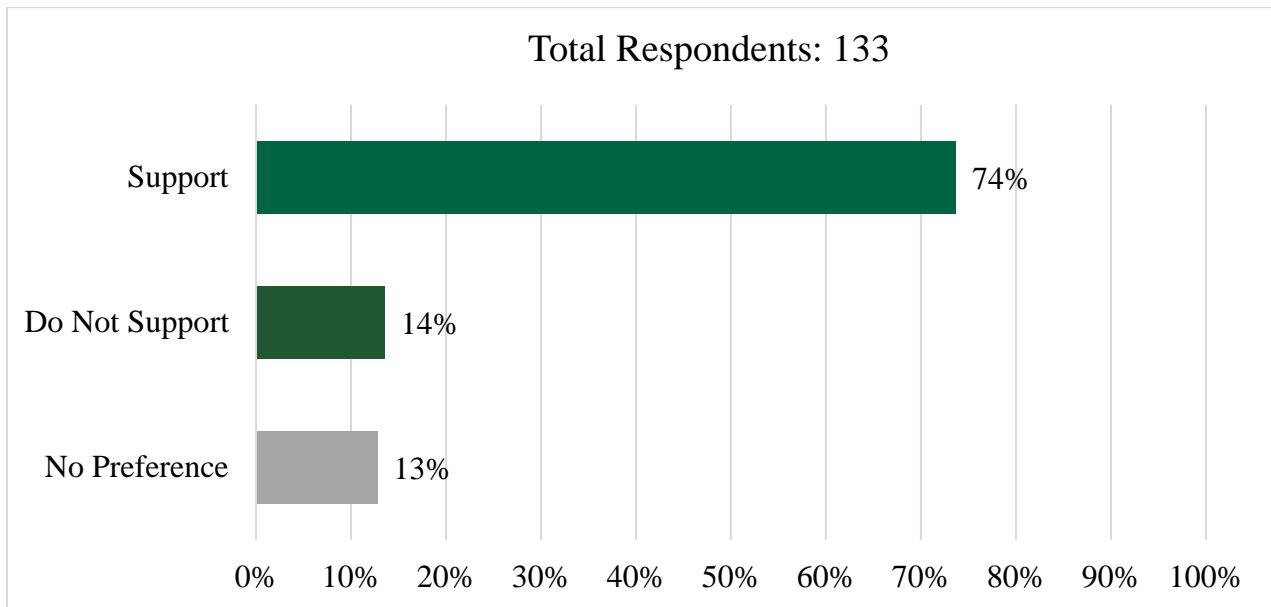


District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	6	9	6	6	7	8	2	25	67	7	2	145
Do Not Support	1	1	1	1	2	2	0	0	8	0	3	19
No Preference	0	0	2	0	1	2	5	1	1	0	1	13
Total	7	10	9	7	10	12	7	26	76	7	6	177

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H7 – Move rules pertaining to dog training and field trials from Subchapter 10B Hunting and Trapping to Subchapter 10H Regulated Activities and incorporate the following changes:

- Remove the requirement to band domestically raised game birds on controlled hunting preserves, for sanctioned field trials, and for dog training out of hunting seasons.
- Allow individuals that are training bird dogs outside of hunting seasons and outside of controlled hunting preserves to release up to six domestically raised game birds each day.
- Clarify that the only requirement for training dogs outside of the hunting season is a hunting license.



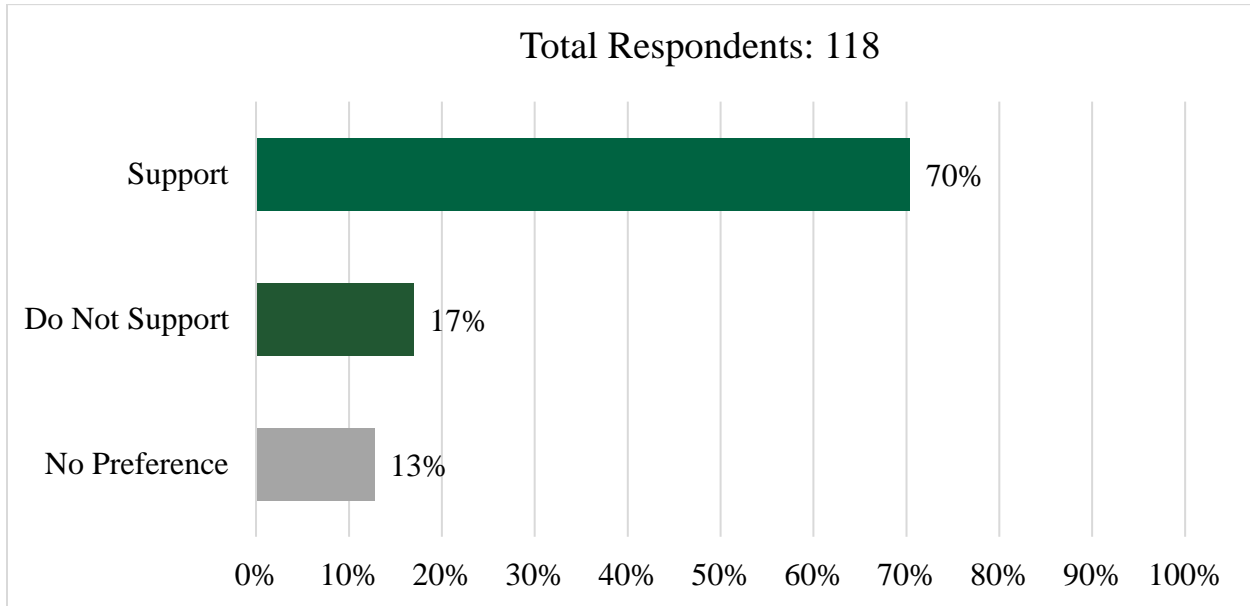
NOTE: Total % > 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	4	8	4	4	4	8	1	15	45	2	3	98
Do Not Support	3	2	2	2	2	0	0	0	2	1	4	18
No Preference	0	3	1	0	2	1	1	4	3	1	1	17
Total	7	13	7	6	8	9	2	19	50	4	8	133

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H8 – Amend the controlled hunting preserves for domestically raised game bird rules to incorporate the following changes:

- Incorporate use of the terms “domestically raised waterfowl and game birds” and “controlled hunting preserve” for consistency and clarity.
- Remove the requirement to band bobwhite quail and pheasants that are released on controlled hunting preserves.
- Clarify that domestically raised waterfowl (i.e., mallard ducks) can only be hunted on controlled hunting preserves from October 1 through March 31, except on Sundays.
- Specify that domestically raised mallards must be marked in accordance with 50 CFR 21.45.
- Update application requirements for a controlled hunting preserve operator license.
- Reduce the minimum size of a controlled shooting preserve from 100 acres to 50 acres.
- Remove the detailed requirements for signs used to post boundaries of controlled hunting preserves and require only basic signage.

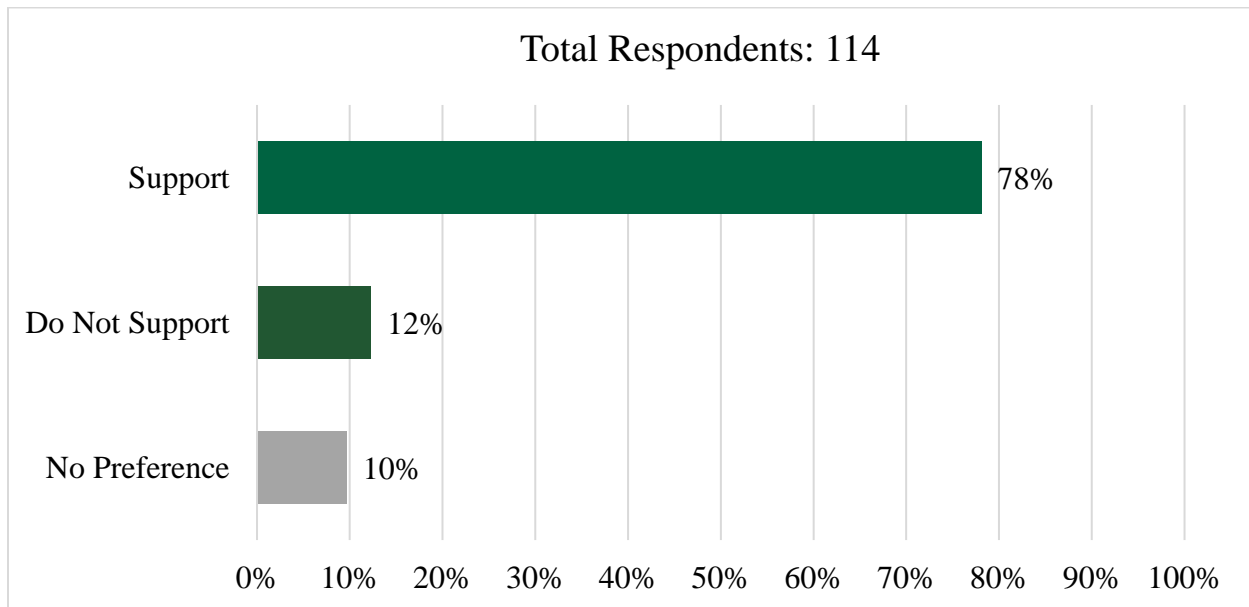


District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	2	6	5	1	3	6	1	14	37	2	6	83
Do Not Support	1	1	1	1	2	6	0	0	0	2	6	20
No Preference	0	3	1	1	1	0	1	2	4	1	1	15
Total	3	10	7	3	6	12	2	16	41	5	13	118

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H9 – Amend the game bird propagation rules to incorporate the following changes:

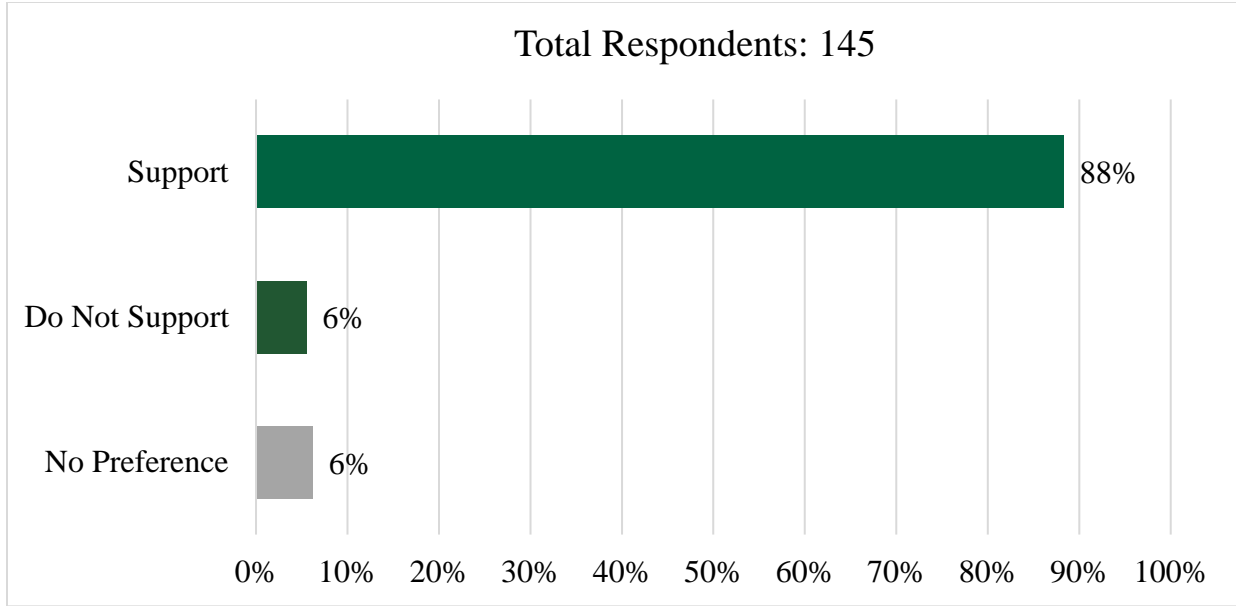
- Incorporate use of the terms “domestically raised waterfowl and game birds” and “controlled hunting preserve” for consistency and clarity.
- Remove the requirement for a game bird propagation license to purchase, possess, transport, transfer, or release domestically raised waterfowl or game birds to allow hunters to release birds for dog training without a propagation license.
- Clarify that the propagation license is only required for individuals propagating or selling domestically raised waterfowl and game birds.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	3	8	5	1	4	5	2	14	41	2	4	89
Do Not Support	1	1	1	1	1	0	0	0	5	1	3	14
No Preference	0	1	2	1	0	1	2	3	1	0	0	11
Total	4	10	8	3	5	6	4	17	47	3	7	114

Summary of Public Comments on Proposed Changes to
Wildlife Management Rules for 2024-2025

H10 – Prohibit a Wildlife Control Agent (WCA) with a suspended or revoked WCA license from obtaining a Wildlife Control Technician (WCT) certification.



District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	6	8	12	5	8	10	4	16	46	1	12	128
Do Not Support	0	2	0	0	0	1	0	0	2	1	2	8
No Preference	0	2	0	1	1	0	1	1	1	0	2	9
Total	6	12	12	6	9	11	5	17	49	2	16	145

EXHIBIT F-2

February 22, 2024



Proposed Amendments to Wildlife Management Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Adoption

Deer

H1. 15A NCAC 10B .0203

Shift the western blackpowder and gun seasons so that blackpowder season begins two Saturdays before Thanksgiving and runs two weeks until gun season, which will begin the Saturday after Thanksgiving and run through January 1, and shift the timing of the 1-week and 1-day blackpowder antlerless seasons to begin the second Saturday of the season.

Justification: Most antlered buck harvest in the western deer seasons occurs before peak breeding which negatively affects breeding synchrony and thus fawn recruitment and hunter satisfaction. Shifting blackpowder and gun seasons later in the year will reduce vulnerability of yearling bucks during dispersal, reduce harvest of bucks prior to breeding, and provide more hunting opportunities during the rut. Shifting the 1-week and 1-day blackpowder antlerless deer seasons to Thanksgiving week will provide more antlerless hunting opportunities during the holiday.

15A NCAC 10B .0203 WHITE-TAILED DEER (Pg. 13-18)

H2. 15A NCAC 10B .0203

Introduce 1-day antlerless gun season on private lands and increase antlerless blackpowder season from 1-day to 1-week on all lands in Cherokee, Clay, Jackson, Macon, and Swain counties.

Increase antlerless gun season from 1-day to 1-week on private lands and increase antlerless blackpowder season from 1-week to 2-weeks on all lands in Buncombe and Henderson counties. This change does not apply to the portions of Buncombe and Henderson counties where the harvest of antlerless deer is currently allowed during the entire gun season.

Justification: The harvest objective of at least one antlered buck per square mile is being met on private lands in these counties and continued herd growth is expected. Additional antlerless harvest is sustainable and will provide hunters with additional opportunities as well as help balance the buck to doe ratio.

15A NCAC 10B .0203 WHITE-TAILED DEER (Pg. 13-18)

H3. 15A NCAC 10B .0203

Remove specific youth deer hunts on Belews Creek Steam Station, Mountain Island State Forest, and W. Kerr Scott Reservoir.

Justification: The agency is able to allow special organized hunts to promote Recruitment, Retention and Reactivation (R3) efforts via 15A NCAC 10B .0126. The provision in the deer rule is unnecessarily restrictive, as these hunts are only for youth. Participation in these three hunts has declined over the years, but because they are specifically for youth, the agency is unable to offer unused permits to anyone other than individuals under 18. Removing this language will clarify regulations, give the agency, and hunt organizers flexibility to use these opportunities for youth, individuals with disabilities, novice hunters, or lapsed hunters.

15A NCAC 10B .0203 WHITE-TAILED DEER (Pg. 13-18)

Bear

H4. 15A NCAC 10B .0202

Amend the bear rule to incorporate the following changes:

- Update rule text to be consistent with the use of “designated bear management areas” terminology that is used in 15A NCAC 10D .0106.
- Shift the start date of the bear hunting season in the Mountain Bear Management Unit to add nine days and create Saturday openers for each of the two segments.
- Remove the prohibition on hunting bears with the aid of unprocessed bait during the second segment of the Mountain bear season.
- Correct rule text to clarify that dogs can be used to hunt bears in Franklin County.

Justification: Additional hunting opportunity in early October is necessary to meet population management objectives for the Mountain Bear Management Unit. The Mountain bear population is increasing annually, and current levels of harvest are not meeting the objective established in the Black Bear Management Plan, which is to stabilize the population. Opening the Mountain bear season nine days earlier will serve to change the composition of the Mountain bear harvest, slow down bear population growth, and help meet the population objective, while providing additional bear hunting opportunities.

Removing the prohibition on the use of unprocessed bait during the second segment will reduce regulation complexity without any biological impacts.

Per G.S. 113-291.5 and since the Piedmont bear seasons were created in 2014, the intention has been to allow hunters to use dogs to hunt bears in Franklin County. However, this county was unintentionally included in the rule prohibiting the use of dogs to take bear. The amendments will correct this error in the rule.

15A NCAC 10B .0202 BEAR (Pg. 11-12)

Pheasant

H5. 15A NCAC 10B .0211

Bring the ring-necked pheasant season into alignment with overall conservation goals.

Justification: Conservation goals for ring-necked pheasants differ greatly between self-sustaining populations that occur on the outer banks and domestically raised pheasants that are released in other parts of the State. This proposed change will clarify regulations, continue to safeguard wild pheasants on the outer banks, and provide additional opportunities for hunting pheasants concurrent with other traditional small game hunting seasons.

15A NCAC 10B .0211 RING-NECKED PHEASANT (Pg. 19)

Feral Swine

H6. 15A NCAC 10B .0223; 10D .0103, .0251

Clarify when dogs may be used to take feral swine on game lands and establish additional opportunities for dogs to be used outside of an open deer or bear hunting season by individual game land rule.

Justification: Feral swine hunting with dogs is a tradition in the far western counties of the State and feral swine populations have been established in the National Forest for more than 100 years. Feral swine are a non-desirable species that are legal to hunt during this time period. The proposed change expands opportunities to hunt feral swine with dogs.

15A NCAC 10B .0223 FERAL SWINE (Pg. 20)

15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS (pg. 21-24)

15A NCAC 10D .0251 NANTAHALA GAME LAND IN CHEROKEE, CLAY, GRAHAM, JACKSON, MACON, SWAIN, AND TRANSYLVANIA COUNTIES (pg. 25)

Regulated Activities

H7. 15A NCAC 10B .0114; 10H .1701, .1702

Move rules pertaining to dog training and field trials from Subchapter 10B Hunting and Trapping to Subchapter 10H Regulated Activities and incorporate the following changes:

- Remove the requirement to band domestically raised game birds on controlled hunting preserves, for sanctioned field trials, and for dog training out of hunting seasons.
- Allow individuals that are training bird dogs outside of hunting seasons and outside of controlled hunting preserves to release up to six domestically raised game birds each day.
- Clarify that the only requirement for training dogs outside of the hunting season is a hunting license.

Justification: Moving these rules to Subchapter 10H is necessary for regulatory clarity. Requiring pheasants and quail to be banded when released on controlled hunting preserves provides no overall conservation benefit. Limiting dog training to releasing no more than six domestically raised waterfowl or game birds outside of controlled hunting preserves each day ensures that training is not inappropriately used to avoid the regulatory safeguards that are in place for controlled hunting preserves.

15A NCAC 10B .0114 DOG TRAINING AND FIELD TRIALS (Pg. 6-7)

15A NCAC 10H .1701 FIELD TRAILS (Pg. 8-9)

15A NCAC 10H .1702 DOG TRAINING (Pg. 10)

H8. 15A NCAC 10H .0100, .0101, .0102, .0105, .0109

Amend the controlled hunting preserves for domestically raised game bird rules to incorporate the following changes:

- Incorporate use of the terms “domestically raised waterfowl and game birds” and “controlled hunting preserve” for consistency and clarity.
- Remove the requirement to band bobwhite quail and pheasants that are released on controlled hunting preserves.
- Clarify that domestically raised waterfowl (i.e., mallard ducks) can only be hunted on controlled hunting preserves from October 1 through March 31, except on Sundays.
- Specify that domestically raised mallards must be marked in accordance with 50 CFR 21.45.
- Update application requirements for a controlled hunting preserve operator license.
- Reduce the minimum size of a controlled shooting preserve from 100 acres to 50 acres.
- Remove the detailed requirements for signs used to post boundaries of controlled hunting preserves and require only basic signage.

Justification: Many of the rules that apply to controlled hunting preserves are outdated and are no longer needed to safeguard wildlife resources. The proposed changes will simplify and clarify regulations, bringing them into alignment with how controlled hunting preserves are currently used by the public.

15A NCAC 10H .0100 CONTROLLED HUNTING PRESERVES FOR DOMESTICALLY RAISED GAME (Pg. 26)

15A NCAC 10H .0101 GENERAL REQUIREMENTS (Pg.26-27)

15A NCAC 10H .0102 ESTABLISHMENT AND OPERATION (Pg. 28)

15A NCAC 10H .0105 RECORDS AND REPORTING REQUIREMENTS (Pg. 29)

15A NCAC 10H .0109 QUAIL CALL-PEN TRAPS (Pg. 30)

H9. 15A NCAC 10H .0901, .0904, .0905, .0906

Amend the game bird propagation rules to incorporate the following changes:

- Incorporate use of the terms “domestically raised waterfowl and game birds” and “controlled hunting preserve” for consistency and clarity.
- Remove the requirement for a game bird propagation license to purchase, possess, transport, transfer, or release domestically raised waterfowl or game birds to allow hunters to release birds for dog training without a propagation license.
- Clarify that the propagation license is only required for individuals propagating or selling domestically raised waterfowl and game birds.

Justification: Many of the rules that apply to game bird propagation are outdated and are no longer needed to safeguard wildlife resources. The proposed changes will simplify and clarify regulations, bringing them into alignment with how game bird propagation is currently conducted.

15A NCAC 10H .0901 GAME BIRD PROPAGATION LICENSE (Pg. 31)

15A NCAC 10H .0904 DISPOSITION OF GAME BIRDS OR GAME BIRD EGGS (Pg. 32-33)

15A NCAC 10H .0905 TRANSPORTATION (Pg. 34)

15A NCAC 10H .0906 RECORDS (Pg. 35)

H10. 15A NCAC 10H .1505, .1510

Prohibit a Wildlife Control Agent (WCA) with a suspended or revoked WCA license from obtaining a Wildlife Control Technician (WCT) certification.

Justification: This amendment closes a loophole that currently allows a WCA with offenses and citations who has temporarily or permanently lost their WCA license to continue their wildlife control or removal activities as a WCT.

15A NCAC 10H .1505 WILDLIFE CONTROL AGENT LICENSE RENEWAL AND REVOCATION (Pg. 36)

15A NCAC 10H .1510 WILDLIFE CONTROL TECHNICIAN CERTIFICATION ELIGIBILITY AND REQUIREMENTS (Pg. 37-38)

1 **15A NCAC 10B .0114 DOG TRAINING AND FIELD TRIALS**

2 ~~(a) For purposes of 15A NCAC 10B and 10D, the following definitions apply:~~

- 3 ~~(1) "Commission sanctioned field trial" means a field trial that has been authorized by the Wildlife~~
4 ~~Resources Commission and for which a Field Trial Permit has been issued.~~
- 5 ~~(2) "Active participant" means an individual participating in a field trial who handles dogs or uses a~~
6 ~~firearm.~~
- 7 ~~(3) "Field Trial Permit" means the permit issued by the Wildlife Resources Commission that authorizes~~
8 ~~an individual to hold a commission sanctioned field trial for dogs.~~

9 ~~(b) Individuals desiring to conduct a commission sanctioned field trial shall obtain a Field Trial Permit from the~~
10 ~~Wildlife Resources Commission at www.newwildlife.org or at the Commission headquarters located at 1751 Varsity~~
11 ~~Drive, Raleigh, NC 27606.~~

12 ~~(c) Individuals using wildlife to train or run dogs shall possess a North Carolina hunting license.~~

13 ~~(d) An individual who is serving as a judge of a commission sanctioned field trial shall be exempt from any license~~
14 ~~requirements. An individual who is serving as a judge of a non sanctioned field trial using wildlife shall possess a~~
15 ~~North Carolina hunting license.~~

16 ~~(e) Except as provided in Paragraph (f) of this Rule, the following license requirements shall apply to active~~
17 ~~participants in field trials:~~

- 18 ~~(1) North Carolina residents participating in any field trial that uses wildlife shall have a N.C. hunting~~
19 ~~license;~~
- 20 ~~(2) non residents participating in a commission sanctioned field trial that uses wildlife shall possess a~~
21 ~~N.C. hunting license or a hunting license from his or her state of residence; and~~
- 22 ~~(3) non residents participating in other types of field trials that use wildlife shall possess a N.C. hunting~~
23 ~~license~~

24 ~~(f) Notwithstanding Paragraph (e) of this Rule, an individual without a license may participate in commission-~~
25 ~~sanctioned field trials for beagles conducted without firearms on private field trial areas that meet the fencing~~
26 ~~requirements specified in G.S. 113-276(k).~~

27 ~~(g) It shall be unlawful to carry axes, saws, or climbing irons while training or running dogs during any closed season~~
28 ~~for game animals.~~

29 ~~(h) The following conditions shall apply to commission sanctioned field trials for retrievers or bird dogs:~~

- 30 ~~(1) shotguns containing live ammunition or firearms using only blank ammunition shall be prohibited~~
31 ~~unless specifically authorized by a Field Trial Permit;~~
- 32 ~~(2) no wild waterfowl, wild quail, or wild pheasant shall be used in field trials when shotguns with live~~
33 ~~ammunition are permitted;~~
- 34 ~~(3) only waterfowl, quail, or pheasants lawfully obtained from a licensed game bird propagator shall be~~
35 ~~authorized for use in field trials where shotguns with live ammunition are permitted.~~
- 36 ~~(4) waterfowl obtained from licensed game bird propagators for use in field trials when shotguns with~~
37 ~~live ammunition are authorized shall be marked by one of the methods specified in 50 CFR 21.45,~~

1 including subsequent amendments and editions, found free of charge at www.ecfr.gov; and

- 2 (5) pheasants or quail obtained from licensed game bird propagators for use in field trials where
3 shotguns with live ammunition are authorized shall be banded by the propagator prior to delivery
4 with a leg band that is imprinted with the number of his or her propagation license. The purchaser
5 of the birds shall obtain a copy of the receipt from the propagator showing the date, number of birds
6 purchased, propagator license number, and species of birds purchased. A copy of the receipt shall
7 be available for inspection by representatives of the Wildlife Resources Commission during the time
8 and at the place where the trial is being held.

9 (i) ~~The following conditions shall apply during the closed season for waterfowl and game birds when training dogs
10 with domestically raised waterfowl and domestically raised game birds:~~

- 11 (1) ~~only shotguns with number four size shot or smaller shall be used;~~
12 (2) ~~nontoxic shot shall be used when training dogs using domestically raised waterfowl;~~
13 (3) ~~all domestically raised waterfowl shall be individually tagged on one leg with a seamless band
14 stamped with the propagation license number of the facility from which the domestically raised
15 waterfowl originated; and~~
16 (4) ~~all other domestically raised game birds shall be individually tagged on one leg with a band
17 indicating the propagation license number of the facility from which the birds originated.~~

18
19 *History Note: Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 CFR 21.45;*
20 *Eff. February 1, 1976;*
21 *Amended Eff. May 1, 2015; January 1, 2013; January 1, 2012; May 1, 2006; July 1, 1995; July 1,*
22 *1994; July 1, 1991; May 1, 1990;*
23 *Readopted Eff. October 1, 2020;*
24 *Amended Eff. February 1, 2023.*
25

1 SECTION .1700 FIELD TRAILS AND DOG TRAINING

2
3 15A NCAC 10H .1701 FIELD TRIALS

4 (a) The following definitions shall apply to the rules in Subchapters 10H and 10D of this Chapter:

- 5 (1) "Commission-sanctioned field trial" means a field trial that has been authorized by the Wildlife
6 Resources Commission and for which a Field Trial Permit has been issued.
7 (2) "Active participant" means an individual participating in a field trial who handles dogs or uses a
8 firearm.
9 (3) "Field Trial Permit" means the permit issued by the Wildlife Resources Commission that authorizes
10 an individual to hold a commission-sanctioned field trial for dogs.

11 (b) Individuals may apply for a Field Trial Permit from the Commission at www.gooutdoorsnorthcarolina.com or at
12 the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606 by submitting the following
13 information:

- 14 (1) field trial dates;
15 (2) business affiliation;
16 (3) species of animal or game bird;
17 (4) fox preserve permit number, if applicable;
18 (5) county, if species is an animal; and
19 (6) address, if species is a gamebird.

20 (c) An individual serving as a judge of a commission-sanctioned field trial shall be exempt from license requirements.
21 An individual who is serving as a judge of a non-sanctioned field trial using wildlife shall possess a North Carolina
22 hunting license.

23 (d) The following license requirements shall apply to active participants in field trials:

- 24 (1) North Carolina residents participating in a field trial that uses wildlife shall have a North Carolina
25 hunting license;
26 (2) non-residents participating in a commission-sanctioned field trial that uses wildlife shall possess a
27 North Carolina hunting license or a hunting license from his or her state of residence; and
28 (3) non-residents participating in other types of field trials that use wildlife shall possess a North
29 Carolina hunting license

30 (e) Notwithstanding Paragraph (d) of this Rule, an individual without a license may participate in commission-
31 sanctioned field trials for beagles conducted without firearms on private field trial areas that meet the fencing
32 requirements specified in G.S. 113-276(k).

33 (f) Individuals shall not carry axes, saws, or climbing irons while training or running dogs during closed seasons for
34 game animals.

35 (g) The following conditions shall apply to commission-sanctioned field trials for retrievers or bird dogs:

- 36 (1) shotguns containing live ammunition or firearms using only blank ammunition shall be prohibited
37 unless specifically authorized by a Field Trial Permit;

- 1 (2) wild waterfowl, wild quail, or wild pheasant shall not be used in field trials when shotguns with live
2 ammunition are permitted;
- 3 (3) domestically raised waterfowl and game birds, lawfully obtained from a licensed game bird
4 propagator may be used in field trials where shotguns with live ammunition are permitted;
- 5 (4) waterfowl obtained from licensed game bird propagators for use in field trials when shotguns with
6 live ammunition are authorized shall be marked by one of the methods specified in 50 CFR 21.45,
7 including subsequent amendments and editions, found free of charge at www.ecfr.gov; and
- 8 (5) when domestically raised game birds are obtained from licensed game bird propagators for use in
9 field trials where shotguns with live ammunition are authorized, the purchaser of the birds shall
10 obtain a copy of the receipt from the propagator showing the date, number of birds purchased,
11 propagator license number, and species of birds purchased. A copy of the receipt shall be available
12 for inspection by representatives of the Commission during the time and at the place where the trial
13 is being held.

14

15 History Note: Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 CFR 21.45;

16

1 **15A NCAC 10H .1702 DOG TRAINING**

2 (a) Individuals using wildlife to train or run dogs shall possess a valid North Carolina hunting license.

3 (b) The following conditions shall apply during the closed season for waterfowl and game birds when training dogs
4 with domestically raised waterfowl and game birds:

5 (1) shotguns with number four size shot or smaller shall be used;

6 (2) nontoxic shot shall be used when training dogs with domestically raised waterfowl;

7 (3) domestically raised waterfowl shall be marked by one of the methods specified in 50 CFR 21.45,
8 including subsequent amendments and editions, found free of charge at www.ecfr.gov;

9 (4) when obtained from a licensed game bird propagator for use in dog training, the purchaser of the
10 birds shall obtain a copy of the receipt from the propagator showing the date, number of birds
11 purchased, propagator license number, and species of birds purchased. A copy of the receipt shall
12 be available for inspection by representatives of the Commission; and

13 (5) individuals may release no more than 6 domestically raised game birds daily.

14
15 History Note: Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 CFR 21.45;
16

1 **15A NCAC 10B .0202 BEAR**

2 (a) Open Seasons for hunting bear shall be from the:

- 3 (1) ~~Monday Saturday~~ on or ~~nearest~~ immediately prior to October 15 ~~9~~ through the Saturday before
4 Thanksgiving and the third ~~Monday Saturday~~ after Thanksgiving through January 1 in and west of
5 Surry, Wilkes, Caldwell, Burke, and Cleveland counties;
- 6 (2) second Monday in November through January 1 in Bladen, Brunswick, Carteret, Columbus,
7 Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, Robeson, and Sampson counties;
- 8 (3) second Saturday in November through the second Sunday thereafter and the third Saturday after
9 Thanksgiving through the fifth Sunday after Thanksgiving in Beaufort, Bertie, Craven, Hertford,
10 Jones, Martin, and Washington counties;
- 11 (4) second Saturday in November through the third Sunday thereafter and the third Saturday after
12 Thanksgiving through the fifth Sunday after Thanksgiving in Dare, Hyde, and Tyrrell counties;
- 13 (5) second Saturday in November through the second Sunday thereafter and the third Saturday after
14 Thanksgiving through the fifth Sunday after Thanksgiving in Currituck, Gates, and Perquimans
15 counties;
- 16 (6) second Sunday in November through the following Sunday, when November 1 falls on a Sunday
17 the season shall be from the third Sunday in November through the following Sunday, and the third
18 Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Camden, Chowan, and
19 Pasquotank counties;
- 20 (7) third Saturday in November though the fifth Sunday thereafter in Edgecombe, Greene, Halifax,
21 Lenoir, Nash, Northampton, Pitt, Wayne, and Wilson counties; and
- 22 (8) concurrent with the open season for ~~all lawful weapons~~ All Lawful Weapons for hunting deer as
23 specified in 15A NCAC 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell,
24 Catawba, Chatham, Davie, Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford,
25 Harnett, Hoke, Iredell, Johnston, Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person,
26 Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Wake,
27 Warren, and Yadkin counties.

28 (b) Restrictions

- 29 (1) For purposes of this Paragraph, "bait" means ~~any~~ a natural, unprocessed food product that is a grain,
30 fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw
31 components.
- 32 (2) Bears shall not be taken with the use or aid of:
- 33 (A) ~~any~~ an processed food product as defined in G.S. 113-294(r), ~~any~~ an animal, animal part or
34 product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum,
35 candy block, oils, spices, peanut butter, or grease;
- 36 (B) ~~any~~ extracts of substances identified in Part (A) of this Subparagraph;
- 37 (C) ~~any~~ substances modified by substances identified in Part (A) of this Subparagraph,

1 including ~~any~~ extracts of those substances; or

2 (D) ~~any~~ bear bait attractant, including sprays, aerosols, scent balls, and scent powders.

3 (3) ~~Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the Saturday~~
4 ~~before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.~~

5 (4)(3) Bears may be taken with the aid of bait during the ~~entire~~ open season in the counties identified in
6 ~~Subparagraphs Paragraph (a)(2) through (a)(8) (a)~~ of this Rule.

7 (5)(4) Bears shall not be taken while in the act of consuming bait as specified in G.S. 113-291.1(b)(2).

8 (6)(5) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85,
9 Anson west of N.C. ~~Hwy~~ Highway 742, Cabarrus, Chatham, Davie, Davidson, ~~Franklin~~, Forsyth,
10 Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85,
11 Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. ~~Hwy~~ Highway 98. In all
12 other counties and parts of counties, hunters may take bears using dogs and may release dogs in the
13 vicinity of bait.

14 (c) No Open Season. It shall be unlawful to take bear on posted designated bear ~~sanctuaries~~ management areas except
15 when authorized by permit issued by the Commission. See 15A NCAC 10D .0106 for posted designated bear
16 ~~sanctuaries.~~ management areas.

17 (d) The daily bag limit for bear is one, the possession limit is one, and the season limit is one.

18
19 *History Note:* Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;
20 Eff. February 1, 1976;
21 Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;
22 Temporary Amendment Eff. July 1, 1999;
23 Amended Eff. July 1, 2000;
24 Temporary Amendment Eff. July 1, 2002;
25 Amendment Eff. August 1, 2002;
26 Temporary Amendment Eff. September 1, 2003;
27 Temporary Amendment Expired Eff. December 27, 2003;
28 Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May
29 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;
30 Temporary Amendment Eff. May 31, 2016;
31 Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016;
32 Temporary Amendment Eff. August 1, 2018;
33 Amended Eff. August 1, 2019;
34 Temporary Amendment Eff. September 1, 2020;
35 Amended Eff. August 1, 2021;
36 Readopted Eff. February 1, 2022.
37

1 **15A NCAC 10B .0203 WHITE-TAILED DEER**

2 (a) Open All Lawful Weapons Seasons for hunting deer:

3 (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished
4 from knobs or buttons covered by skin or velvet, may be taken during the following seasons,
5 including on game lands unless otherwise specified in the rules of 15A NCAC 10D .0200.

6 (A) Saturday on or nearest October 15 through January 1 in Beaufort, Bladen, Brunswick,
7 Carteret, Columbus, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones,
8 Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson,
9 Scotland, Tyrrell, and Washington counties. It is unlawful to hunt or kill deer in Lake
10 Waccamaw or within 50 yards of its shoreline in Columbus County.

11 (B) Saturday on or nearest October 15 through January 1 in Bertie, Camden, Chowan,
12 Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin,
13 Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and
14 Wilson counties.

15 (C) Saturday before Thanksgiving Day through January 1 in Alexander, Alleghany, Ashe,
16 Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes,
17 Surry, Watauga, Wilkes, and Yadkin counties.

18 (D) ~~Monday of Saturday after~~ Thanksgiving ~~week Day~~ through ~~the third Saturday after~~
19 ~~Thanksgiving Day~~ January 1 in Avery, Buncombe, Burke, Caldwell, Cherokee, Clay,
20 Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain,
21 Transylvania, and Yancey counties.

22 (E) Two Saturdays before Thanksgiving Day through January 1 in Alamance, Anson,
23 Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg,
24 Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union
25 counties.

26 (F) Saturday on or nearest September 10 through January 1 in the parts of Camden, Gates, and
27 Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in the parts
28 of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife
29 Refuge; in the part of Hyde county known as Lake Mattamuskeet National Wildlife
30 Refuge; in the parts of Dare and Hyde counties known as Alligator River National Wildlife
31 Refuge; in the parts of Anson and Richmond counties known as the Pee Dee National
32 Wildlife Refuge; and in the part of Currituck County known as the Mackay Island National
33 Wildlife Refuge.

34 (2) Antlered or Antlerless Deer. Except on Game Lands, antlered or antlerless deer may be taken during
35 the open seasons and in the counties and portions of counties listed in Parts (A) through (H) (G) of
36 this Subparagraph. Antlered or antlerless deer may be taken the fourth Saturday in September in all

1 counties and on Thanksgiving Day and the Friday following in those counties listed in Part (a)(1)(D)
2 of this rule by persons under the age of 18.

3 (A) The open antlered or antlerless deer hunting dates established by the U.S. Fish and Wildlife
4 Service from the Saturday on or nearest September 10 through January 1 in the parts of
5 Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife
6 Refuge; in the parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes
7 National Wildlife Refuge; in the parts of Anson and Richmond counties known as the Pee
8 Dee National Wildlife Refuge; and in the parts of Currituck County known as the Currituck
9 National Wildlife Refuge and the Mackay Island National Wildlife Refuge.

10 (B) The open antlered or antlerless deer hunting dates established by the military commands at
11 the military installations listed in this Paragraph, from Saturday on or nearest October 15
12 through January 1 in the part of Brunswick County known as the Sunny Point Military
13 Ocean Terminal, in the part of Craven County known and marked as Cherry Point Marine
14 Base, in the part of Onslow County known and marked as the Camp Lejeune Marine Base,
15 on Fort ~~Bragg~~ Liberty Military Reservation, and on Camp Mackall Military Reservation.

16 ~~(C)~~ ~~Youth deer hunts. First Saturday in October for youth antlered or antlerless deer hunting~~
17 ~~by permit only on a portion of Belews Creek Steam Station in Stokes County designated~~
18 ~~by agents of the Commission; the third Saturday in October for youth antlered or antlerless~~
19 ~~deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston~~
20 ~~counties; and the second Saturday in November for youth antlered or antlerless deer~~
21 ~~hunting by permit only on a portion of Warrior Creek located on W. Kerr Scott Reservoir~~
22 ~~in Wilkes County designated by agents of the Commission. A youth is defined as a person~~
23 ~~under 18 years of age.~~

24 ~~(D)~~(C) The first open Saturday of the Deer With Visible Antlers ~~season~~ Season described in
25 Subparagraph (a)(1) of this Rule in Cherokee, Clay, Haywood ~~Haywood, Jackson, Macon,~~
26 Swain, and Transylvania ~~counties; and in Buncombe and Henderson counties, except for~~
27 ~~the areas described in Subparts (a)(2)(H)(i) and (ii) of this Rule.~~ counties.

28 ~~(E)~~(D) The first open day of the Deer With Visible Antlers ~~season~~ Season described in
29 Subparagraph (a)(1) of this Rule through the first Saturday thereafter in Buncombe,
30 Henderson, Madison ~~Madison,~~ and McDowell ~~counties.~~ counties, except in the areas
31 described in Subparts (a)(2)(G)(i) and (ii) of this Rule.

32 ~~(F)~~(E) The first open day of the season for Deer With Visible Antlers described in Subparagraph
33 (a)(1) of this Rule through the second Saturday thereafter in Avery, Burke, Caldwell,
34 Mitchell, and Yancey counties.

35 ~~(G)~~(F) The first open day of the season for Deer With Visible Antlers described in Subparagraph
36 (a)(1) of this Rule through the fourth Saturday thereafter in Cleveland, Polk, and
37 Rutherford counties.

1 ~~(H)(G)~~ Open days of the season for Deer With Visible Antlers described in Subparagraph (a)(1)
2 of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and
3 Gaston counties and in the following parts of counties:

4 (i) The part of Buncombe County east of ~~NC N.C.~~ 191, south of the French Broad
5 and Swannanoa Rivers, west of ~~US U.S.~~ 25, and north of ~~NC N.C.~~ 280; and

6 (ii) The part of Henderson County east of ~~NC N.C.~~ 191 and north and west of ~~NC~~
7 N.C. 280.

8 (b) Open Archery Seasons for hunting deer:

9 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag
10 limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the
11 following seasons:

12 (A) Saturday on or nearest September 10 through the day immediately preceding the first open
13 day of the Blackpowder Firearms Season described in Subparagraph (c)(1) of this ~~Rule;~~
14 ~~and the Sunday immediately following the closing of Blackpowder Firearms Season~~
15 ~~identified in Part (c)(1)(B) of this Rule to the Sunday before Thanksgiving in the counties~~
16 ~~and parts of counties having the open seasons for Deer With Visible Antlers specified by~~
17 ~~Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson Creek, Rockfish Creek,~~
18 ~~Sandhills, and South Mountains Game Lands. Rule, including on game lands unless~~
19 otherwise specified in the rules of 15A NCAC 10D 0200.

20 ~~(B) Sunday immediately following the closing of the open season for Deer With Visible~~
21 ~~Antlers through January 1 in the counties and parts of counties having the open season for~~
22 ~~Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.~~

23 (2) Restrictions

24 (A) In the areas of the State where the Commission regulates the use of dogs as provided in
25 G.S. 113-291.5, dogs may not be used for hunting deer during the Archery Season, except
26 a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with
27 G.S. 113-291.1(k).

28 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
29 may be used during the Archery Season.

30 (C) Antlered or antlerless deer may be taken during Archery Season specified by Part (b)(1)(A)
31 of this Rule.

32 ~~(D) Only deer with visible antlers shall be taken during the Archery Season specified by Part~~
33 ~~(b)(1)(B) of this Rule.~~

34 (c) Open Blackpowder Firearms Seasons for hunting deer:

35 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be
36 taken only with blackpowder firearms and archery equipment ~~during the following seasons:~~ from

- 1 ~~(A)~~ ~~Two two~~ Saturdays preceding the first day of the open season for Deer with Visible Antlers
2 described in Parts (a)(1)(A), (B), (C), (D), (E), and (F) of this Rule through the second
3 Friday thereafter ~~except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills,~~
4 ~~and South Mountains Game Lands.~~ including on game lands unless otherwise specified in
5 the rules of 15A NCAC 10D .0200.
- 6 (B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and
7 parts of counties having the open seasons for Deer With Visible Antlers specified by Part
8 ~~(a)(1)(D)~~ of this Rule.

9 (2) Restrictions

- 10 (A) Antlered or antlerless deer may be taken during Blackpowder Firearms Season in ~~any a~~
11 county or county part set forth in Part ~~(a)(2)(E), (a)(2)(D), (E), (F), (G), or (H)~~ (G) of this
12 Rule that has one or more open days within the ~~all lawful weapons season~~ All Lawful
13 Weapons Season to legally harvest antlerless deer.
- 14 (B) Antlered or antlerless deer may be taken during the ~~first~~ second open ~~day~~ Saturday of the
15 Blackpowder Firearms Season thru the first ~~Saturday~~ Friday thereafter in any county or
16 county part set forth in Part ~~(a)(2)(D)~~ (a)(2)(C) of this ~~Rule~~ Rule.
- 17 (C) Antlered or antlerless deer may be taken on the ~~first~~ second open Saturday of the
18 Blackpowder Firearms Season in any county or county part not set forth in Subparagraph
19 (a)(2) of this Rule.
- 20 (D) In the areas of the State where the Commission regulates the use of dogs as provided in
21 G.S. 113-291.5, dogs shall not be used for hunting deer during the Blackpowder Firearms
22 Season, except a single dog on a leash may be used to retrieve a dead or wounded deer in
23 accordance with G.S. 113-291.1(k).

- 24 (3) As used in this Rule, "blackpowder firearms" means any firearm, including any firearm with a
25 matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured before 1899,
26 that cannot use fixed ammunition; any replica of this type of firearm if the replica is not designed
27 or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-
28 loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that is
29 designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the
30 muzzle, cylinder, or breech and that cannot use fixed ammunition.

31 (d) Open Urban Season for hunting deer:

- 32 (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag
33 limits set out in Paragraph (e) of this Rule, antlered or antlerless deer may be taken with archery
34 equipment in participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday
35 following January 1 through the sixth Sunday thereafter. Deer shall not be taken on game lands
36 within a city boundary.

1 (2) Participation. Cities that intend to participate in the Urban Season shall send a letter to that effect
2 no later than April 1 of the year prior to the start of the Urban Season to the Executive Director or
3 his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map
4 of the city's boundaries within which the Urban Season shall apply.

5 (3) Restrictions:

6 (A) In the areas of the State where the Commission regulates the use of dogs as provided in
7 G.S. 113-291.5, dogs shall not be used for hunting deer during the Urban Season except a
8 single dog on a leash may be used to retrieve a dead or wounded deer in accordance with
9 G.S. 113-291.1(k).

10 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
11 shall be used during the Urban Season.

12 (e) Bag limits. The possession and season limit is six deer, two that may be deer with visible antlers and four that may
13 be antlerless deer. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from
14 spikes protruding through the skin. A hunter may obtain multiple Bonus Antlerless Deer Harvest Report Cards from
15 the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional antlerless
16 deer per card for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of
17 participating municipalities, except on State-owned game lands. Antlerless deer harvested and reported on the bonus
18 antlerless harvest report card shall not count as part of the possession and season limit.

19 (f) Deer Management Assistance Program. The bag limits described in Paragraph (e) of this Rule do not apply to deer
20 harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e)
21 for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license.
22 Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested
23 under this program, regardless of the date of harvest, shall be tagged with DMAP tags and reported as instructed on
24 the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting
25 license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with
26 DMAP tags may only be harvested during the regularly established deer seasons subject to the restrictions of those
27 seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report
28 card.

29
30 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2; 113-291.5;*

31 *Eff. February 1, 1976;*

32 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1, 1994; July 1,*
33 *1994; July 1, 1993;*

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

35 *Amended Eff. July 1, 2000;*

36 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*

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

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Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2021; August 1, 2020; August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011; July 10, 2010; June 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;
Readopted Eff. August 1, 2022;
Amended Eff. August 1, 2023.

1 **15A NCAC 10B .0211 RING-NECKED PHEASANT**

2 (a) On the barrier islands of Carteret, Dare, and Hyde counties east of Core Sound and Pamlico Sound, the ~~The~~ open
3 season for taking ring-necked pheasant ~~is shall be~~ the Saturday before Thanksgiving Day through the last day of
4 February to February 1 on male pheasant only.

5 (b) In areas of the state not specified in Paragraph (a) of this Rule, the open season for taking male and female ring-
6 necked pheasant is the earlier of the first Saturday in September or Labor Day, through the last day of February.

7 ~~(b)(c) The~~ In the areas of the state specified in Paragraph (a) of this Rule, the daily bag limit for ring-necked pheasants
8 is three, the possession limit is six, and the season limit is 30.

9 (d) In areas of the state not specified in Paragraph (a) of this Rule, there is no daily bag limit, no season limit, and no
10 possession limit.

11

12 *History Note: Authority G.S. 113-134; 113-291.2;*

13 *Eff. February 1, 1976;*

14 *Amended Eff. August 1, 2018; July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984;*

15 *Readopted Eff. February 1, 2022.*

16

1 **15A NCAC 10B .0223 FERAL SWINE**

- 2 (a) There is no closed season for taking feral swine on private lands anytime during the day or night.
- 3 (b) Feral swine may be taken on game lands from the hours of one-half hour before sunrise until one-half hour after
4 sunset during ~~the an~~ open season for ~~any game animal animals~~ or game ~~bird birds~~ using ~~any the~~ legal ~~manner manners~~
5 of take allowed during those ~~seasons~~ season, except that dogs may not be used to hunt feral swine on game lands that
6 do not allow the use of dogs for hunting white-tailed deer or black bear. Where lawful, the hunting of feral swine with
7 dogs is allowed during the applicable deer or bear season unless otherwise specified in the Rules of 15A NCAC 10D
8 .0200.
- 9 (c) Feral swine may be taken on game lands from one-half hour after sunset to one-half hour before sunrise by permit
10 only. Individuals may apply for permits on or after July 1 online at ncwildlife.org, by phone, or in person at a wildlife
11 service agent location. The number of permits issued annually will be based on achieving population management
12 objectives of the Commission. The Commission shall issue available feral swine permits to applicants selected at
13 random by computer. Permits shall be non-transferrable. All applicable laws and rules regarding the taking of feral
14 swine shall apply.
- 15 (d) There are no bag limits on feral swine.
- 16 (e) Hunters may use artificial lights and electronic calls.

17

18 *History Note: Authority G.S. 113-129; 113-134; 113-264; 113-291; 113-291.1; 113-291.2;*
19 *Temporary Adoption Eff. October 1, 2011;*
20 *Eff. February 1, 2012;*
21 *Temporary Amendment Eff. August 1, 2012;*
22 *Amended Eff. August 1, 2015; March 21, 2013;*
23 *Readopted Eff. October 1, 2022.*

24

1 **15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS**

2 (a) The following shall be prohibited on game lands:

- 3 (1) hunting on a designated game land while under the influence of ~~alcohol or a narcotic drug~~; an
4 impairing substance, as defined by G.S. 20-4.01(48b);
- 5 (2) failing to comply with restrictions enacted by the National Park Service regarding the use of the
6 Blue Ridge Parkway where it adjoins game lands;
- 7 (3) parking a vehicle on game lands in a manner that blocks traffic or gates, or prevents vehicles from
8 using a roadway; and
- 9 (4) erecting or occupying a tree stand or platform attached by nails, screws, bolts, or to a tree on a game
10 land to hunt. This prohibition does not apply to lag-screw steps or portable stands that are removed
11 after use with no metal remaining in or attached to the tree.

12 (b) Unless allowed by permit, hunting on game lands shall be during the open season for game animals and game
13 birds.

14 (c) Individual game lands or parts of game lands may be closed to hunting or limited to specific dates by this
15 Subchapter.

16 (d) Persons shall hunt with weapons lawful for the open game animal or game bird seasons.

17 (e) On managed waterfowl impoundments, persons shall:

- 18 (1) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;
- 19 (2) not hunt after 1:00 p.m. on the permitted hunting dates;
- 20 (3) not set decoys out prior to 4:00 a.m.;
- 21 (4) remove decoys by 3:00 p.m. daily; and
- 22 (5) not operate a vessel or vehicle powered by an internal combustion engine.

23 (f) On Sundays, the following shall be prohibited:

- 24 (1) hunting with a firearm between 9:30 a.m. and 12:30 p.m.;
- 25 (2) the use of a firearm to take deer that are run or chased by dogs;
- 26 (3) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-
27 54.1(b), or an accessory structure thereof; and
- 28 (4) hunting migratory game birds.

29 (g) On designated Youth Waterfowl ~~Days~~ Days, the following shall apply:

- 30 (1) hunting on managed waterfowl impoundments shall be from one-half hour before sunrise to sunset;
- 31 (2) Subparagraphs (e)(1), (e)(3), and (e)(5) of this Rule; and
- 32 (3) youth may hunt on a game land and on an impoundment without a special hunt permit, including
33 permit-only areas, except where prohibited in Paragraph (a) of this Rule.

34 (h) On designated Veterans and Military Waterfowl Days veterans, as defined in 38 USC 101, and members of the
35 Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for
36 training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from
37 one-half hour before sunrise to sunset. Subparagraphs (e)(1), (e)(3), and (e)(5) of this Rule shall apply.

1 (i) On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and
2 waterfowl hunting on designated waterfowl hunting days are the activities allowed on the portion of the impoundment
3 outside of the posted "Scouting-only Zone."

4 (j) Definitions:

5 (1) For purposes of this Subchapter, "Dove Only Area" refers to a Game Land on which doves may be
6 taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day,
7 Christmas Day, and New Year's Days within the federally-announced season.

8 (2) For purposes of this Subchapter, "Three Days per Week Area" refers to a Game Land on which
9 game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays,
10 Saturdays, Thanksgiving Day, Christmas Day, Veterans Day, Martin Luther King Day, and New
11 Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays,
12 Thursday, and Fridays. Hunting is not allowed on Christmas Day, Veterans Day, and New Year's
13 Day when these holidays fall on Sunday. Falconry may also be practiced on Sundays. These "open
14 days" also apply to antlerless deer hunting seasons listed for each game land. Raccoon and opossum
15 hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight
16 on Saturdays.

17 (3) For purposes of this Subchapter, "Six Days per Week Area" refers to a Game Land on which game
18 may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday
19 during the open seasons. Falconry may be practiced on Sundays.

20 (4) For purposes of this Subchapter, "Seven Days per Week Area" refers to a Game Land on which
21 game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays,
22 Fridays, Saturdays, and Sundays.

23 (5) For purposes of this Subchapter, "Four Days per Week Area" refers to a Game Land on which game
24 may be taken during the open seasons and hunting is limited to Tuesdays, Thursdays, Saturdays,
25 Sundays, Labor Day, Veterans Day, Christmas Day, New Year's Day, and Martin Luther King Day.
26 Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays,
27 and 7:00 a.m. on Mondays.

28 (6) For purposes of this Subchapter, "Permit" means a written authorization from the Commission
29 required for take or other activities listed on the permit during open seasons, if applicable, in a
30 specified area and subject to annual limitations imposed by the Commission to meet wildlife, hunter,
31 or land management objectives, unless otherwise specified. Individuals may apply for available
32 permits online at ncwildlife.org, by phone, or in person at a wildlife service agent location. The
33 Commission shall issue permits to applicants selected at random by computer in accordance with
34 G.S. 113-264. Permits shall be non-transferrable. The laws and rules regarding the species or activity
35 shall apply.

36 (7) For the purposes of this Subchapter, "Either-Sex" means antlered or antlerless.

37 (k) Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with

1 dogs is prohibited as described in 15A NCAC 10B .0109.

2 (l) On permit hunts, ~~deer of either sex~~ antlered or antlerless deer may be taken on the hunt dates indicated on the
3 permit. Completed applications shall be received by the Commission not later than the first day of September next
4 preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees
5 prior to the hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife
6 cooperato(r) agent or by phone.

7 (m) The following game lands and refuges are closed to hunting except to individuals who have obtained a valid and
8 current permit from the Wildlife Resources Commission:

9 (1) Bertie, ~~Halifax~~ Halifax, and Martin counties—Roanoke River Wetlands;

10 (2) Bertie County—Roanoke River National Wildlife Refuge;

11 (3) Bladen County—Suggs Mill Pond Game Lands;

12 (4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);

13 (5) Dare County—Roanoke Sound Marshes Game Lands; and

14 (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

15 (n) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the
16 Commission. Written permission may be granted when entry onto the Waterfowl Refuge shall not compromise the
17 primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need
18 or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of
19 access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

20 ~~(o) Feral swine may be taken by licensed hunters during the open season for a game animal or game bird using a legal
21 manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that
22 allow the use of dogs for hunting deer or bear, and during the open deer or bear season.~~

23 ~~(o)~~ (o) The Commission may designate special hunts for participants of the disabled sportsman program by permit.
24 The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall
25 be identified on the permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on the permit.

26 ~~(p)~~ (p) As used in the rules of this Subchapter, horseback riding includes all equine species.

27 ~~(q)~~ (q) When waterfowl hunting is authorized on Christmas and New Years' Day and those days fall on Sundays, the
28 open waterfowl hunting day shall be the following day.

29

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

31 *Eff. February 1, 1976;*

32 *Temporary Amendment Eff. October 3, 1991;*

33 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September*
34 *1, 1994; July 1, 1994;*

35 *Temporary Amendment Eff. October 1, 1999; July 1, 1999;*

36 *Amended Eff. July 1, 2000;*

37 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*

1 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
2 *Temporary Amendment Eff. June 1, 2003;*
3 *Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);*
4 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014;*
5 *January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
6 *1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October*
7 *1, 2004;*
8 *Temporary Amendment Eff. August 1, 2018;*
9 *Amended Eff. August 1, 2020; August 1, 2019;*
10 *Temporary Amendment Eff. September 25, 2020;*
11 *Temporary Amendment Eff. August 1, 2021;*
12 *Amended Eff. November 1, 2022; October 1, 2022; August 23, 2022;*
13 *Readopted Eff. August 1, 2023.*
14

1 **15A NCAC 10D .0251 NANTAHALA GAME LAND IN CHEROKEE, CLAY, GRAHAM, JACKSON,**
2 **MACON, SWAIN, AND TRANSYLVANIA COUNTIES**

3 (a) Nantahala game land is a Seven Days per Week Area.

4 (b) In this game land Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
5 Antlers Season in that portion located in Transylvania County.

6 (c) Dogs may be used to hunt feral swine during the open bear season established in 10B.0202 ~~and from January 1~~
7 through January 31.

8

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

10 *Eff. October 1, 2022.*

11

1 (7) ~~(e) Applicants shall certify and demonstrate ownership or~~ proof of ownership or lease of the land
2 for the license ~~period.~~ period and for the operation of a controlled hunting preserve.

3 ~~(f) A licensed controlled hunting preserve operator shall be authorized to purchase, possess, propagate, sell, transport,~~
4 ~~and release waterfowl and propagated migratory game birds, their eggs, and propagated upland game birds, except for~~
5 ~~wild turkey, subject to limitations in Section .0900 of this Subchapter.~~

6 ~~(g)~~(e) Representatives of the Commission shall be permitted to enter the premises upon request or during business
7 hours for inspection, enforcement, or scientific purposes.

8
9 *History Note:* *Authority G.S. 113-134; 113-273;*
10 *Eff. February 1, 1976;*
11 *Amended Eff. August 1, 2010; May 1, 2008; July 1, 1994; November 1, 1990; July 1, 1988; July 1,*
12 *1987;*
13 *Readopted Eff. April 1, 2020;*
14 *Amended Eff. February 1, 2023.*

1 **15A NCAC 10H .0102 ESTABLISHMENT AND OPERATION**

2 (a) Controlled hunting preserves shall be at least ~~400~~ 50 acres and shall be one contiguous block of land.

3 (b) The boundary of each controlled hunting preserve shall be posted with printed signs that face both outward and
4 inward from the preserve ~~boundary. boundary and meet the following requirements:~~

5 (1) ~~Signs shall be at least 12 inches wide and at least nine inches tall with white background and black
6 lettering of uniform font.~~

7 (2) ~~Signs shall be placed along the boundaries of the controlled hunting preserve, not more than 150
8 feet apart.~~

9 (3) ~~Text of signs facing outward from the boundary shall contain the following information in font no
10 less than ¼ of an inch in height:~~

11 (A) ~~the words "Controlled Hunting Preserve";~~

12 (B) ~~the words, "The owner or lessee of this property is operating by authority of a license issued
13 by the N.C. Wildlife Resources Commission. Hunting on this preserve shall be in
14 accordance with regulations of the Commission.";~~

15 (C) ~~the words, "State hunting license is required"; and~~

16 (D) ~~the name of the licensed operator of the controlled hunting preserve.~~

17 (4) ~~Text of signs facing inward from the boundary shall bear the words "Controlled Hunting Preserve"
18 in font no less than ¾ of an inch in height.~~

19

20 *History Note: Authority G.S. 113-134; 113-273;*

21 *Eff. February 1, 1976;*

22 *Amended Eff. June 1, 2009; January 1, 1992; November 1, 1990;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December
24 6, 2016;*

25 *Amended Eff. April 1, 2020.*

26

1 **15A NCAC 10H .0105 RECORDS AND REPORTING REQUIREMENTS**

2 (a) The controlled hunting preserve operator shall maintain a written record of each hunter using the controlled
3 hunting preserve. This record shall contain the following information:

- 4 (1) name, address, and license number of the preserve;
- 5 (2) the name, address, and state hunting license number of each hunter using the preserve;
- 6 (3) the date(s) of the hunt;
- 7 (4) the number and species of each bird harvested by the hunter on the preserve; and
- 8 (5) the signature of the operator.

9 This record shall be executed in duplicate. The original record shall be given to the hunter to serve as a receipt for
10 birds harvested on the preserve as required in Rule .0103 of this Section. The duplicate record shall be retained by the
11 operator for 12 months after the date(s) of the hunt. It shall be unlawful for a person to possess game birds harvested
12 on controlled hunting preserves without a receipt as described in this Rule.

13 (b) The operator shall maintain a written record of each bird species released on the preserve. This record shall include
14 the number and species of each bird released and the date of the release.

15 (c) The records required by this Rule shall be available for inspection at the request of the Commission.

16 (d) Licensed operators that release birds shall report the number released, the species of the birds released, and the
17 county where the release occurred to renew their operator's license. This reporting requirement shall be limited to
18 those birds released during the time period of the operator's current valid license or last valid license and shall be
19 reported on the Controlled ~~Shooting~~ Hunting Preserve Game Birds Report Form found online at www.ncwildlife.org
20 or at the Commission headquarters.

21

22 *History Note: Authority G.S. 113-134; 113-273; 113-274;*

23 *Eff. February 1, 1976;*

24 *Amended Eff. November 1, 1990; April 15, 1979;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
26 *6, 2016;*

27 *Amended Eff. April 1, 2020.*

28

1 **15A NCAC 10H .0109 QUAIL CALL-PEN TRAPS**

2 Licensed controlled hunting preserve operators that release pen-raised quail for hunting or dog training shall be
3 authorized to use quail call-pen traps, between September 1 and April 30, to recover released domestically raised
4 quail, subject to the following requirements:

- 5 (1) ~~all~~ traps shall have a weather-resistant permanent tag attached with the operator's name and address
6 written legibly; and
7 (2) ~~no trap~~ traps shall not be located within 100 yards of any boundary of the hunting ~~preserve; and~~
8 preserve.
9 (3) ~~no trapped, unbanded quail shall be retained.~~

10

11 *History Note: Authority G.S. 113-134; 113-291.1;*

12 *Eff. September 1, 1980;*

13 *Amended Eff. May 1, 2009; December 1, 1993; November 1, 1990; July 1, 1987;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
15 *6, 2016;*

16 *Amended Eff. April 1, 2020.*

17

1 **15A NCAC 10H .0901 GAME BIRD PROPAGATION LICENSE**

2 (a) The game bird propagation license ~~shall authorize~~ is required for the ~~purchase, possession, propagation,~~
3 ~~propagation and~~ sale, ~~transportation, transfer, and release of propagated upland game birds, except wild turkey, and~~
4 ~~migratory~~ domestically raised waterfowl and game birds and their eggs, subject to the following limitations and
5 conditions:

- 6 (1) ~~The~~ the sale of dead pen-raised quail for food is governed by the regulations of the North Carolina
7 Department of ~~Agriculture;~~ Agriculture and Consumer Services; and
8 (2) ~~The~~ the purchase, possession, sale, transportation, and transfer of migratory game birds and their
9 eggs is subject to additional requirements in 50 CFR 21, which is hereby incorporated by reference,
10 including subsequent amendments and editions. 50 CFR 21 may be found free of charge at:
11 www.ecfr.gov.
12 (3) ~~Except on controlled hunting preserves each license holder may release no more than six~~
13 ~~domestically raised game birds for the purpose of dog training each day.~~

14 (b) ~~Application for~~ Individuals may obtain a game bird propagation license ~~shall be made on a form available from~~
15 ~~the Commission~~ at www.newwildlife.org www.gooutdoorsnorthcarolina.com or at the Commission headquarters
16 located at 1751 Varsity Drive, Raleigh, NC 27606-2576. ~~Information required from the applicant shall include the~~
17 ~~applicant's:~~

- 18 (1) ~~name;~~
19 (2) ~~mailing address;~~
20 (3) ~~residence address;~~
21 (4) ~~telephone number; and~~
22 (5) ~~date of birth.~~

23 (c) The game bird propagation license shall be posted and displayed at the propagation facility so that it is visible to
24 visitors ~~or patrons at all times.~~ and patrons.

25
26 *History Note: Authority G.S. 106-549.94; 113-134; 113-273; 50 C.F.R., Part 21;*
27 *Eff. January 1, 1981;*
28 *Amended Eff. July 1, 1988; July 1, 1987;*
29 *Temporary Amendment Eff. July 1, 2001;*
30 *Amended Eff. June 1, 2005; July 18, 2002;*
31 *Readopted Eff. November 1, 2019.*
32

1 **15A NCAC 10H .0904 DISPOSITION OF GAME BIRDS OR GAME BIRD EGGS**

2 (a) ~~Diseased Birds.~~ It shall be unlawful for a game bird propagation license holder to knowingly sell or otherwise
3 transfer possession of ~~any~~ a live game bird that shows evidence of a communicable disease, except for transfers to a
4 veterinarian or pathologist for examination and diagnostic purposes. Disposition of any game bird with a
5 communicable disease not likely to infect wild game bird populations shall be the responsibility of the license holder.

6 (b) ~~Sale of Live Birds or Eggs.~~ Subject to the limitations set forth in Rule .0901 of this Section, ~~any~~ game birds that
7 are authorized to be propagated under this Section, or ~~the~~ their eggs, eggs thereof, may be sold or transferred alive by
8 a licensed game bird propagator to another licensed game bird propagator or licensed controlled ~~shooting~~ hunting
9 preserve operator or to ~~any~~ a person that holds a valid license or permit that authorizes possession.

10 (c) ~~Receipt Required.~~ Upon sale or transfer, a written receipt of the transaction shall be prepared in duplicate showing
11 the date, the names and license or permit numbers of both parties, and the species and quantity of the game birds or
12 game bird eggs transferred. A copy of the receipt shall be retained by ~~each~~ of the parties as provided by Rule .0906 of
13 this Section.

14 (d) ~~Bird Marking.~~ Any live Live migratory waterfowl sold or transferred to ~~any~~ a person for use in training retrievers
15 or conducting retriever trials shall be marked by one of the methods provided by 50 CFR ~~21.45~~ 21.45, which is hereby
16 incorporated by reference, including subsequent amendments and editions. This document may be ~~accessed~~ found free
17 of charge at www.ecfr.gov. ~~www.ecfr.gov at no cost. All other domestically raised game birds sold or transferred for~~
18 ~~the same purposes shall be individually marked on one leg with a band imprinted with the propagator's license number.~~

19 (e) ~~Sale of Dead Game Birds as Food.~~ Subject to Rule .0901 of this Section and to ~~any~~ applicable laws and regulations
20 relating to pure foods, public health, and advertising, domestically raised waterfowl and game birds produced by
21 licensed game bird propagators ~~may~~ shall not be killed ~~at any time in any manner, except~~ by shooting during the closed
22 season. Dead game birds, except for dead pen-raised quail, and game bird eggs may be sold for food purposes as
23 follows:

24 (1) Sale Direct to Consumer. Unprocessed dead domestically raised waterfowl and game birds may be
25 sold directly to a consumer when accompanied by a receipt showing the name of the consumer, the
26 name and license number of the propagator, and the quantity and species of the ~~game~~ birds sold. A
27 copy of the receipt shall be retained by the propagator for one year after the transaction. It shall be
28 unlawful for the consumer to resell unprocessed dead domestically raised waterfowl and game birds.

29 (2) Sale to or Through a Processor.

30 (A) Unprocessed dead domestically raised waterfowl and game birds may be sold to a
31 commercial food processor that holds a permit to possess them or transferred to a
32 commercial food processor for processing and packaging prior to sale. Sale or transfer shall
33 be evidenced by written receipt retained by each party for a year after the sale or transfer,
34 that includes the following information:

- 35 (i) the processor's name and permit number;
36 (ii) the propagator's name and license number; and
37 (iii) the number and species of ~~game~~ birds sold or transferred.

1 (B) Domestically raised waterfowl and game ~~Game~~ bird carcasses processed by a commercial
2 food processor for wholesale or retail sale shall be enclosed in a wrapper or container
3 marked with the following:

- 4 (i) the number and species of ~~game~~ birds contained;
- 5 (ii) the license number of the propagator; and
- 6 (iii) the words "domestically raised."

7 (3) Domestically raised waterfowl and ~~Propagated~~ game bird eggs shall not be sold for food.

8
9 *History Note: Authority G.S. 113-134; 113-273; 50 CFR 21.45;*
10 *Eff. January 1, 1981;*
11 *Amended Eff. August 1, 2010; May 1, 2008; June 1, 2005;*
12 *Readopted Eff. November 1, 2019;*
13 *Amended Eff. February 1, 2023.*
14

1 **15A NCAC 10H .0905 TRANSPORTATION**

2 (a) Live Domestically Raised Waterfowl and Game Birds or ~~Game Bird~~ Eggs

3 (1) Private Carriers. Live ~~propagated~~ domestically raised waterfowl and game birds or ~~game bird~~ eggs
4 may be transported by private carrier when accompanied by a copy of the receipt specified in Rules
5 .0903 or .0904 of this Section.

6 (2) Common Carriers. When live ~~propagated~~ domestically raised waterfowl and game birds or ~~game~~
7 ~~bird~~ eggs are transported by common carrier, each separate container shall be tagged or labeled with
8 the following information:

9 (A) the name, address, and license number of the shipping propagator;

10 (B) the name, address, and license or permit number of the consignee; and

11 (C) the number and species of domestically raised waterfowl or game birds or ~~game bird~~ eggs
12 contained therein.

13 (b) Dead Domestically Raised Waterfowl and Game Birds

14 (1) Private Consumers. Unprocessed dead domestically raised waterfowl and game birds may be
15 transported by consumers or hunters when accompanied by a receipt from a licensed game bird
16 propagator required by Rule .0904(e)(1) of this Section or by a copy of the receipt from a controlled
17 ~~shooting~~ hunting preserve operator as required by 15A NCAC 10H .0105.

18 (2) Processed Domestically Raised Waterfowl and Game Birds. The carcasses of processed ~~propagated~~
19 domestically raised game birds other than quail may be transported in any manner when packaged
20 in a wrapper or container marked as required by Rule .0904(e)(2) of this Section.

21
22 *History Note: Authority G.S. 113-134; 113-273;*

23 *Eff. January 1, 1981;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
25 *6, 2016;*

26 *Amended Eff. November 1, 2019.*
27

1 **15A NCAC 10H .0906 RECORDS**

2 (a) Licensed game bird propagators that sell domestically raised waterfowl and game birds shall maintain a file of
3 receipts by calendar year with the following information:

4 (1) ~~The~~ the dates and sources of acquisition of domestically raised waterfowl and game birds and ~~game~~
5 ~~bird~~ eggs;

6 (2) ~~The~~ the species and quantities of the domestically raised waterfowl and game birds and ~~game bird~~
7 eggs, as required by Rule .0903 of this Section; and

8 (3) ~~Receipts~~ receipts showing ~~all~~ transfers of ~~propagated~~ domestically raised waterfowl and game birds,
9 except dead quail sold for food purposes, and ~~game bird~~ eggs as required by Rule .0904 of this
10 Section.

11 (b) Records shall be made available for inspection at the request of the Commission.

12 (c) Records shall be retained for at least one year following the license year to which they pertain.

13

14 *History Note: Authority G.S. 113-134; 113-273;*

15 *Eff. January 1, 1981;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016;*

18 *Amended Eff. November 1, 2019.*

19

1 **15A NCAC 10H .1505 WILDLIFE CONTROL AGENT LICENSE RENEWAL AND REVOCATION**

2 (a) A WCA may renew his or her WCA license by completing at least one Commission-approved continuing
3 education course within the previous year. A list of Commission-approved continuing education courses may be found
4 at www.ncwildlife.org/wca.

5 (b) WCAs that do not renew their license for two consecutive calendar years shall be ineligible for renewal and shall
6 be required to repeat the requirements specified in 15A NCAC 10H .1501, prior to obtaining a new WCA license.

7 (c) The Executive Director or his or her designee may warn, cite, or revoke a WCA's license, if the WCA violates
8 any provision of G.S. 14, Article 47; G.S. 113, Subchapter IV; any rules promulgated by the Commission; conditions
9 of the WCA license; or standards taught in a Commission-approved WCA training course. The determination whether
10 to warn, cite, or revoke a WCA's wildlife control agent license shall be based upon the seriousness of the violation.

11 (d) An individual whose WCA license is suspended or revoked shall not be eligible for the Wildlife Control
12 Technician certification.

13
14 *History Note: Authority G.S. 113-134; 113-273; 113-274;*
15 *Eff. May 1, 2021.*
16

1 **15A NCAC 10H .1510 WILDLIFE CONTROL TECHNICIAN CERTIFICATION ELIGIBILITY AND**
2 **REQUIREMENTS**

3 (a) The following definitions shall apply in this Section:

- 4 (1) ~~"Wildlife control technician"~~ "Wildlife Control Technician" or "WCT" means an individual that
5 holds a current and valid ~~wildlife control technician~~ "Wildlife Control Technician" certification
6 issued by the Commission.
- 7 (2) ~~"Wildlife control technician certification"~~ "Wildlife Control Technician certification" or "WCT
8 certification" means a certification issued by the Commission that authorizes an individual to engage
9 in wildlife control or wildlife removal activities, for compensation, including reimbursement for the
10 cost of materials, under the supervision of a licensed wildlife control agent.
- 11 (3) "Direct supervision" means to physically be within one's presence while maintaining visual and
12 verbal contact.
- 13 (4) "Wildlife damage control" and "wildlife removal activities" means and includes:
14 (A) bat eviction and alligator damage control or removal activities;
15 (B) setting and moving traps;
16 (C) euthanasia; and
17 (D) issuing depredation permits in accordance with the applicable provision and requirements
18 of 15A NCAC 10H .1502.

19 (b) It shall be unlawful to engage in wildlife damage control or wildlife removal activities for compensation, without
20 first obtaining a WCT certification from the Commission, except that licensed trappers taking wild animals during the
21 applicable open trapping season for that species shall not be required to obtain a WCT certification.

22 (c) Wildlife control technicians may ~~only~~ perform the following wildlife control or removal activities under direct
23 supervision of a licensed WCA, or certified Alligator Control Agent if applicable:

- 24 (1) placement of traps;
25 (2) euthanasia of wildlife;
26 (3) bat evictions; and
27 (4) alligator removal or relocation.

28 (d) ~~Wildlife control technicians~~ Control Technicians shall not issue depredation permits.

29 (e) Individuals shall complete a Commission-approved, WCT training course, that reviews wildlife laws and rules,
30 including methods for trapping, capture, and safe and humane wildlife handling to qualify for a WCT certification.

31 (f) Individuals may register for a Commission-approved training course at www.ncwildlife.org/wca. Required
32 information shall include the following:

- 33 (1) the applicant's name, mailing address, email address, residence address, telephone number, driver's
34 license number, and date of birth; and
35 (2) organizational affiliation, if applicable.

36 (g) A WCT certification shall not be transferable between individuals.

37 (h) An individual whose WCA license is suspended or revoked shall not be eligible for a WCT certification.

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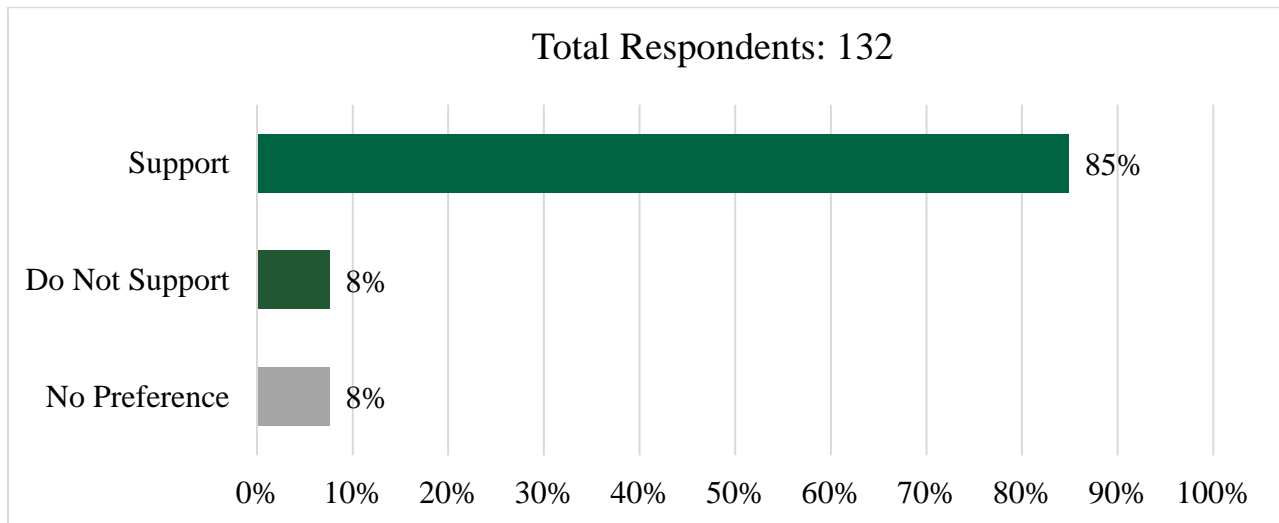
*History Note: Authority G.S. 113-134; 113-273; 113-274;
Eff. October 1, 2022.*

Exhibit G-1

Summary of Public Comments on Proposed Changes to Administrative Rules for 2024-2025

A1 – Include Class 1 and 2 misdemeanors in G.S. 113-262 - Taking fish or wildlife by poisons, drugs, explosives or electricity prohibited, and violations of the following Inland Fisheries rules to the list of offenses for which rewards can be paid to informants for providing information resulting in the arrest and conviction of persons committing these crimes:

- 10C .0302 - Manner of Taking Inland Game Fishes
- 10C .0304 - Taking and Possession of Inland Game Fishes
- 10C .0401 - Manner of Taking Nongame Fishes
- 10C .0402 - Taking Nongame Fishes by Special Device for Bait or Personal Consumption
- 10C .0409 - Taking and Possession of Nongame Fishes



NOTE: Total % > 100% due to rounding

District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	4	6	8	4	8	8	3	13	49	2	7	112
Do Not Support	0	5	1	0	1	0	0	1	1	0	1	10
No Preference	0	1	0	0	0	2	1	1	4	0	1	10
Total	4	12	9	4	9	10	4	15	54	2	9	132

EXHIBIT G-2

February 22, 2024



Proposed Amendments to Administrative Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Adoption

Wildlife Poacher Reward Fund

A1. 15A NCAC 10A .1301, .1302, .1303

Include Class 1 and 2 misdemeanors in G.S. 113-262 - Taking fish or wildlife by poisons, drugs, explosives or electricity prohibited, and violations of the following Inland Fisheries rules to the list of offenses for which rewards can be paid to informants for providing information resulting in the arrest and conviction of persons committing these crimes:

- 10C .0302 - Manner of Taking Inland Game Fishes
- 10C .0304 - Taking and Possession of Inland Game Fishes
- 10C .0401 – Manner of Taking Nongame Fishes
- 10C .0402 – Taking Nongame Fishes by Special Device for Bait or Personal Consumption
- 10C .0409 – Taking and Possession of Nongame Fishes

Justification: Currently, no inland fisheries related crimes are eligible for the Wildlife Poacher Reward Program despite the large percentage of criminal activity reported by the public. These violations represent a significant loss of inland fishery resources as well as substantial replacement cost to the Commission. This change will allow informants for violations of the most serious fisheries rules and regulations to be eligible for rewards. Additional edits for clarity and consistency of these rules have been made as part of the periodic review.

15A NCAC 10A .1301 FUNDING SOURCES (Pg. 2)

15A NCAC 10A .1302 OFFENSES AND REWARD AMOUNTS (Pg. 2)

15A NCAC 10A .1303 ELIGIBILITY (Pgs. 2-3)

1 information.

2

3 *History Note: Authority G.S. 113-134; 113-171; 113-294.1;*

4 *Eff. May 1, 2014*

5

EXHIBIT H-1

February 22, 2024



Public Comments for Proposed Declaratory Rulings Rules

15A NCAC 10A .0501 WHEN ISSUED

No public comments received.

15A NCAC 10A .0502 WHEN NOT ISSUED

No public comments received.

15A NCAC 10A .0503 PROCEDURE

No public comments received.

One public hearing was held on January 23, 2024.

EXHIBIT H-2

February 22, 2024



Proposed Amendments to 15A NCAC 10A .0500 Declaratory Rulings Rules Recommended by Agency Staff for Adoption

Per the Administrative Procedures Act (G.S. 150B-4), the agency is required to have rules prescribing the procedure for requesting a declaratory ruling and the circumstances in which rulings shall or shall not be issued.

Rules in this Subchapter were determined to be “necessary with substantive public interest” and are required to readopted as part of the periodic review.

15A NCAC 10A .0501 WHEN ISSUED

Proposed amendments to this rule update language for clarity and consistency.

15A NCAC 10A .0501 WHEN ISSUED (Pg. 2)

15A NCAC 10A .0502 WHEN NOT ISSUED

Proposed amendments to this rule update language for clarity and consistency.

15A NCAC 10A .0502 WHEN NOT ISSUED (Pg. 3)

15A NCAC 10A .0503 PROCEDURE

Proposed amendments to this rule remove the example letter and update language for clarity and consistency.

15A NCAC 10A .0503 PROCEDURE (Pg. 4-6)

1 **15A NCAC 10A .0501 WHEN ISSUED**

2 In accordance with G.S. 150B-4 and the procedures set forth in Rule .0503 of this Section, ~~and except as provided in~~
3 ~~Rule .0502 of this Section, a declaratory ruling is authorized to be issued by the Wildlife Resources Commission when~~
4 ~~there is submitted to the Executive Director shall issue a declaratory ruling when~~ a written request signed and verified
5 under oath by or on behalf of a person or group of persons of common interest ~~who will be substantially affected in~~
6 ~~their persons, property, public office or employment by such ruling; aggrieved, and which request shows on its face:~~

- 7 (1) that there is ~~an actual~~ a controversy as to the validity of a rule; or that there is a controversy as to
8 the applicability of a specific rule or regulation of the Commission, or of a specific statute
9 administered or enforced by the Commission, to an existing factual situation; or that there is a
10 conflict or inconsistency regarding the interpretation of a specific law or rule adopted by the
11 Commission;
- 12 (2) that ~~every~~ the relevant ~~fact~~ facts and ~~circumstance~~ circumstances necessary to the ruling ~~is~~ are
13 definitively stated and ~~is~~ are conceded by all parties to be a true and existing fact or circumstance
14 for all purposes;
- 15 (3) that ~~all~~ the parties who will be directly or indirectly affected by the ruling, other than the
16 Commission and its agents and employees, have joined in the request therefor and in the verification
17 of the facts therein set forth; and
- 18 (4) that the ruling will be final and determinative of the controversy and binding on ~~all~~ the parties
19 affected thereby, subject only to reversal or modification by a court on direct judicial review as
20 provided by law.

21
22 *History Note:* Authority *G.S. 150B-4;*
23 *Eff. February 1, 1976.*
24

1 **15A NCAC 10A .0502 WHEN NOT ISSUED**

2 The Wildlife Resources Commission shall not issue ~~A a declaratory ruling will not be issued~~ upon ~~any a~~ request which
3 ~~does not comply with the requirements of Rules .0501 and .0503 of this Section, or that is the is not in writing or upon~~
4 ~~the written~~ request of a person or group not aggrieved, ~~who will not be substantially affected, either directly or~~
5 ~~indirectly, in his person, property, public office or employment by the ruling requested;~~ or when it is or becomes
6 apparent from ~~any a~~ source:

- 7 (1) that no ~~actual~~ controversy exists, either ~~as~~ among the respective parties or ~~as~~ between the parties
8 and the Commission, as to the applicability of a specific rule ~~or regulation~~ of the Commission, or of
9 a specific statute administered or enforced by the Commission, to an existing factual situation;
- 10 (2) that the question to be ruled upon is academic, hypothetical, moot, speculative, or lacking in
11 specificity;
- 12 (3) that ~~any a~~ relevant fact or circumstance necessary to the ruling is controverted, unverified, indefinite
13 as to time or place, or omitted from the request for ruling;
- 14 (4) that the proposed ruling will substantially affect a person, other than an agent or employee of the
15 Commission, who is not a party to the ~~request therefor;~~ request;
- 16 (5) that a case or proceeding involving the substance of the requested ruling is pending before a court
17 or another agency;
- 18 (6) that the requested ruling would not be final and binding on the parties ~~to be~~ affected thereby, subject
19 only to direct judicial review as provided by law;
- 20 (7) that the request for ruling challenges the validity of a statute administered or enforced by the
21 Commission;
- 22 (8) that the requested ruling would require an interpretation of a statute not administered or enforced by
23 the Commission or of a rule, ~~regulation,~~ order, or ordinance of some other governmental agency;
- 24 (9) that the Commission is without power or authority to issue the requested ruling for ~~any a~~ reason; or
25 (10) that the request is not made in good faith.

26
27 *History Note: Authority G.S. 150B-4;*
28 *Eff. February 1, 1976.*
29

1 **15A NCAC 10A .0503 PROCEDURE**

2 (a) ~~Form and Content of Request.~~ A request for a declaratory ruling shall be in writing and sent ~~must be a written~~
3 ~~communication, specifically designated as a "Request for Declaratory Ruling," addressed to the Executive Director,~~
4 ~~Director of the Wildlife Resources Commission, Archdale Building, 512 North Salisbury Street, Raleigh, North~~
5 ~~Carolina 27611 and must contain the following:~~ Commission at 1701 Mail Service Center, Raleigh, NC 27699-1700
6 for U.S. Postal Service delivery, or 1751 Varsity Drive, Raleigh, NC 27606-2576 for other delivery services or in
7 person. The request shall contain:

- 8 (1) names and addresses of ~~all~~ all persons requesting the ruling;
- 9 (2) designation of the person or persons authorized to receive the ruling or ~~any~~ communication relative
10 thereto, if different from those requesting;
- 11 (3) statement of ~~all the~~ all the material facts and circumstances sufficient to show the existence and nature of
12 the controversy and the relation of ~~all the~~ all the parties with respect thereto;
- 13 (4) identification of the specific ~~rule, regulation~~ rule or statute involved ~~by number or substance, or~~
14 ~~both;~~
- 15 (5) the specific question to be ruled upon;
- 16 (6) a statement that the substance of the request is not ~~then~~ pending for decision before ~~any a~~ a court or
17 ~~any other~~ another agency of government;
- 18 (7) signature of ~~all the~~ all the persons making the request or of one or more authorized representatives of ~~all~~
19 such persons, indicating the capacity of such representation; and
- 20 (8) verification by, or on behalf of, ~~all the~~ all the persons making the request.

21 (b) ~~Form of Verification.~~ The verification of a request for a declaratory ruling ~~must~~ shall be executed before an
22 official authorized to administer oaths. ~~oaths, and may be in substance as follows:~~

23
24 North Carolina

25 _____ County

26 _____, being duly

27 [name(s)]

28 sworn, says (say) that he is (they are) _____;

29 (capacity)

30
31 ~~that he has (they have) read the foregoing Request for Declaratory Ruling and understand(s) its contents; and that the~~
32 ~~matters therein stated are true of his (their) own knowledge, except those matters stated on information and belief, and~~
33 ~~as to the matters so stated, he believes (they believe) them to be true.~~

34
35 _____

36
37 [signature(s)]

1
2
3

Eff. February 1, 1976;
Amended Eff. April 15, 1979.

EXHIBIT I-1

February 22, 2024



Public Comments for Proposed Fishing and Boating Access Areas Rules

15A NCAC 10E .0101 DEFINITION

No public comments received.

15A NCAC 10E .0102 REGULATIONS POSTED

Choices	Responses	
Support	50%	1
Do Not Support	50%	1
No Preference	0%	0
Total		2

15A NCAC 10E .0102 REGULATIONS POSTED COMMENTS

Number	Comment
1	The proposed regulations for the BAA for 2024 basically eliminates the small local Bass Clubs and charity organizations from participating in any and all bass tournaments that we have enjoyed for 50+ years. It is not a reasonable rule and unjustly penalizes all bass anglers.
2	I'm in favor of this change to the season dates. It will finally give us a chance to hunt the peak of rut in Macon County. I ask you to support the Wildlife's Proposal and pass this new rule. Thanks!

15A NCAC 10E .0103 SIGNS AND MARKERS

No public comments received.

15A NCAC 10E .0104 USE OF AREAS REGULATED

Choices	Responses	
Support	0%	0
Do Not Support	0%	0
No Preference	100%	1
Total		1

15A NCAC 10E .0104 USE OF AREAS REGULATED COMMENTS

Number	Comment
1	With the popularity of wildlife watching and similar activities, it might make sense to revise the regulation to allow such activity as well as fishing at the fishing areas.

One public hearing was held on January 23, 2024.

EXHIBIT I-2

February 22, 2024



Proposed Amendments to 15A NCAC 10E .0100 Fishing and Boating Access Areas Rules Recommended by Agency Staff for Adoption

Rules in this Subchapter were determined to be “necessary with substantive public interest” and are required to readopted as part of the periodic review.

15A NCAC 10E .0101 DEFINITION

Proposed amendments to this rule update definitions of Public Fishing Areas (PFA) and Boating Access Areas (BAA) and further divides BAAs into motorized and nonmotorized BAAs for clarity.

15A NCAC 10E .0101 DEFINITION (Pg. 2)

15A NCAC 10E .0102 REGULATIONS POSTED

This rule is proposed for repeal, as it sets requirements for the agency and not the public.

15A NCAC 10E .0102 REGULATIONS POSTED (Pg. 3)

15A NCAC 10E .0103 SIGNS AND MARKERS

This rule is proposed for repeal, as it sets requirements for the agency and not the public.

15A NCAC 10E .0103 SIGNS AND MARKERS (Pg. 4)

15A NCAC 10E .0104 USE OF AREAS REGULATED

Proposed amendments to this rule:

- Re-organize and re-word current requirements for clarity;
- Prohibit the operation of concessions on BAAs and PFAs; and
- Provide detail requirements for requesting a permit for activities and events at BAAs.

15A NCAC 10E .0104 USE OF AREAS REGULATED (Pg. 5-7)

1 **15A NCAC 10E .0102 REGULATIONS POSTED**

2 ~~The Executive Director of the Commission shall cause to be prepared signs or notices containing the rules in this~~
3 ~~Subchapter or the essential substance thereof and shall cause at least one of such signs to be posted at some~~
4 ~~conspicuous place on each public fishing and boating access area in the State.~~

5

6 *History Note: Authority G.S. 113-134; 113-264;*
7 *Eff. February 1, 1976;*
8 *Amended Eff. August 1, 2010; April 15, 1979.*

9

1 **15A NCAC 10E .0103 SIGNS AND MARKERS**

2 ~~The Executive Director shall cause to be installed signs or markings designating parking and nonparking zones and~~
3 ~~such other signs or marking to regulate the use of each access area as in his opinion will best serve the purposes for~~
4 ~~which the area is intended.~~

5

6 *History Note: Authority G.S. 113-134; 113-264;*
7 *Eff. February 1, 1976.*

8

1 **15A NCAC 10E .0104 USE OF ~~AREAS REGULATED~~ PUBLIC FISHING AND BOATING ACCESS**

2 **AREAS**

3 (a) Individuals using public fishing areas and boating access areas shall adhere to posted signs and markings regulating
4 use of the area.

5 (b) Except where facilities are provided or where otherwise posted, use of public fishing areas for purposes other than
6 fishing is prohibited.

7 (c) Except where facilities are provided or permits are issued, use of boating access areas for purposes other than
8 launching and retrieving vessels and parking vehicles with vessel trailers is prohibited.

9 (d) Operating concessions is prohibited on public fishing areas and boating access areas.

10 (e) Organized activities and events on boating access areas require a permit from the Commission. Individuals may
11 apply for a permit at www.ncwildlife.org by providing the following information:

- 12 (1) organization name, if applicable;
- 13 (2) contact name, address, phone number, and email;
- 14 (3) public fishing area or boating access area name and body of water;
- 15 (4) description of activity or event;
- 16 (5) dates and time of activity or event; and
- 17 (6) number of individuals and or boats expected.

18 Permits shall be available for inspection by wildlife enforcement officers when the activity is taking place.

19 ~~(a)(f) No person shall leave any vehicle, Vehicles, boat trailer or trailers, and other obstruction objects that obstruct,~~
20 prevent, or impede use of ramps or facilities constructed for the purpose of launching or landing boats, or fishing,
21 shall not be left in a location, position or condition, on any public fishing area or boating access area in such a location,
22 position or condition that prevents or impedes the use by others, other persons of any ramp or other facility constructed
23 for the purpose of launching or landing boats or fishing.

24 ~~(b)(g) Vehicles, boats, boat trailers, and other objects shall be parked in designated parking zones. No person shall~~
25 park a vehicle, boat, boat trailer, or other object at a public fishing or boating access area unless parking in a designated
26 parking zone. Public fishing or boating access areas and facilities remain available for use when designated parking
27 zones are at capacity. When designated parking zones are at capacity, individuals any person may still enter and use
28 the areas or facilities, facilities, provided other arrangements for parking are made that do not violate this Rule or the
29 regulations of this Subchapter, if applicable.

30 (h) No person shall operate a vehicle at a public fishing area or boating access area in a manner that endangers life,
31 limb, or property.

32 ~~(e)(i) No person shall possess a loaded firearm on any a public fishing area or boating access area, except that~~
33 individuals with a valid concealed handgun permit may possess a handgun where allowed. Individuals carrying a
34 handgun shall adhere to the requirements of G.S. 14-415.11, a handgun may be carried by an individual with a valid
35 concealed handgun permit. The individual carrying a handgun must adhere to the requirements set forth in North
36 Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. The permission
37 to Individuals shall not carry a handgun does not apply to access areas on public fishing and boating access areas at

1 the following game lands:

- 2 (1) Bladen Lakes State Forest
- 3 (2) Buckhorn
- 4 (3) Butner-Falls of Neuse
- 5 (4) Chatham
- 6 (5) DuPont State Forest
- 7 (6) Harris
- 8 (7) Hyco
- 9 (8) Jordan
- 10 (9) Kerr Scott
- 11 (10) Lee
- 12 (11) Mayo
- 13 (12) Pee Dee River north of U.S 74
- 14 (13) Sutton Lake
- 15 (14) Vance
- 16 (15) the portion of R. Wayne Bailey-Caswell ~~that is~~ located north of U.S. 158 and east of N.C. 119

17 ~~(d)(j) No person, when using any public fishing or boating access area, shall deposit debris or refuse anywhere on the~~
18 ~~grounds of the area. a public fishing area or boating access area.~~

19 ~~No person, when using any public fishing or boating access area, shall do any act that is prohibited or neglect to do~~
20 ~~any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of~~
21 ~~regulating the use of the area.~~

22 ~~(e)(k) No person shall operate a motorboat in the public waters of North Carolina vessel within 50 yards of a~~
23 ~~Commission-owned or managed boat launching ramp boating access area at greater than "no wake speed", as defined~~
24 ~~in 15A NCAC 10F .0301 unless otherwise posted. wake" speed. For the purpose of this Rule, "no wake" speed means~~
25 ~~idling speed or a slow speed creating no appreciable wake.~~

26 ~~(f) Except where facilities are provided or permits are issued, it is unlawful to use any boating access area for purposes~~
27 ~~other than the launching and retrieving of vessels and parking vehicles with vessel trailers. All other uses, including~~
28 ~~swimming, skiing, camping, building fires, operating concessions or other activities not directly involved with~~
29 ~~launching and retrieving of vessels are prohibited, except those activities for which the Commission has issued a~~
30 ~~permit. All organized activities and events require a permit from the Commission and can be applied for at~~
31 ~~www.newwildlife.org. Permits shall be available for inspection by wildlife enforcement officers at the time the activity~~
32 ~~is taking place.~~

33 ~~(g) Unless otherwise posted, it is unlawful to use any public fishing area for purposes other than fishing.~~

34 ~~(h)(l) It is unlawful to feed or release wild, domesticated, or feral animals or birds birds, domesticated animals and~~
35 ~~feral animals on public fishing areas or boating access areas without prior written authorization of from the Wildlife~~
36 ~~Resources Commission. Written authorization Authorization will only may be granted to persons individuals acting~~
37 ~~on behalf of the Commission, to persons those conducting scientific investigations or surveys, and or for release of~~

1 rehabilitated wildlife. ~~Written authorization will not be granted for any feeding or release that is inimical to the~~
2 ~~conservation of native wildlife resources. For the purpose of enforcing~~ As applied in this Paragraph, "domesticated
3 animals" does not include pets under the control of the owner and raptors or hunting dogs where otherwise permitted
4 for hunting or training purposes.

5 ~~(i) The use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing~~
6 ~~Area in Edgecombe County is prohibited.~~

7

8 *History Note: Authority G.S. 113-134; 113-264;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. August 1, 2022; August 1, 2019; August 1, 2012; August 1, 2010; May 1, 2009; July*
11 *1, 1995; February 1, 1994; September 1, 1992; July 1, 1991.*

12

EXHIBIT J-1

February 22, 2024



Proposed Amendments to 15A NCAC 10I Endangered, Threatened, and Special Concern Species Rules Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

15A NCAC 10I .0102 PROTECTION OF ENDANGERED/THREATENED/SPECIAL CONCERN

This rule was determined to be “necessary with substantive public interest” and is required to be readopted as part of the periodic review. Amendments were made to clarify requirements and conditions for:

- take, possession, sale, propagation, transport, import, export, transfer, barter, trade, or stocking endangered, threatened, or special concern species;
- application of an endangered species permit;
- take and possession without a permit; and
- reporting.

15A NCAC 10I .0102 PROTECTION OF ENDANGERED/THREATENED/SPECIAL CONCERN (Pgs. 3-6)

15A NCAC 10I .0103 ENDANGERED SPECIES LISTED

In addition to several name changes and technical edits to rule language, the following species were added to the endangered species list:

- Northern long-eared bat

The following species were removed from the endangered species list:

- Manatee, when found in inland fishing waters
- Bewick’s wren
- Longsolid

15A NCAC 10I .0103 ENDANGERED SPECIES LISTED (Pgs. 7-9)

15A NCAC 10I .0104 THREATENED SPECIES LISTED

In addition to several name changes and technical edits to rule language, the following species were added to the threatened species list:

- West Indian Manatee, when found in inland fishing waters
- Longsolid
- Black skimmer
- Rusty blackbird

The Northern long-eared bat was removed from the threatened species list.

15A NCAC 10I .0104 THREATENED SPECIES LISTED (Pgs. 10-12)

15A NCAC 10I .0104 SPECIAL CONCERN SPECIES LISTED

In addition to several name changes and technical edits to rule language, the following species were added to the special concern species list:

- Swallow-tailed kite
- Pink heelsplitter

The following species were removed from the special concern species list:

- Black skimmer

15A NCAC 10I .0105 SPECIAL CONCERN SPECIES LISTED (Pgs. 13-16)

1 **15A NCAC 10I .0102 PROTECTION OF ~~ENDANGERED/THREATENED/SPECIAL~~ ENDANGERED,**
2 **THREATENED, AND SPECIAL CONCERN SPECIES**

3 (a) ~~No Open Season.~~ There is no open season for taking any of the species listed as endangered in Rule .0103, or
4 ~~threatened in Rule .0104 of this Section, except for the American alligator (Alligator mississippiensis) as set forth in~~
5 ~~the rules of this Chapter. Unless otherwise provided in North Carolina General Statutes or the rules of this Chapter,~~
6 ~~Except as provided in Paragraphs (b) and (d) of this rule, there is no open season for taking any of the species listed~~
7 ~~as special concern in Rule in Rules .0103, .0104, or .0105 of this Section. Except as provided in Paragraphs (b), (c)~~
8 ~~and (e) of this Rule, it is unlawful to take or possess any animal listed in Rules .0103, .0104, or .0105 of this Section~~
9 ~~at any time.~~

10 (b) ~~Permits.~~The Executive Director or his or her designee may issue permits to ~~take or possess an~~ take, possess, sell,
11 propagate, transport, import, export, transfer, barter, trade, or stock endangered, threatened, or special concern species:

12 (1) to an individual or institution ~~with experience and training in handling, and caring for the wildlife~~
13 ~~and in conducting a scientific study, investigation for the purpose of scientific investigation relevant~~
14 ~~to perpetuation or restoration of said species or as a part of a scientifically valid study or restoration~~
15 ~~effort; perpetuation, restoration, or management of a species;~~

16 (2) to a public or private educator or exhibitor who demonstrates that he or she has lawfully obtained
17 the ~~specimen or specimens~~ in his or her possession, possesses the ~~requisite~~ equipment and expertise
18 to care for ~~such specimen or the specimens~~, and abides by ~~the applicable~~ caging requirements for
19 the species set forth in 15A NCAC 10H ~~.0302; .1404;~~

20 (3) to a person who lawfully possessed ~~any such the~~ species for ~~more than~~ 90 days immediately prior
21 to the date that ~~such the~~ species was listed and who abides by ~~the applicable~~ caging requirements
22 for the species set forth in 15A NCAC 10H ~~.1404; .0302, provided however, that no permit shall be~~
23 ~~issued more than 90 days after the effective date of the initial listing for that species; or~~

24 (4) to a person with demonstrable depredation from a Special Concern Species, or ~~the~~ American
25 alligator (~~Alligator mississippiensis~~); mississippiensis;

26 (5) to a licensed falconer;

27 (6) to a retail or wholesale establishment whose primary function is providing scientific supplies,
28 provided that:

29 (A) the specimens were lawfully obtained from captive populations or wild populations outside
30 of North Carolina;

31 (B) the specimens are possessed in indoor facilities; and

32 (C) safeguards are provided during transportation to prevent accidental escape of the
33 specimens.

34 (7) to state and federal government agencies, corporate research entities, and research institutions within
35 North Carolina provided that:

36 (A) the specimens are possessed in indoor facilities;

1 (B) safeguards are provided during transportation to prevent accidental escape of the
2 specimens;

3 (C) the agency's or institution's Animal Care and Use Committee has approved the research
4 protocol for the species;

5 (D) no specimens shall be stocked or released in the public or private waters or lands of North
6 Carolina; and

7 (E) specimens shall not be transferred to any private individual.

8 (c) An individual may apply for an endangered species permit online at www.gooutdoorsnorthcarolina.com by
9 providing the following information:

10 (1) name, address, phone number, and email;

11 (2) species name and quantity;

12 (3) proposed activities;

13 (4) map with specific location of activities identified, if applicable;

14 (5) the source of the specimens and documentation of lawful acquisition;

15 (6) caging or confinement plans for specimens, if applicable;

16 (7) applicant's qualifications and explanation of experience;

17 (8) research proposal, if applicable;

18 (9) acknowledgement that additional federal permits may be required;

19 (10) plans for care of specimens and copy of Institutional Animal Care and Use Committee permit, if
20 applicable; and

21 (11) plans for final disposition of specimens.

22 (e)(d) ~~Taking Without a Permit:~~ The species listed in Rules .0103, .0104, and .0105 of this Section may be taken or
23 possessed without a permit when:

24 (1) ~~An individual may take an endangered, threatened, or special concern~~ takes the species in defense
25 of his or her own life or the lives of others.

26 (2) an individual has obtained a permit to take an American alligator in accordance with 15A NCAC
27 10B .0224.

28 (3) an individual possesses meat or other parts of American alligators that have been lawfully taken,
29 possessed, or bought in a state where there is an open season for harvesting alligators and the
30 products are marketed in packages or containers that are labeled to indicate the state in which the
31 animals were taken and the identity, address, and lawful authority of the processor or distributor.

32 (4) an individual is taking or harassing a red wolf (Canis rufus) pursuant to the conditions in 50 CFR
33 17.84(c), hereby incorporated by reference, including subsequent amendments and editions,
34 available free of charge at www.ecfr.gov.

35 (2)(5) ~~A state or federal conservation officer or employee~~ an individual who is designated by his agency
36 to do so may, meets the requirements of G.S. 113-261, who, when acting in the course of his or her

1 official duties, ~~take, possess, and transport~~ takes, possesses, or transports endangered, threatened, or
2 special concern species if the action is necessary to:

- 3 (A) aid a sick, injured, diseased, or orphaned specimen;
- 4 (B) dispose of a dead specimen;
- 5 (C) salvage a dead specimen that may be useful for scientific study; or
- 6 (D) remove specimens that constitute a demonstrable but nonimmediate threat to human safety
7 safety, provided the taking is done in a humane and noninjurious manner. The taking may
8 involve injuring or killing endangered, threatened, or special concern species only if it is
9 not possible to eliminate the threat by live capturing and releasing release the specimen
10 unharmed, in a habitat that is suitable for ~~the survival of that species.~~ survival.

11 ~~(d)(e) Reporting. Any taking or possession of an~~ Take, possession, sale, propagation, transportation, importation,
12 exportation, transfer, barter, trade, or stocking of endangered, threatened, or special concern species under Paragraphs
13 (b) and ~~(e)(d)~~ of this Rule is subject to applicable federal reporting requirements, requirements of federal law and
14 regulations, and the reporting requirements of the permit issued by the Executive Director or permit, and applicable
15 requirements of 15A NCAC 10B .0106(e).

16 ~~(e) Exceptions.~~

- 17 (1) ~~Notwithstanding any other provisions of this Rule, processed meat and other parts of American~~
18 ~~alligators that have been lawfully taken in a state in which there is an open season for harvesting~~
19 ~~alligators may be possessed, bought, and sold when such products are marketed in packages or~~
20 ~~containers that are labeled to indicate the state in which they were taken and the identity, address,~~
21 ~~and lawful authority of the processor or distributor.~~
- 22 (2) ~~Raptors listed as special concern species in Rule .0105 of this Section may be taken from the wild~~
23 ~~for falconry purposes and for falconry propagation, provided that a valid North Carolina endangered~~
24 ~~species permit has been obtained as required in Paragraph (b) of this Rule.~~
- 25 (3) ~~Captive bred raptors listed as special concern species may be bought, sold, bartered, or traded as~~
26 ~~provided in 50 CFR 21.85 when marked as required under those regulations. 50 CFR 21.85 is~~
27 ~~incorporated by reference, including subsequent amendments and editions. This document may be~~
28 ~~accessed at www.ecfr.gov at no cost.~~
- 29 (4) ~~Red Wolves (*Canis rufus*) listed as threatened in Rule .0104 in this Section may be taken or harassed~~
30 ~~pursuant to the conditions provided in 50 CFR 17.84(e). 50 CFR 17.84(e) is incorporated by~~
31 ~~reference, including subsequent amendments and editions. This document may be accessed at~~
32 ~~www.ecfr.gov at no cost.~~
- 33 (5) ~~Importation, possession, sales, transportation, and exportation of species listed as special concern~~
34 ~~species in Rule .0105 of this Section shall be allowed under permit by retail and wholesale~~
35 ~~establishments whose primary function is providing scientific supplies for research, provided that:~~
 - 36 (A) ~~the specimens were lawfully obtained from captive or wild populations outside of North~~
37 ~~Carolina;~~

1 **15A NCAC 10I .0103 ENDANGERED SPECIES LISTED**

2 (a) The following species of resident wildlife shall be designated as federally listed endangered species:

- 3 (1) Amphibians: None listed.
- 4 (2) Birds:
- 5 (A) Bachman's warbler (*Vermivora bachmanii*);
- 6 (B) Ivory-billed woodpecker (*Campephilus principalis*);
- 7 (C) Piping plover (*Charadrius melodus circumcinctus*);
- 8 (D) Red-cockaded woodpecker (*Dryobates borealis*); and
- 9 (E) Roseate tern (*Sterna dougallii dougallii*).
- 10 (3) Crustacea: None listed.
- 11 (4) Fish:
- 12 (A) Cape Fear shiner (~~*Notropis*~~ (*Miniellus* mekistocholas);
- 13 (B) Carolina madtom (*Noturus furiosus*);
- 14 (C) Roanoke logperch (*Percina rex*);
- 15 (D) Shortnose sturgeon (*Acipenser brevirostrum*), when found in inland fishing waters as
- 16 defined in G.S. 113-129(9); and
- 17 (E) Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), when found in inland fishing waters
- 18 as defined in G.S. 113-129(9).
- 19 (5) Mammals:
- 20 (A) Carolina northern flying squirrel (*Glaucomys sabrinus coloratus*);
- 21 (B) Eastern cougar (*Puma concolor*);
- 22 (C) Gray bat (*Myotis grisescens*);
- 23 (D) Indiana bat (*Myotis sodalis*);
- 24 ~~(E) Manatee (*Trichechus manatus*), when found in inland fishing waters as defined in G.S.~~
- 25 ~~113-129(9); and~~
- 26 (E) Northern long-eared bat (*Myotis septentrionalis*); and
- 27 (F) Virginia big-eared bat (*Corynorhinus townsendii virginianus*).
- 28 (6) Mollusks:
- 29 (A) Appalachian elktoe (*Alasmidonta raveneliana*);
- 30 (B) Carolina heelsplitter (*Lasmigona decorata*);
- 31 (C) Dwarf wedgemussel (*Alasmidonta heterodon*);
- 32 (D) James spinymussel (*Parvaspina collina*);
- 33 (E) Littlewing pearlymussel (*Pegias fabula*);
- 34 (F) Tan riffleshell (*Epioblasma florentina walkeri*); and
- 35 (G) Tar River spinymussel (*Parvaspina steinstansana*).
- 36 (7) Reptiles:
- 37 (A) Kemp's ridley sea turtle (*Lepidochelys kempii*);

- 1 (B) ~~Atlantic hawksbill~~ Hawksbill sea turtle (*Eretmochelys imbricata*); and
2 (C) Leatherback sea turtle (*Dermochelys coriacea*).
- 3 (b) The following species of resident wildlife shall be designated as State-listed endangered species:
- 4 (1) Amphibians:
- 5 (A) Gopher frog (*Rana [=Lithobates] capito*);
6 (B) Hickory Nut Gorge green salamander (*Aneides ~~caryaensis~~ caryaensis*);
7 (C) Ornate chorus frog (*Pseudacris ornata*); and
8 (D) River frog (*Rana [=Lithobates] heckscheri*).
- 9 (2) Birds:
- 10 (A) American peregrine falcon (*Falco peregrinus anatum*);
11 ~~(B) Bewick's wren (*Thryomanes bewickii*);~~
12 ~~(B)~~ (C) Common tern (*Sterna hirundo*);
13 ~~(D)~~ (C) Henslow's sparrow (*Centronyx henslowii*); and
14 ~~(E)~~ (D) Wayne's black-throated green warbler (*Setophaga virens waynei*).
- 15 (3) Crustacea:
- 16 (A) Bennett's Mill cave water slater (*Caecidotea carolinensis*); and
17 (B) Waccamaw crayfish (*Procambarus braswelli*).
- 18 (4) Fish:
- 19 (A) Blotchside logperch (*Percina burtoni*);
20 (B) Bridle shiner (*Notropis bifrenatus*);
21 (C) Orangefin madtom (*Noturus gilberti*);
22 (D) Paddlefish (*Polyodon spathula*);
23 (E) Robust redbreast (*Moxostoma robustum*);
24 (F) Rustyside sucker (*Thoburnia hamiltoni*);
25 (G) Sharpnose darter (*Percina oxyrhynchus*); and
26 (H) Stonecat (*Noturus flavus*).
- 27 (5) Mammals:
- 28 (A) Little brown bat (*Myotis lucifugus*); and
29 (B) Tricolored bat (*Perimyotis subflavus*).
- 30 (6) Mollusks:
- 31 (A) Barrel floater (*Utterbackiana couperiana*);
32 (B) Brook floater (*Alasmidonta varicosa*);
33 (C) Carolina creekshell ~~(*Villosa vaughaniana*)~~; (*Sagittunio vaughanianus*);
34 (D) Fragile glyph ~~(*Glyphyalinia*)~~ (*Pilsbryna clingmani*);
35 (E) Green floater (*Lasmigona subviridis*);
36 (F) Greenfield ~~rams horn~~ ramshorn (*Helisoma eucosmium*);
37 (G) Knotty elimia (*Elimia christyi*);

- 1 (H) Longsolid (*Fusconaia subrotunda*);
- 2 ~~(H)~~ Magnificent ramshorn (*Planorbella magnifica*);
- 3 ~~(I)~~ Purple wartyback (*Cyclonaias tuberculata*);
- 4 (K)~~(J)~~ Savannah lilliput (*Toxolasma pullus*);
- 5 ~~(L)~~~~(K)~~ Slippershell mussel (*Alasmidonta viridis*);
- 6 ~~(M)~~~~(L)~~ Tennessee clubshell (*Pleurobema oviforme*);
- 7 ~~(N)~~~~(M)~~ Tennessee heelsplitter (*Lasmigona holstonia*);
- 8 ~~(O)~~~~(N)~~ Tennessee pigtoe (*Pleuronaia barnesiana*); and
- 9 ~~(P)~~~~(O)~~ Yellow lampmussel (*Lampsilis cariosa*).

10 (7) Reptiles:

- 11 (A) Eastern coral snake (*Micrurus fulvius fulvius*); and
- 12 (B) Eastern diamondback rattlesnake (*Crotalus adamanteus*); and
- 13 (C) Mimic glass lizard (*Ophisaurus mimicus*).

14

15 *History Note: Authority G.S. 113-134; 113-333;*
16 *Eff. June 11, 1977;*
17 *Amended Eff. October 1, 2017; August 1, 2016; May 1, 2008; April 1, 2001; February 1, 1994;*
18 *November 1, 1991; April 1, 1991; June 1, 1990;*
19 *Readopted Eff. October 1, 2021;*
20 *Amended Eff. February 1, 2023.*

1 **15A NCAC 101 .0104 THREATENED SPECIES LISTED**

2 (a) The following species of resident wildlife shall be designated as federally-listed threatened species:

- 3 (1) Amphibians: Neuse River waterdog (*Necturus lewisi*).
- 4 (2) Birds:
- 5 (A) Eastern black rail (*Laterallus jamaicensis jamaicensis*);
- 6 (B) Piping plover (*Charadrius melodus melodus*);
- 7 (C) Red knot (*Calidris canutus rufa*); and
- 8 (D) Wood stork (*Mycteria americana*).
- 9 (3) Crustacea: None listed.
- 10 (4) Fish:
- 11 (A) Spotfin chub (*Erimonax monachus*); and
- 12 (B) Waccamaw silverside (*Menidia extensa*).
- 13 (5) Mammals: ~~Northern long-eared bat (*Myotis septentrionalis*)~~ West Indian Manatee (*Trichechus*
- 14 *manatus*), when found in inland fishing waters as defined in G.S. 113-129(9).
- 15 (6) Mollusks:
- 16 (A) Atlantic pigtoe (*Fusconaia masoni*);
- 17 ~~(B)~~ Longsolid (*Fusconaia subrotunda*);
- 18 ~~(B)(C)~~ Noonday globe (*Patera clarki nantahala*); and
- 19 ~~(C)(D)~~ Yellow lance (*Elliptio lanceolata*).
- 20 (7) Reptiles:
- 21 (A) Bog turtle (*Glyptemys muhlenbergii*);
- 22 (B) American alligator (*Alligator mississippiensis*); mississippiensis;
- 23 (C) Green sea turtle (*Chelonia mydas*); and
- 24 (D) Loggerhead sea turtle (*Caretta caretta*).

25 (b) The following species of resident wildlife are designated as State-listed threatened species:

- 26 (1) Amphibians:
- 27 (A) Eastern tiger salamander (*Ambystoma tigrinum tigrinum*);
- 28 (B) Green salamander (*Aneides aeneus*);
- 29 (C) Junaluska salamander (*Eurycea junaluska*);
- 30 (D) Eastern long-tailed Long-tailed salamander (*Eurycea longicauda longicauda*);
- 31 (E) Mabee's salamander (*Ambystoma mabeei*);
- 32 (F) Pine Barrens tree frog (*Hyla andersonii*); and
- 33 (G) Wehrle's salamander (*Plethodon wehrlei*).
- 34 (2) Birds:
- 35 (A) Bald eagle (*Haliaeetus leucocephalus*);
- 36 ~~(B)~~ Black skimmer (*Rynchops niger*);
- 37 ~~(B)(C)~~ Caspian tern (*Hydroprogne caspia*);

- 1 ~~(C)~~(D) Gull-billed tern (*Gelochelidon nilotica aranea*);
- 2 ~~(D)~~(E) Northern saw-whet owl (*Aegolius acadicus*); and
- 3 (F) Rusty blackbird (*Euphagus carolinus*).
- 4 (3) Crustacea:
- 5 (A) Broad River spiny crayfish (*Cambarus spicatus*);
- 6 (B) French Broad crayfish (*Cambarus reburus*);
- 7 (C) Pamlico crayfish (*Procambarus medialis*);
- 8 (D) Sandhills crayfish (*Procambarus pearsei*); and
- 9 (E) South Mountains crayfish (*Cambarus franklini*).
- 10 (4) Fish:
- 11 (A) Bigeye jumprock (*Moxostoma ariommum*);
- 12 (B) Blotched chub (*Erimystax insignis*);
- 13 (C) Carolina pygmy sunfish (*Elassoma boehlkei*);
- 14 (D) Carolina redhorse (*Moxostoma sp.*);
- 15 (E) Ironcolor shiner (~~*Notropis*~~*Alburnops chalybaeus*);
- 16 (F) Least brook lamprey (*Lampetra aepyptera*);
- 17 (G) Logperch (*Percina caprodes*);
- 18 (H) Mimic shiner (~~*Notropis*~~*Paranotropis volucellus*);
- 19 (I) Rosyface chub (*Hybopsis rubrifrons*);
- 20 (J) Sharphead darter (~~*Etheostoma*~~ (*Nothonotus acuticeps*);
- 21 (K) Santee chub (*Cyprinella zanema*);
- 22 (L) Sicklefin redhorse (*Moxostoma sp.*);
- 23 (M) Thicklip chub (*Cyprinella labrosa*);
- 24 (N) Turquoise darter (*Etheostoma inscriptum*); and
- 25 (O) Waccamaw darter (*Etheostoma perlongum*).
- 26 (5) Mammals:
- 27 (A) Eastern woodrat (*Neotoma floridana floridana*);
- 28 (B) Rafinesque's big-eared bat (*Corynorhinus rafinesquii rafinesquii*); and
- 29 (C) Red wolf (*Canis rufus*).
- 30 (6) Mollusks:
- 31 (A) Alewife floater (*Utterbackiana implicata*);
- 32 (B) Big-tooth covert (*Fumonelix jonesiana*);
- 33 (C) Cape Fear threetooth (*Triodopsis soelneri*);
- 34 (D) Eastern lampmussel (*Lampsilis radiata*);
- 35 (E) Eastern pondmussel (~~*Ligumia nasuta*~~; (*Sagittunio nasutus*);
- 36 (F) Engraved covert (*Fumonelix orestes*);
- 37 (G) Mountain creekshell (~~*Villosa*~~ (*Leaunio vanuxemensis*);

- 1 (H) Notched rainbow (~~Villosa~~ (Venustaconcha constricta);
- 2 (I) Rainbow (~~Villosa~~ (Cambarunio iris);
- 3 (J) Roan supercoil (Paravitrea varidens);
- 4 (K) Sculpted supercoil (Paravitrea ternaria);
- 5 (L) Smoky Mountain covert (Inflectarius ferrissi);
- 6 (M) Creeper (Strophitus undulatus);
- 7 (N) Tidewater mucket (~~Leptodea~~ (Atlanticoncha ochracea);
- 8 (O) Triangle floater (Alasmidonta undulata); and
- 9 (P) Waccamaw ambersnail (Catinella waccamawensis).
- 10 (7) Reptiles:
- 11 (A) Northern pine snake (Pituophis melanoleucus melanoleucus); and
- 12 (B) Southern hognose snake (Heterodon simus).

13

14 *History Note: Authority G.S. 113-134; 113-333;*
 15 *Eff. March 17, 1978;*
 16 *Amended Eff. June 1, 2008; April 1, 2001; November 1, 1991; April 1, 1991; June 1, 1990;*
 17 *September 1, 1989;*
 18 *Temporary Amendment Eff. February 27, 2015;*
 19 *Amended Eff. October 1, 2017; July 1, 2016; August 1, 2016;*
 20 *Readopted Eff. October 1, 2021;*
 21 *Amended Eff February 1, 2023.*

1 **15A NCAC 101 .0105 SPECIAL CONCERN SPECIES LISTED**

2 The following species of resident wildlife shall be designated as State-listed special concern species:

- 3 (1) Amphibians:
- 4 (a) Collinses' mountain chorus frog (*Pseudacris collinsorum*);
 - 5 (b) Crevice salamander (*Plethodon longicrus*);
 - 6 (c) Dwarf salamander (*Eurycea quadridigitata*);
 - 7 (d) Dwarf black-bellied salamander (*Desmognathus folkertsi*);
 - 8 (e) Eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*);
 - 9 (f) Four-toed salamander (*Hemidactylium scutatum*);
 - 10 (g) Gray treefrog (*Hyla versicolor*);
 - 11 (h) Mole salamander (*Ambystoma talpoideum*);
 - 12 (i) Mudpuppy (*Necturus maculosus*);
 - 13 (j) Southern chorus frog (*Pseudacris nigrita*);
 - 14 (k) Southern zigzag salamander (*Plethodon ventralis*); and
 - 15 (l) Weller's salamander (*Plethodon welleri*).
- 16 (2) Birds:
- 17 (a) American oystercatcher (*Haematopus palliatus*);
 - 18 (b) Bachman's sparrow (*Peucaea aestivalis*);
 - 19 (c) Barn owl (*Tyto alba*);
 - 20 (d) Black-capped chickadee (*Poecile atricapillus*);
 - 21 ~~(e)~~ ~~Black skimmer (*Rynchops niger*);~~
 - 22 ~~(f)~~(e) Brown creeper (*Certhia americana nigrescens*);
 - 23 ~~(g)~~(f) Cerulean warbler (*Setophaga cerulea*);
 - 24 ~~(h)~~(g) Glossy ibis (*Plegadis falcinellus*);
 - 25 ~~(i)~~(h) Golden-winged warbler (*Vermivora chrysoptera*);
 - 26 ~~(j)~~(i) Least bittern (*Ixobrychus exilis*);
 - 27 ~~(k)~~(j) Least tern (*Sternula antillarum*);
 - 28 ~~(l)~~(k) Little blue heron (*Egretta caerulea*);
 - 29 ~~(m)~~(l) Loggerhead shrike (*Lanius ludovicianus*);
 - 30 ~~(n)~~(m) Painted bunting (*Passerina ciris*);
 - 31 ~~(o)~~(n) Red crossbill (*Loxia curvirostra*);
 - 32 ~~(p)~~(o) Snowy egret (*Egretta thula*);
 - 33 (p) Swallow-tailed kite (*Elanoides forficatus*);
 - 34 (q) Tricolored heron (*Egretta tricolor*);
 - 35 ~~(r)~~(q) Vesper sparrow (*Poocetes gramineus*); and
 - 36 ~~(s)~~(r) Wilson's plover (*Charadrius wilsonia*).
- 37 (3) Crustacea:

- 1 (a) Carolina skistodiptomus (*Skistodiptomus carolinensis*);
- 2 (b) Carolina well diacyclops (*Diacyclops jeanneli putei*);
- 3 (c) Chowanoke crayfish (*Faxonius virginiensis*);
- 4 (d) Graceful clam shrimp (*Lynceus gracilicornis*);
- 5 (e) Greensboro burrowing crayfish (*Cambarus catagius*);
- 6 (f) Hiwassee headwaters crayfish (*Cambarus parrishi*);
- 7 (g) Little Tennessee River crayfish (*Cambarus georgiae*);
- 8 (h) North Carolina spiny crayfish (*Faxonius carolinensis*); and
- 9 (i) Oconee stream crayfish (*Cambarus chaugaensis*).
- 10 (4) Fish:
- 11 (a) American brook lamprey (*Lethenteron appendix*);
- 12 (b) "Atlantic" Highfin carpsucker (*Carpionodes sp. cf. velifer*);
- 13 (c) Banded sculpin (*Cottus carolinae*);
- 14 (d) Blue Ridge sculpin (*Cottus caeruleomentum*);
- 15 (e) Blueside darter (*Etheostoma jessiae*);
- 16 (f) Broadtail madtom (*Noturus sp.*);
- 17 (g) Carolina darter (*Etheostoma collis*);
- 18 (h) Cutlip minnow (*Exoglossum maxillingua*);
- 19 (i) Freshwater drum (*Aplodinotus grunniens*);
- 20 (j) Kanawha minnow (*Phenacobius teretulus*);
- 21 (k) Lake sturgeon (*Acipenser fulvescens*);
- 22 (l) Least killifish (*Heterandria formosa*);
- 23 (m) Mooneye (*Hiodon tergisus*);
- 24 (n) Mountain madtom (*Noturus eleutherus*);
- 25 (o) Ohio lamprey (*Ichthyomyzon bdellium*);
- 26 (p) Olive darter (*Percina squamata*);
- 27 (q) Pinewoods darter (*Etheostoma mariae*);
- 28 (r) River carpsucker (*Carpionodes carpio*);
- 29 (s) Sandhills chub (*Semotilus lumbee*);
- 30 (t) Seagreen darter (*Etheostoma thalassinum*);
- 31 (u) Sickie darter (*Percina williamsi*);
- 32 (v) Smoky dace (*Clinostomus sp.*);
- 33 (w) Sooty-banded darter (*Percina westfalli*);
- 34 (~~w~~)(x) Striped shiner (*Luxilus chrysocephalus*);
- 35 (~~x~~)(y) Snubnose darter (*Etheostoma simoterum*);
- 36 (~~y~~)(z) "Thinlip" chub (*Cyprinella sp. cf. zanema*);
- 37 (~~z~~)(aa) Waccamaw killifish (*Fundulus waccamensis*);

- 1 ~~(aa)~~ ~~Westfall's darter (*Percina westfalli*);~~
2 (bb) Wounded darter (~~*Etheostoma vulneratum*~~; (*Nothonotus vulneratus*); and
3 (cc) Yellowfin shiner (~~*Notropis*~~*Hydrophlox lutipinnis*).
- 4 (5) Mammals:
- 5 (a) Allegheny woodrat (*Neotoma magister*);
6 (b) Buxton Woods white-footed mouse (*Peromyscus leucopus buxtoni*);
7 (c) Coleman's oldfield mouse (*Peromyscus polionotus colemani*);
8 (d) Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*);
9 (e) Eastern small-footed bat (*Myotis leibii leibii*);
10 (f) Florida yellow bat (*Lasiurus intermedius floridanus*);
11 (g) Southeastern bat (*Myotis austroriparius*);
12 (h) Southern rock vole (*Microtus chrotorrhinus carolinensis*); and
13 (i) Star-nosed mole (*Condylura cristata parva*).
- 14 (6) Mollusks:
- 15 (a) Appalachian gloss (*Zonitoides patuloides*);
16 (b) Bidentate dome (*Ventridens coelaxis*);
17 (c) Black mantleslug (*Pallifera hemphilli*);
18 (d) Blackwater ancyliid (*Ferrissia hendersoni*);
19 (e) Blue-foot lancetooth (*Haplotrema kendeighi*);
20 (f) Cape Fear spike (*Elliptio marsupiobesa*);
21 (g) Clingman covert (*Fumonelix wheatleyi clingmanicus*);
22 (h) Dark glyph (*Glyphyalinia junaluskana*);
23 (i) Dwarf proud globe (*Patera clarki clarki*);
24 (j) Dwarf threetooth (*Triodopsis fulciden*);
25 (k) Fringed coil (*Helicodiscus fimbriatus*);
26 (l) Glossy supercoil (*Paravitrea placentula*);
27 (m) Great Smoky slitmouth (*Stenotrema depilatum*);
28 (n) High mountain supercoil (*Paravitrea andrewsae*);
29 (o) Honey glyph (*Glyphyalinia vanattai*);
30 (p) Lamellate supercoil (*Paravitrea lamellidens*);
31 (q) Mirey Ridge supercoil (*Paravitrea clappi*);
32 (r) Open supercoil (*Paravitrea umbilicaris*);
33 (s) Pink glyph (*Glyphyalinia pentadelphia*);
34 (t) Pink heelsplitter, *Potamilus alatus*;
35 ~~(u)~~ Pod lance (*Elliptio folliculata*);
36 ~~(v)~~ Queen crater (*Appalachina chilhoweensis*);
37 ~~(w)~~ Ramp Cove supercoil (*Paravitrea lacteodens*);

- 1 ~~(w)~~(x) Ridged lioplax (*Lioplax subcarinata*);
- 2 ~~(x)~~(y) Roanoke slabshell (*Elliptio roanokensis*);
- 3 ~~(y)~~(z) Saw-tooth disc (*Discus bryanti*);
- 4 ~~(z)~~(aa) Seep mudalia (*Leptoxis dilatata*);
- 5 ~~(aa)~~(bb) Spike (*Eurynia dilatata*);
- 6 ~~(bb)~~(cc) Spiral coil (*Helicodiscus bonamicus*);
- 7 ~~(cc)~~(dd) Velvet covert (*Inflectarius subpalliatu*s);
- 8 ~~(dd)~~(ee) Waccamaw amnicola (*Amnicola* sp.);
- 9 ~~(ee)~~(ff) Waccamaw siltsnail (*Cincinnati*a sp.); and
- 10 ~~(ff)~~(gg) Wavy-rayed lampmussel (*Lampsilis fasciola*).

11 (7) Reptiles:

- 12 (a) Carolina pigmy rattlesnake (*Sistrurus miliarius miliarius*);
- 13 (b) Carolina swamp snake (*Liodytes pygaea paludis*);
- 14 (c) Carolina watersnake (*Nerodia sipedon williamengelsi*);
- 15 (d) Cumberland slider (*Trachemys scripta troostii*);
- 16 (e) Diamondback terrapin (*Malaclemys terrapin*);
- 17 (f) Eastern chicken turtle (*Deirochelys reticularia reticularia*);
- 18 (g) Eastern coachwhip (*Coluber* ~~(=*Masticophis*)~~ [=*Masticophis*] *flagellum flagellum*);
- 19 (h) Eastern slender glass lizard (*Ophisaurus attenuatus longicaudus*);
- 20 (i) Eastern spiny softshell (*Apalone spinifera spinifera*);
- 21 (j) Northern map turtle (*Graptemys geographica*);
- 22 (k) Outer Banks kingsnake (*Lampropeltis getula sticticeps*);
- 23 (l) Stripeneck musk turtle (*Sternotherus* ~~minor~~ *peltifer*); and
- 24 (m) Timber rattlesnake (*Crotalus horridus*).

25

26 *History Note:* *Authority G.S. 113-134; 113-333;*
 27 *Eff. September 1, 1989;*
 28 *Amended Eff. October 1, 2017; August 1, 2016; May 1, 2008; July 18, 2002; April 1, 2001;*
 29 *November 1, 1991; April 1, 1991; June 1, 1990;*
 30 *Readopted Eff. October 1, 2021;*
 31 *Amended Eff. February 1, 2023.*

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Exhibit J-2

February 22, 2024



Fiscal Note for Proposed Endangered/Threatened/Special Concern Species Rule Amendments for the Wildlife Resources Commission

Rule Amendments: 15A NCAC 10I .0102 Protection of Endangered/Threatened/Special Concern
15A NCAC 10I .0103 Endangered Species Listed
15A NCAC 10I .0104 Threatened Species Listed
15A NCAC 10I .0105 Special Concern Species Listed

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Impact Summary: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Impact: No

Authority: G.S. 113-134, 113-333

Background

The wildlife resources of the State belong to the people of the State as a whole, including the enjoyment of these resources (G.S. 113-131(a)). The Wildlife Resources Commission (WRC) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and the WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134).

As part of its mission, the WRC adopts and publishes an endangered species list, a threatened species list, and a list of special concern species, as required by G.S. 113-333. These lists are amended from time to time, in response to public proposals, federal listing changes, or as the Commission deems necessary. The WRC conducts investigations of its wild animals, as defined in G.S. 113-331, to determine whether the state listings need to be adjusted to accomplish the objectives of managing wildlife resources through sound conservation. The WRC also adopts and implements conservation programs for endangered, threatened, and special concern species to limit, regulate, or prevent the taking, collection, or sale of protected species (G.S. 113-333).

The management goal with any state listing is to ensure the stability of a species for long term viability.

The process for updating the state listing involves a multi-year, transparent process defined by science-based decision making. As detailed in G.S. 113 Article 25, the Nongame Wildlife Advisory Committee (NWAC) identifies and assembles a group of experts from multiple disciplines and other fields to serve as Scientific Councils for taxa groups. Scientific Councils review scientific evidence and provide state listing recommendations to NWAC which advises the Commission on matters related to the conservation of nongame wildlife including the protected animals lists. The Commission is required by G.S. 113-334 to consider the recommendations while examining relevant data and factual information. The proposed changes to the state listings are based on best available data and the status of each species' population as proposed by the North Carolina Species Assessment Tool and detailed in the Wildlife Action Plan (<http://www.ncwildlife.org/plan>).

A summary of the proposed rule amendments and potential impacts is below, with the full rule text included in Appendix A.

I. Introduction and Purpose of Rule Change

The endangered, threatened, and special concern species lists (hereinafter, referred to as the protected species list or state list) identify nongame wild animals to be protected and conserved, so conservation techniques and actions can be implemented, and their population numbers enhanced. An endangered species is one whose continued existence has been determined to be in jeopardy in the state. A threatened species is one that is likely to become endangered within the foreseeable future throughout all, or a significant portion of its range. And a special concern species has been determined to need monitoring. All species on the protected species list are native or once-native species of North Carolina.

The proposed changes to the list are necessary to ensure the continued viability of North Carolina's nongame wildlife diversity by promoting conservation priorities. After review of 10 species in a report from the Scientific Councils on Birds and on Freshwater Mollusks approved by NWAC, the WRC recommends adding three species, removing one species (for a net addition of two species), changing the status of four species, and updating the taxonomic names of 20 species on the protected species list. The proposed list highlights species that meet the definition of endangered, threatened, or special concern.

Proposed changes to the state list include one additional species to be listed as endangered, four species to be listed as threatened, and two species to be listed as special concern. Overall, there will be 28 changes to the state list due to additions, removals, changes in listing status, and taxonomic name corrections. The goal of these changes is to provide active and appropriate conservation for these species including research, land conservation, monitoring, and habitat restoration. When a species is experiencing a threat to and/or decline in population status, the state listing status can provide additional funding opportunities and research priority to assist in the recovery and population viability.

Adding a species to the protected species list establishes protection from direct take, encourages partners to request funding for species-specific projects, assists in identifying quality habitat that the agency would like to conserve, and informs partners of ecologically significant habitats so they can work to minimize impacts and focus their conservation efforts. Additionally, this information plays a large role in identifying and prioritizing multi-state and regional conservation needs, as well as long-term monitoring programs, and minimizes the likelihood of federal listing for that species.

II. Fiscal Impacts - Costs¹

State Impact

The proposed amendments to the 10I Rules are anticipated to have a minimal economic impact to the state.

It is unlawful, unless granted specific authorization, for an individual to take, possess, transport, sell, barter, trade, exchange, export or give away any species listed in 15A NCAC 10I .0103 - .0105.² To enforce this law, the WRC requires all new wildlife enforcement officers to participate in an agency training that includes a one-day review of regulations and field identification for nongame and state listed species. This training includes eight hours of information on the illegal pet trade, collection, and food market, and teaches officers accurate species identification. Additionally, routine refresher trainings are offered to officers, which include information on nongame species with increased unlawful activities, and any changes that have been made to the protected species lists. Though new training materials will need to be developed to incorporate the proposed changes to the 10I Rules, the materials are produced in-house, and staff time anticipated for completion of this task is at most, two hours, resulting in a one-time cost to the agency of \$122 ($\$61/\text{hr}^3 \times 2 \text{ hrs} = \122).

In the field, enforcement officers track their time spent patrolling for unlawful activity involving nongame species, including listed species. Based on officer activity logs from fiscal year (FY) 22 and FY23, less than one percent of each officer's time is spent on nongame specific activities.⁴ These activities include routine patrols for violations, responding to human-wildlife interactions and complaints, assisting biologists with complaints, following leads from citizens, and investigating actual crimes. Over the past two fiscal years, this activity accounted for an average of 4,793 hours per year. There are over 1,000 nongame species in NC and 256 nongame species that are state listed as of FY23. To estimate additional costs to the agency from the three newly listed species, it is assumed that about one-fourth of the 4,793 hours, 1,198.25 hours ($4,793 \text{ hrs}/4 = 1,198.25 \text{ hours}$), spent patrolling in the last two fiscal years was specific to listed species. While it is not anticipated that the addition of 3 new species to the protected species list will have much impact on officer time because many of the new species reside in habitats that are already patrolled, the potential exists for increased illegal activity involving these species. Currently, patrol time, mileage, materials and supplies, and time spent addressing any illegal activity, are

¹ All hourly rates for agency staff herein reflect total compensation.

² G.S. 113-337. Unlawful acts; penalties.

³ Represents the midpoint hourly salary of a Conservation Biologist II.

⁴ Personal correspondence with law enforcement staff 01/22/2024.

estimated to cost the agency an average of \$49,118/FY (from FY22 and FY23 data; \$41/hr⁵ x 1,198 hrs/FY). If there is an increase in illegal activity, this cost could increase. However, it is not possible to predict a potential change at this time.

Additionally, each person convicted of unlawful activities associated with a species on the protected species list is guilty of a Class I misdemeanor. A typical court case for a listed species requires approximately 11 hours of officer time. The number of these cases per year is typically less than five. Based on the available data, the agency incurs a cost of \$451 per court case (\$41/hr x 11 hrs/case = \$451/case). However, the agency is not able to predict the number of instances involving illegal take that will go to court because of changes to the protected species list.

Once a species is added to the protected species list, a conservation plan must be developed (G.S. 113-333(b)). These plans detail the restoration and management actions that the agency recommends to secure recovery of the species. Many of these species co-exist in the same habitat and as such, will benefit from the conservation efforts of other species. With this in mind, the species added to the state list may not be additive work per se but will be absorbed into current conservation efforts. For those species not cohabitating with currently listed species, new management plans will be developed. Based on the proposed listings, three species will require new management plans, at an estimated one-time cost to the agency of \$21,960 (\$61/hr x 120 hrs/plan = \$7,320/plan; \$7,320/plan x 3 plans = \$21,960).

Recovery efforts for a species in decline may be implemented by the agency regardless of listing status. However, these management techniques will be included in a management plan (required if listed) and could range from monitoring to population augmentation. If a species requires monitoring and data collection, insignificant costs for staff time and supplies may be incurred at an estimated cost of \$200 to \$1,000 per species. Monitoring costs would be low because, depending on the species, sampling efforts are not typically exclusive, and minimal time, effort, and supplies would be needed for collection of additional data. On the other hand, if a more intensive management effort were required, like for the head-start restoration effort currently being implemented for the gopher frog, estimated costs could be close to \$850,000 over a 10-year period.⁶ However, we must note that these conservation actions would likely occur even if the species were not on the protected species lists. These species are species of greatest conservation need (SGCN) within the NCWRC Wildlife Action Plan; therefore, habitat enhancement and restoration, monitoring, augmentation actions, and research would be conducted to benefit these SGCN and others that occur in the same habitats. Although the Wildlife Action Plan summarizes recovery techniques for priority species, the conservation plans will provide more specific details by species.⁷

Any individual who wishes to collect a nongame species for research purposes is required to obtain a collection license.⁸ Collection of a listed species, also requires an endangered species permit. Staff review endangered species permit applications before they are issued. This review requires approximately two hours to complete, at a cost to the agency of \$122 per permit (\$61/hr x 2 hrs/permit = \$122/permit). Listing or uplisting a species typically increases the research

⁵ Represents the midpoint hourly salary of a Wildlife Law Enforcement Officer I.

⁶ Costs obtained from staff – based on gopher frog recovery efforts 1/2024.

⁷ <http://www.ncwildlife.org/Plan>

⁸ 15A NCAC 10I .0102

interest in those species, but the agency is not able to predict how many new permits will be requested.

Agency staff currently review development projects from other state and local agencies to determine the effects of those projects on state-listed species. Though three new species will be listed in Rule, no additional costs to the WRC or any other agencies are anticipated, as neither process, review protocol, nor staffing, will be changed. However, because new species are being added, agency staff will be asked for scientific expertise on proposed projects during the permit review process to assist in understanding any anticipated impacts the project could have on these newly listed species. There is no way for the agency to predict which projects will be affected, but this review requires approximately four hours of staff time per project and would cost an estimated \$244 per project ($\$61/\text{hr} \times 4 \text{ hrs/project} = \$244/\text{project}$).

The WRC jointly administers the Wildlife Conservation Lands Program (WCLP) with local County Tax Assessors. This program is a property tax deferral program for private landowners who manage their property as wildlife reserve land or to conserve identified priority wildlife habitats and listed species.⁹ Established in 2008, the program has provided the opportunity for 400 landowners in 68 counties across the state to conserve and manage 25,000 acres of land for the benefit of North Carolina's wildlife species.¹⁰ Landowners who participate may voluntarily enter into a Wildlife Habitat Conservation Agreement with the WRC, provided that they have a minimum of 20 contiguous acres of qualifying habitat and have owned the property for a minimum of four years. The WRC provides free technical guidance and develops the required management agreement free of charge for interested landowners to submit to their county offices. Additionally, the WRC is available to assist the County with on-site audits for those currently enrolled and answer questions. While the agency cannot accurately estimate the number of new landowners who will be eligible and want to participate in the program because of the three newly listed species, the estimated cost to the agency is \$600 per project ($\$50/\text{hr}^{11} \times 12 \text{ hrs/project} = \$600/\text{project}$).

Private Impact

The proposed amendments to the 10I Rules are expected to have minimal economic impacts to individuals.

Any individual who wishes to collect or study a species on the protected animal list is required to apply for and obtain a collection license and an endangered species permit. There is a \$10 fee for each. The project scope must be submitted by the applicant and approved by agency staff and requires that the applicant supply the following information: project description, dates for the project, list of expertise, and names of any individuals who will be assisting in collection. Depending on the species, restrictions are often placed on the project to minimize stress to a listed species. Additionally, individuals operating under endangered species permits are required to submit their project data annually if they wish to renew any of their collection permit(s). These data are valuable to the agency and assist in minimizing additional stresses on the species.

Of the species being added to the protected species list, all three may be of scientific research interest, thus requiring an endangered species permit and a collection license for study. However,

⁹ G.S. 105-277.15. Taxation of wildlife conservation land.

¹⁰ Personal correspondence with agency staff 01/18/2024.

¹¹ Represents the midpoint hourly salary of a Conservation Biologist I.

it is important to note that the agency has not received any wildlife collectors permit request for these particular species to date. There is no way for the agency to estimate the potential cost without knowing what research will be conducted on these newly listed species.

The proposed listing changes will uplist one species to endangered from a lower listing level, which will impact the access to their habitat and potential for data collection. Once a species has been identified as having significant population declines or other threats, the agency works hard to limit the number of disturbances in and around their habitat, which often results in limiting the number of collection permits issued and thus, the opportunities for studies to be performed on these species.

Though three new species will be added to the protected species list, these additions cannot affect the use or development of any private property per G.S. 113-333(c). However, developers will be required to assess projects for any potential impacts to listed species as part of the permit application process for development. All currently available species data are available from the Natural Heritage website for a fee of \$100 per project or \$600 for unlimited use.¹² Data are currently available for all three of these newly listed species. The developer is responsible for the cost of obtaining data.

In cases where there are intended (illegal take) and/or unintended (environmental) impacts to wildlife, individuals may be cited for the disturbance and charged a replacement cost for the species lost. The replacement cost for an endangered, threatened, or special concern mammal, bird or reptile species is \$4,960, \$4,313, and \$3,000 respectively.¹³ The replacement cost for an endangered, threatened, or special concern mussel is \$50.54/each, crayfish is \$50/each, and finfish is \$157.54 each. The penalty issued by the court could also include the cost of investigations and court fees. The agency has no way to estimate these costs because they vary by case and are uncommon.

III. Fiscal Impacts - Benefits

State Impact

With a mission of wildlife conservation, WRC biologists often work to predict decline of a species, as it is much easier to put restoration and recovery management in place proactively than it is to do so when the species is close to extinction. Additionally, wildlife species have diverse life histories which can heavily influence recovery efforts. As such, efforts made in year one may not be apparent until several years later. Due to these factors, early recognition of a species in decline and tiered state listing can provide for proactive, biologically sound management that ensures the conservation and wise use of nongame resources, minimizes risk of federal listing, which can put restrictions on private land, and fosters partnerships with local, state, and federal entities to manage wildlife resources.

The protected animal list is the list for nongame species that need the highest level of conservation attention and is used to guide research priorities and prioritize grant awards. In most cases, individuals must obtain a collection license and endangered species permit for listed species. While the purchase of these items does minimally benefit the state (190 permits/year x

¹² <https://ncnhde.natureserve.org/>

¹³ 15A NCAC 10A .1502. Replacement Costs of Wildlife Resources.

\$20/license and permit = \$3,800/year), the greater benefit is that individuals with an endangered species permit for scientific collection are required to submit their data to the agency before they can apply for any additional permits. This requirement that all NC projects benefit from data collected for species that need the highest level of conservation can guide conservation and decision-making. As such, all logged data are guaranteed to be accessible by the public for planning purposes.

The U.S. Fish and Wildlife Service (USFWS) routinely receives petitions from the public to initiate a 90-day finding to consider a species for federal listing. If there is a positive finding, then a 12-month process is initiated by USFWS, which can solicit state agency input. USFWS relies on state agencies to provide state-specific information on these species. Oftentimes, these species have already been considered or are on the protected species list. Because North Carolina's state listing process involves the collection of data, surveys, and monitoring, the information is readily available to USFWS for their federal species status review, saving the state time and money when requested by the USFWS.

There can be significant economic benefits to avoiding federal listing of a species. The conservation value of North Carolina's state listing status may preclude the need for the species to become federally listed, which saves the state, local and private sectors both time and money. Based on FY22 endangered species state expenditure data for conservation projects specific to federally listed species, this could be a savings of anywhere from \$800 per year (piping plover) to \$18,500 per year (yellow lance mussel) in state funds.¹⁴ Additionally, avoided federal listing may preclude the delay or cancellation of major construction projects. Any project with the potential to jeopardize the existence of a federally listed species must undergo a Section 7 consultation with the USFWS that could take anywhere from one to 10 years and cost a significant amount of money.¹⁵ For example, the research study required for a NCDOT highway maintenance project with potential impacts to the northern long-eared bat in the eastern USFWS region (60 NC counties) cost the state a total of \$4 million over five years. Data were collected to help understand the species and its use of habitat to guide future conservation decisions. Currently, NCDOT is expending \$70,000 - \$100,000 per year for monitoring northern long-eared bats' response to construction activities.¹⁶

Finally, research shows that wildlife watching benefits the economy. According to a 2023 NCWRC study, over 2.9 million NC residents spent over 63 million days watching wildlife in the State in 2022. This activity resulted in an estimated combined \$4.92 billion in trip expenditures and equipment-related expenditures, resulting in a total economic impact of \$7.52 billion.¹⁷ Thus, the conservation and preservation of species can be assumed to yield substantial annual benefits to the state and local economies.

Private Impact

North Carolina residents value the opportunity to view and interact with nongame state-listed species. Individuals also value protecting these species for present and future generations, even if

¹⁴ NC Wildlife Resources Commission. North Carolina's Federal Fiscal Year 2022 Federal and State Endangered and Threatened Species Expenditures Report. 2023.

¹⁵ <https://www.fws.gov/midwest/Endangered/section7/section7.html>

¹⁶ Personal correspondence with NCDOT staff 03/31/2022.

<https://connect.ncdot.gov/projects/construction/Pages/RRMan.aspx?Order=RR-33A>

¹⁷ NC Wildlife Resources Commission. North Carolina Outdoor Recreation Experiences Survey. 2023.

they will never interact with them.¹⁸ Together, the value of wildlife viewing and related recreation and the value of maintaining biodiversity are the “non-consumptive” benefits of the species protection.

The non-consumptive values of wildlife species can be estimated by measuring residents’ willingness to pay for wildlife protection. Although economists and biologists have conducted many studies over the past 30 years to estimate the value of protecting threatened and endangered species, it is difficult to estimate the impact of the agency’s proposed listings because benefits are species-specific and location specific. The agency is unaware of any value studies involving the species that are the subject of this rulemaking. Given the species-specific nature of the value individuals place on wildlife protection, the agency is not able to quantify the total social benefit of the proposed listing. However, the benefits are discussed below:

Science and Land Conservation

- A variety of funding opportunities exist for conserving state listed species. These include but are not limited to, the Land and Water Conservation Trust Fund and Natural Resources Conservation Service grants. If an animal is added to the protected species list, projects that incorporate and/or provide benefit to those species receive preferential consideration for funding. Projects can be submitted by state and local governments, private organizations, and nonprofits, but overall, the implementation of these projects are a conservation benefit to North Carolina residents.
- Due to priorities set by funding sources, many projects are proposed to benefit listed species, state or federal, to qualify the project for funding. Because federally listed species often cohabitate with state listed species, the entire ecosystem benefits from these types of projects and the conservation actions that listing may provoke.
- Federally listed species are protected from “taking”, which includes habitat alteration resulting in harm to the species. Approximately two-thirds of all federally listed species have at least some of their habitat on private land, and some species have most of their habitat on private land.¹⁹ Restrictions and special management considerations that may be costly to landowners are required if it is believed that a proposed development project could impact a listed species. Avoided federal listing may preclude the necessity of costly management.

Ecotourism

- Research shows that society enjoys biodiversity and there are many physical and mental benefits associated with spending time outdoors.²⁰ Although the WRC does not actively collect data specific to ecotourism, the agency does partner and participate in surveys on willingness to pay.²¹ These surveys request participants to answer questions regarding their willingness to travel to see wildlife. Also, the NCWRC 2023 report indicated that North Carolina had 2,928,309 resident wildlife viewers ages 18 years and older in 2022.

¹⁸ Wallmo, Kristy, and Daniel Lew. 2016. A comparison of regional and national values for recovering threatened and endangered marine species in the United States. *Journal of Environmental Management*, Volume 179. Accessed at <http://www.sciencedirect.com/science/article/pii/S0301479716302249>

¹⁹ <https://www.fws.gov/sites/default/files/documents/endangered-species-act-basics-february-2023.pdf>

²⁰ Sandifer, Sutton-Grier, Ward, 2015

²¹ Deason, Seekamp, 2015

- To the average recreationist, a more diverse and abundant wildlife population may increase recreation in an area. Not only may it increase experiences but also the quality of those experiences. There is no simple mechanism to estimate this benefit.
- Typically, when a species has been state listed it indicates rarity and difficulty for wildlife viewers to spot it. To wildlife enthusiasts, like birders, this situation may excite challenge and increase interest in any opportunity to seek the species. The result may in turn be enhanced ecotourism to an area that has known habitat for the species.

Tax Benefit

- The proposed addition of 3 species to the protected species list may create opportunities for landowners to participate in the Wildlife Conservation Lands Program for property tax deferral. This additional opportunity would only be available to individuals who own property where these protected species currently live. These landowners would receive a property tax deferral from their county of residence if they enter into an agreement with the WRC to implement land management efforts to protect and enhance habitat for these protected species on their property.

This program is driven by property owners' financial situations, which vary from county to county and from landowner to landowner. Typically, participation in the Program is requested when a property's tax value is reassessed. The Program largely serves as a back-up plan for property owners looking for a tax break on property taxes. Additionally, only 1,700 (approximately 6.8%) of the 25,000 acres registered in the program are species-specific. Participation is usually based on the management of a priority habitat or qualification as Wildlife Reserve Land.

Ecological Benefit

- Although unquantifiable, the overall value added by maintaining a functional food chain cannot be overstated. Many of these species also provide natural resource benefits such as improved water quality or invasive species curtailment. When the cycle of life gets interrupted, there are ecological concerns which result in management expenses. All living things need food to survive. If their food source is limited or no longer present, they may become unhealthy or may not survive. Unhealthy wildlife can be more susceptible to disease, illness, erratic behavior, and unsafe human and wildlife interactions. All these results weigh on agency resources and time. By listing species of concern, the agency is proactively managing wildlife needs and potentially mitigating more serious negative impacts.

IV. Uncertainties

State Impact

If staff are asked to review a project with the potential to impact a listed species that has limited historical and habitat range data, staff may recommend a species survey before commenting on that project. The cost of data collection is different for each species, and without knowing potential projects that will be proposed in the coming years, the agency has no way to estimate the costs to other agencies or individuals for data collection. However, the agency can mitigate

those costs by sharing all data collected both in-house and through state endangered species permits via the Natural Heritage natural resource database (www.ncnhp.org/data).

Local Impact

The proposed changes to the protected species list have the potential to increase the number of landowners who are eligible to participate in the Wildlife Conservation Lands Program. Because this is a county property tax deferral program, the landowners submit applications to the County for enrollment. The County determines the applicant's eligibility and acceptance into the program and participation is renewed annually. The proposed changes to the protected species list have the potential to increase the number of landowners who are eligible to participate in the program, thus increasing a participating county's deferred taxes if they decide to accept a new landowner's management efforts. Counties may also incur a slight increase to the cost of program auditing to ensure the landowner is in compliance with their management plan. Unfortunately, there is no way for the agency to quantify costs, as property taxes vary by county.

The agency also assumes that there could be an increase in the number of court cases dealing with illegal take of three species being added to the protected species list. This would minimally impact the county court systems.

Private Impact

Lack of species-specific studies on North Carolina residents' willingness to pay for protection of listed species prevents WRC from estimating the total benefits of the proposed rules. However, a 2008 meta-analysis of studies valuing endangered, threatened, and rare species found that individuals value fish, marine mammals, and birds more highly than mammals and reptiles, as a group, and wildlife with consumption benefits are more highly valued than those with non-consumptive benefits alone.²² The total benefits are dependent upon the consumptive uses (i.e., hunting or fishing) or non-consumptive uses (i.e., viewing) of the wildlife, the relative "charisma" of each species, the level of species endangerment, and participation in the Wildlife Conservation Lands program.

It is also important to note that the values of the benefits created by listing three new species and uplisting two species may be offset to some degree by the one delisted and two downlisted species. In their meta-analysis, Richardson and Loomis (2008) found that individuals are generally more willing to pay to prevent a species' extinction than they are to increase the population above the minimum viable level.²³ This finding suggests protecting the most-threatened species could provide greater benefits than equivalent protections for less-threatened species, all else being equal. Downlisting or delisting species could indicate to North Carolina residents that the species is less threatened, therefore reducing the value of protection measures and their associated benefits. However, downlisting or delisting a species may also reduce development restrictions and state staff time costs.

²² Richardson, Leslie, and John Loomis. 2008. The Total Economic Value of Threatened, Endangered and Rare Species: An Updated Meta-Analysis. *Ecological Economics*. Volume 68. Accessed at <http://www.sciencedirect.com/science/article/pii/S0921800908004771>

²³ Richardson, Leslie, and John Loomis. 2008. The Total Economic Value of Threatened, Endangered and Rare Species: An Updated Meta-Analysis. *Ecological Economics*. Volume 68. Accessed at <http://www.sciencedirect.com/science/article/pii/S0921800908004771>

The recreational and consumptive value of a listed species reflects only the economic, not the ecological, benefits of the species. The value that North Carolina residents place on species protection is limited by our incomplete understanding of the species' ecological role.²⁴

V. Economic Impact Summary

Each species is different, as are the reasons attributing to their decline. However, WRC expects the public awareness, research, and conservation efforts associated with placing a species on the protected species list to bring about awareness and management efforts that will spur the public and private cooperation necessary to reverse the decline.

Private individuals will benefit from the proposed listings and associated conservation efforts because of the non-consumptive value of wildlife recreation opportunities and preserving biodiversity. Conservation efforts at a state level also reduce the probability of a species being federally listed, which could place restrictions on private land use and development. Private landowners may be eligible for the Wildlife Conservation Lands program due to the newly listed species, which would make them eligible for county tax deferment. And researchers may be eligible for additional funding opportunities for these species.

Wildlife recreation benefits our state's economy. In addition, listing or uplisting a species draws additional research funding, which benefits the state in both fees collected for collection licenses necessary to study the species and scientific data from those individuals with collection licenses and endangered species permits. Data collected by the state on listed species also saves time and money associated with the required data collection for federally listed species and the potential avoidance of federal listing of state listed species. These benefits are also realized by local governments.

Although these benefits are not quantifiable with available data, the agency expects the benefits of the proposed species listings to outweigh the costs.

In estimating the economic impact of the proposed amendments to the protected species list, the agency was able to estimate and quantify several identified costs, which are expected to include:

State

- Officer training materials: \$122 per year
- Officer patrol time, mileage, and materials and supplies for newly listed species: \$49,118 per year
- Officer court time for newly listed species cases: \$2,255 per year (\$451 per court case assuming max five cases per year)
- Development of three Species Conservation Plans: \$21,960 total one-time cost

²⁴ Loomis, John, and Douglas White. 1996. Economic Benefits of Rare and Endangered Species: Summary and Meta-Analysis. *Ecological Economics*, Volume 18. Accessed at <http://www.sciencedirect.com/science/article/pii/0921800996000298>

- Development project reviews: \$1,220 per year (\$244 per project assuming five project reviews per year)
- WCLP technical guidance: \$600 per project (\$50/hr x 12 hrs/project = \$600/project)
- Endangered species permit reviews: \$23,180 per year (\$122 per permit averaging 190 permit reviews per year)
- Monitoring for three newly listed species: \$1,800 per fiscal year (\$200 - \$1,000 per species assuming an average of \$600 per species)

The cumulative State impact is estimated to be approximately \$77,695 per year, depending on number of court cases, development project reviews, and endangered species permit reviews during a fiscal year. Additionally, a one-time cost of \$21,960 will be incurred to complete 3 species conservation plans.

Local

- Tax deferment for landowners in WCLP is unquantifiable.
- Court fees for illegal take of newly listed species is unquantifiable.

Private

- Collection license fee for newly listed species is unquantifiable.
- Data collection before development projects is unquantifiable.
- Replacement costs for illegal take of newly listed species: endangered species is \$4,960, a threatened species is \$4,313, and a special concern species is \$3,000.
- Court fees for illegal take of newly listed species is unquantifiable.

Although most of the costs are uncertain or unquantifiable with available data, the agency was able to quantify several State and private costs. However, the agency expects the benefits of the proposed species listings to outweigh the costs.

**15A NCAC 10I .0102 PROTECTION OF ~~ENDANGERED/THREATENED/SPECIAL~~
ENDANGERED, THREATENED, AND SPECIAL CONCERN SPECIES**

(a) ~~No Open Season.~~ There is no open season for taking any of the species listed as endangered in Rule .0103, or threatened in Rule .0104 of this Section, except for the American alligator (*Alligator mississippiensis*) as set forth in the rules of this Chapter. ~~Unless otherwise provided in North Carolina General Statutes or the rules of this Chapter, Except as provided in Paragraphs (b) and (d) of this rule, there is no open season for taking any of the species listed as special concern in Rule in Rules .0103, .0104, or .0105 of this Section. Except as provided in Paragraphs (b), (c) and (e) of this Rule, it is unlawful to take or possess any animal listed in Rules .0103, .0104, or .0105 of this Section at any time.~~

(b) ~~Permits.~~ The Executive Director or his or her designee may issue permits to ~~take or possess an~~ take, possess, sell, propagate, transport, import, export, transfer, barter, trade, or stock endangered, threatened, or special concern species:

- (1) ~~to an individual or institution with experience and training in handling, and caring for the wildlife and in conducting a scientific study, investigation for the purpose of scientific investigation relevant to perpetuation or restoration of said species or as a part of a scientifically valid study or restoration effort; perpetuation, restoration, or management of a species;~~
- (2) ~~to a public or private educator or exhibitor who demonstrates that he or she has lawfully obtained the specimen or specimens in his or her possession, possesses the requisite equipment and expertise to care for such specimen or the specimens, and abides by the applicable caging requirements for the species set forth in 15A NCAC 10H .0302; .1404;~~
- (3) ~~to a person who lawfully possessed any such the species for more than 90 days immediately prior to the date that such the species was listed and who abides by the applicable caging requirements for the species set forth in 15A NCAC 10H .1404; .0302, provided however, that no permit shall be issued more than 90 days after the effective date of the initial listing for that species; or~~
- (4) ~~to a person with demonstrable depredation from a Special Concern Species, or the American alligator (*Alligator mississippiensis*); mississippiensis);~~
- (5) to a licensed falconer;
- (6) to a retail or wholesale establishment whose primary function is providing scientific supplies, provided that:
 - (A) the specimens were lawfully obtained from captive populations or wild populations outside of North Carolina;
 - (B) the specimens are possessed in indoor facilities; and
 - (C) safeguards are provided during transportation to prevent accidental escape of the specimens.
- (7) to state and federal government agencies, corporate research entities, and research institutions within North Carolina provided that:
 - (A) the specimens are possessed in indoor facilities;
 - (B) safeguards are provided during transportation to prevent accidental escape of the specimens;
 - (C) the agency's or institution's Animal Care and Use Committee has approved the research protocol for the species;

(D) no specimens shall be stocked or released in the public or private waters or lands of North Carolina; and

(E) specimens shall not be transferred to any private individual.

(c) An individual may apply for an endangered species permit online at www.gooutdoorsnorthcarolina.com by providing the following information:

- (1) name, address, phone number, and email; _____
- (2) species name and quantity;
- (3) proposed activities;
- (4) map with specific location of activities identified, if applicable;
- (5) the source of the specimens and documentation of lawful acquisition;
- (6) caging or confinement plans for specimens, if applicable;
- (7) applicant's qualifications and explanation of experience;
- (8) research proposal, if applicable;
- (9) acknowledgement that additional federal permits may be required;
- (10) plans for care of specimens and copy of Institutional Animal Care and Use Committee permit, if applicable; and
- (11) plans for final disposition of specimens.

(e)(d) Taking Without a Permit: The species listed in Rules .0103, .0104, and .0105 of this Section may be taken or possessed without a permit when:

- (1) An individual may take an endangered, threatened, or special concern takes the species in defense of his or her own life or the lives of others.
- (2) an individual has obtained a permit to take an American alligator in accordance with 15A NCAC 10B .0224.
- (3) an individual possesses meat or other parts of American alligators that have been lawfully taken, possessed, or bought in a state where there is an open season for harvesting alligators and the products are marketed in packages or containers that are labeled to indicate the state in which the animals were taken and the identity, address, and lawful authority of the processor or distributor.
- (4) an individual is taking or harassing a red wolf (*Canis rufus*) pursuant to the conditions in 50 CFR 17.84(c), hereby incorporated by reference, including subsequent amendments and editions, available free of charge at www.ecfr.gov.
- (2)(5) A state or federal conservation officer or employee an individual who is designated by his agency to do so may, meets the requirements of G.S. 113-261, who, when acting in the course of his or her official duties, take, possess, and transport takes, possesses, or transports endangered, threatened, or special concern species if the action is necessary to:
 - (A) aid a sick, injured, diseased, or orphaned specimen;
 - (B) dispose of a dead specimen;
 - (C) salvage a dead specimen that may be useful for scientific study; or
 - (D) remove specimens that constitute a demonstrable but nonimmediate threat to human safety safety, provided the taking is done in a humane and noninjurious manner. The taking may involve injuring or killing endangered, threatened, or special concern species only if it is not possible to eliminate the threat by live-capturing and releasing-release the specimen unharmed, in a habitat that is suitable for the survival of that species.-survival.

~~(d)(e) Reporting. Any taking or possession of an Take, possession, sale, propagation, transportation, importation, exportation, transfer, barter, trade, or stocking of endangered, threatened, or special concern species under Paragraphs (b) and (e)(d) of this Rule is subject to applicable federal reporting requirements, requirements of federal law and regulations, and the reporting requirements of the permit issued by the Executive Director or permit, and applicable requirements of 15A NCAC 10B .0106(e).~~

~~(e) Exceptions.~~

- ~~(1) Notwithstanding any other provisions of this Rule, processed meat and other parts of American alligators that have been lawfully taken in a state in which there is an open season for harvesting alligators may be possessed, bought, and sold when such products are marketed in packages or containers that are labeled to indicate the state in which they were taken and the identity, address, and lawful authority of the processor or distributor.~~
- ~~(2) Raptors listed as special concern species in Rule .0105 of this Section may be taken from the wild for falconry purposes and for falconry propagation, provided that a valid North Carolina endangered species permit has been obtained as required in Paragraph (b) of this Rule.~~
- ~~(3) Captive bred raptors listed as special concern species may be bought, sold, bartered, or traded as provided in 50 CFR 21.85 when marked as required under those regulations. 50 CFR 21.85 is incorporated by reference, including subsequent amendments and editions. This document may be accessed at www.ecfr.gov at no cost.~~
- ~~(5) Importation, possession, sales, transportation, and exportation of species listed as special concern species in Rule .0105 of this Section shall be allowed under permit by retail and wholesale establishments whose primary function is providing scientific supplies for research, provided that:
 - ~~(A) the specimens were lawfully obtained from captive or wild populations outside of North Carolina;~~
 - ~~(B) they are possessed in indoor facilities;~~
 - ~~(C) all transportation of specimens provides safeguards adequate to prevent accidental escape; and~~
 - ~~(D) importation, possession, and sale or transfer is permitted only as listed in Parts (e)(4)(A) and (B) of this Rule.~~~~

~~(f) A written application to the Commission shall be required for a permit to authorize importation, and possession for the purpose of retail or wholesale sale. The application shall identify the source of the specimens and provide documentation of lawful acquisition. Applications for permits shall include plans for holding, transportation, advertisement, and sale in such detail as to allow a determination of the safeguards provided against accidental escape and sales to unauthorized individuals.~~

~~(g) Purchase, importation, and possession of special concern species within North Carolina is allowed under permit to state and federal governmental agencies, corporate research entities, and research institutions, provided that:~~

- ~~(1) sales are permitted to out of state consumers;~~
- ~~(2) the specimens will be possessed in indoor facilities and safeguards adequate to prevent accidental escape are provided during all transportation of the specimens;~~
- ~~(3) the agency's or institution's Animal Use and Care Committee has approved the research protocol for this species; and~~

- (4) ~~no specimens may be stocked or released in the public or private waters or lands of North Carolina and specimens may not be transferred to any private individual.~~

History Note: Authority G.S. 113-134; 113-291.2; 113-291.3; 113-292; 113-333;

Eff. June 11, 1977;

Amended Eff. January 1, 2013; January 1, 2012; May 1, 2009; April 1, 2003; April 1, 2001; April 1, 1997; February 1, 1994; September 1, 1989; March 1, 1981; March 17, 1978.

Temporary Amendment Eff. February 27, 2015;

Amended Eff. February 1, 2023; July 1, 2016.

15A NCAC 101 .0103 ENDANGERED SPECIES LISTED

(a) The following species of resident wildlife shall be designated as federally listed endangered species:

- (1) Amphibians: None listed.
- (2) Birds:
 - (A) Bachman's warbler (*Vermivora bachmanii*);
 - (B) Ivory-billed woodpecker (*Campephilus principalis*);
 - (C) Piping plover (*Charadrius melodus circumcinctus*);
 - (D) Red-cockaded woodpecker (*Dryobates borealis*); and
 - (E) Roseate tern (*Sterna dougallii dougallii*).
- (3) Crustacea: None listed.
- (4) Fish:
 - (A) Cape Fear shiner (~~*Notropis*~~ (*Miniellus mekistocholas*);
 - (B) Carolina madtom (*Noturus furiosus*);
 - (C) Roanoke logperch (*Percina rex*);
 - (D) Shortnose sturgeon (*Acipenser brevirostrum*), when found in inland fishing waters as defined in G.S. 113-129(9); and
 - (E) Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), when found in inland fishing waters as defined in G.S. 113-129(9).
- (5) Mammals:
 - (A) Carolina northern flying squirrel (*Glaucomys sabrinus coloratus*);
 - (B) Eastern cougar (*Puma concolor*);
 - (C) Gray bat (*Myotis grisescens*);
 - (D) Indiana bat (*Myotis sodalis*);
 - ~~(E) Manatee (*Trichechus manatus*), when found in inland fishing waters as defined in G.S. 113-129(9); and~~
 - (E) Northern long-eared bat (*Myotis septentrionalis*); and
 - (F) Virginia big-eared bat (*Corynorhinus townsendii virginianus*).
- (6) Mollusks:
 - (A) Appalachian elktoe (*Alasmodonta raveneliana*);
 - (B) Carolina heelsplitter (*Lasmigona decorata*);
 - (C) Dwarf wedgemussel (*Alasmodonta heterodon*);
 - (D) James spinymussel (*Parvaspina collina*);
 - (E) Littlewing pearlymussel (*Pegias fabula*);
 - (F) Tan riffleshell (*Epioblasma florentina walkeri*); and
 - (G) Tar River spinymussel (*Parvaspina steinstansana*).
- (7) Reptiles:
 - (A) Kemp's ridley sea turtle (*Lepidochelys kempii*);
 - (B) ~~Atlantic hawksbill~~ Hawksbill sea turtle (*Eretmochelys imbricata*); and
 - (C) Leatherback sea turtle (*Dermochelys coriacea*).

(b) The following species of resident wildlife shall be designated as State-listed endangered species:

- (1) Amphibians:
 - (A) Gopher frog (*Rana [=Lithobates] capito*);
 - (B) Hickory Nut Gorge green salamander (*Aneides ~~caryaensis~~ caryaensis*);
 - (C) Ornate chorus frog (*Pseudacris ornata*); and

- (D) River frog (*Rana* [=*Lithobates*] *heckscheri*).
- (2) Birds:
- (A) American peregrine falcon (*Falco peregrinus anatum*);
- ~~(B)~~ Bewick's wren (*Thryomanes bewickii*);
- ~~(C)~~ (B) Common tern (*Sterna hirundo*);
- ~~(D)~~ (C) Henslow's sparrow (*Centronyx henslowii*); and
- ~~(E)~~ (D) Wayne's black-throated green warbler (*Setophaga virens waynei*).
- (3) Crustacea:
- (A) Bennett's Mill cave water slater (*Caecidotea carolinensis*); and
- (B) Waccamaw crayfish (*Procambarus braswelli*).
- (4) Fish:
- (A) Blotchside logperch (*Percina burtoni*);
- (B) Bridle shiner (*Notropis bifrenatus*);
- (C) Orangefin madtom (*Noturus gilberti*);
- (D) Paddlefish (*Polyodon spathula*);
- (E) Robust redhorse (*Moxostoma robustum*);
- (F) Rustyside sucker (*Thoburnia hamiltoni*);
- (G) Sharpnose darter (*Percina oxyrhynchus*); and
- (H) Stonecat (*Noturus flavus*).
- (5) Mammals:
- (A) Little brown bat (*Myotis lucifugus*); and
- (B) Tricolored bat (*Perimyotis subflavus*).
- (6) Mollusks:
- (A) Barrel floater (*Utterbackiana couperiana*);
- (B) Brook floater (*Alasmidonta varicosa*);
- (C) Carolina creekshell (~~*Villosa vaughaniana*~~; *Sagittunio vaughanianus*);
- (D) Fragile glyph (~~*Glyphyalimia*~~ *Pilsbryna clingmani*);
- (E) Green floater (*Lasmigona subviridis*);
- (F) Greenfield ~~rams-horn~~ ramshorn (*Helisoma eucosmium*);
- (G) Knotty elimia (*Elimia christyi*);
- (H) Longsolid (*Fusconaia subrotunda*);
- ~~(I)~~ (H) Magnificent ramshorn (*Planorbella magnifica*);
- ~~(J)~~ (I) Purple wartyback (*Cyclonaias tuberculata*);
- ~~(K)~~ (J) Savannah lilliput (*Toxolasma pullus*);
- ~~(L)~~ (K) Slippershell mussel (*Alasmidonta viridis*);
- ~~(M)~~ (L) Tennessee clubshell (*Pleurobema oviforme*);
- ~~(N)~~ (M) Tennessee heelsplitter (*Lasmigona holstonia*);
- ~~(O)~~ (N) Tennessee pigtoe (*Pleuronaia barnesiana*); and
- ~~(P)~~ (O) Yellow lampmussel (*Lampsilis cariosa*).
- (7) Reptiles:
- (A) Eastern coral snake (*Micrurus fulvius fulvius*); and
- (B) Eastern diamondback rattlesnake (*Crotalus adamanteus*); and
- (C) Mimic glass lizard (*Ophisaurus mimicus*).

*History Note: Authority G.S. 113-134; 113-333;
Eff. June 11, 1977;
Amended Eff. October 1, 2017; August 1, 2016; May 1, 2008; April 1, 2001; February 1,
1994; November 1, 1991; April 1, 1991; June 1, 1990;
Readopted Eff. October 1, 2021;
Amended Eff. February 1, 2023.*

15A NCAC 101 .0104 THREATENED SPECIES LISTED

(a) The following species of resident wildlife shall be designated as federally-listed threatened species:

- (1) Amphibians: Neuse River waterdog (*Necturus lewisi*).
- (2) Birds:
 - (A) Eastern black rail (*Laterallus jamaicensis jamaicensis*);
 - (B) Piping plover (*Charadrius melodus melodus*);
 - (C) Red knot (*Calidris canutus rufa*); and
 - (D) Wood stork (*Mycteria americana*).
- (3) Crustacea: None listed.
- (4) Fish:
 - (A) Spotfin chub (*Erimonax monachus*); and
 - (B) Waccamaw silverside (*Menidia extensa*).
- (5) Mammals: ~~Northern long-eared bat (*Myotis septentrionalis*)~~ West Indian Manatee (*Trichechus manatus*), when found in inland fishing waters as defined in G.S. 113-129(9).
- (6) Mollusks:
 - (A) Atlantic pigtoe (*Fusconaia masoni*);
 - (B) Longsolid (*Fusconaia subrotunda*);
 - ~~(B)(C)~~ Noonday globe (*Patera elarki nantahala*); and
 - ~~(C)(D)~~ Yellow lance (*Elliptio lanceolata*).
- (7) Reptiles:
 - (A) Bog turtle (*Glyptemys muhlenbergii*);
 - (B) American alligator (*Alligator mississippiensis*);
 - (C) Green sea turtle (*Chelonia mydas*); and
 - (D) Loggerhead sea turtle (*Caretta caretta*).

(b) The following species of resident wildlife are designated as State-listed threatened species:

- (1) Amphibians:
 - (A) Eastern tiger salamander (*Ambystoma tigrinum tigrinum*);
 - (B) Green salamander (*Aneides aeneus*);
 - (C) Junaluska salamander (*Eurycea junaluska*);
 - (D) Eastern long-tailed Long-tailed salamander (*Eurycea longicauda longicauda*);
 - (E) Mabee's salamander (*Ambystoma mabeei*);
 - (F) Pine Barrens tree frog (*Hyla andersonii*); and
 - (G) Wehrle's salamander (*Plethodon wehrlei*).
- (2) Birds:
 - (A) Bald eagle (*Haliaeetus leucocephalus*);
 - (B) Black skimmer (*Rynchops niger*);
 - ~~(B)(C)~~ Caspian tern (*Hydroprogne caspia*);
 - ~~(C)(D)~~ Gull-billed tern (*Gelochelidon nilotica aranea*);
 - ~~(D)(E)~~ Northern saw-whet owl (*Aegolius acadicus*); and
 - (F) Rusty blackbird (*Euphagus carolinus*).
- (3) Crustacea:
 - (A) Broad River spiny crayfish (*Cambarus spicatus*);
 - (B) French Broad crayfish (*Cambarus reburus*);
 - (C) Pamlico crayfish (*Procambarus medialis*);

- (D) Sandhills crayfish (*Procambarus pearsei*); and
 - (E) South Mountains crayfish (*Cambarus franklini*).
- (4) Fish:
- (A) Bigeye jumprock (*Moxostoma ariommum*);
 - (B) Blotched chub (*Erimystax insignis*);
 - (C) Carolina pygmy sunfish (*Elassoma boehlkei*);
 - (D) Carolina redhorse (*Moxostoma* sp.);
 - (E) Ironcolor shiner (~~*Notropis*~~ *Alburnops* *chalybaeus*);
 - (F) Least brook lamprey (*Lampetra aepyptera*);
 - (G) Logperch (*Percina caprodes*);
 - (H) Mimic shiner (~~*Notropis*~~ *Paranotropis* *volucellus*);
 - (I) Rosyface chub (*Hybopsis rubrifrons*);
 - (J) Sharphead darter (~~*Etheostoma*~~ (*Nothonotus* *acuticeps*);
 - (K) Santee chub (*Cyprinella zanema*);
 - (L) Sicklefin redhorse (*Moxostoma* sp.);
 - (M) Thicklip chub (*Cyprinella labrosa*);
 - (N) Turquoise darter (*Etheostoma inscriptum*); and
 - (O) Waccamaw darter (*Etheostoma perlongum*).
- (5) Mammals:
- (A) Eastern woodrat (*Neotoma floridana floridana*);
 - (B) Rafinesque's big-eared bat (*Corynorhinus rafinesquii rafinesquii*); and
 - (C) Red wolf (*Canis rufus*).
- (6) Mollusks:
- (A) Alewife floater (*Utterbackiana implicata*);
 - (B) Big-tooth covert (*Fumonelix jonesiana*);
 - (C) Cape Fear threetooth (*Triodopsis soelneri*);
 - (D) Eastern lampmussel (*Lampsilis radiata*);
 - (E) Eastern pondmussel (~~*Ligumia nasuta*~~; (*Sagittunio nasutus*);
 - (F) Engraved covert (*Fumonelix orestes*);
 - (G) Mountain creekshell (~~*Villosa*~~ (*Leaunio* *vanuxemensis*);
 - (H) Notched rainbow (~~*Villosa*~~ (*Venustaconcha* *constricta*);
 - (I) Rainbow (~~*Villosa*~~ (*Cambarunio* *iris*);
 - (J) Roan supercoil (*Paravitrea varidens*);
 - (K) Sculpted supercoil (*Paravitrea ternaria*);
 - (L) Smoky Mountain covert (*Inflectarius ferrissi*);
 - (M) Creeper (*Strophitus undulatus*);
 - (N) Tidewater mucket (~~*Leptodea*~~ (*Atlanticoncha* *ochracea*);
 - (O) Triangle floater (*Alasmidonta undulata*); and
 - (P) Waccamaw ambersnail (*Catinella waccamawensis*).
- (7) Reptiles:
- (A) Northern pine snake (*Pituophis melanoleucus melanoleucus*); and
 - (B) Southern hognose snake (*Heterodon simus*).

History Note: Authority G.S. 113-134; 113-333;

Eff. March 17, 1978;
Amended Eff. June 1, 2008; April 1, 2001; November 1, 1991; April 1, 1991; June 1, 1990;
September 1, 1989;
Temporary Amendment Eff. February 27, 2015;
Amended Eff. October 1, 2017; July 1, 2016; August 1, 2016;
Readopted Eff. October 1, 2021;
Amended Eff February 1, 2023.

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15A NCAC 101 .0105 SPECIAL CONCERN SPECIES LISTED

The following species of resident wildlife shall be designated as State-listed special concern species:

- (1) Amphibians:
 - (a) Collinse's mountain chorus frog (*Pseudacris collinsorum*);
 - (b) Crevice salamander (*Plethodon longicrus*);
 - (c) Dwarf salamander (*Eurycea quadridigitata*);
 - (d) Dwarf black-bellied salamander (*Desmognathus folkertsi*);
 - (e) Eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*);
 - (f) Four-toed salamander (*Hemidactylium scutatum*);
 - (g) Gray treefrog (*Hyla versicolor*);
 - (h) Mole salamander (*Ambystoma talpoideum*);
 - (i) Mudpuppy (*Necturus maculosus*);
 - (j) Southern chorus frog (*Pseudacris nigrita*);
 - (k) Southern zigzag salamander (*Plethodon ventralis*); and
 - (l) Weller's salamander (*Plethodon welleri*).
- (2) Birds:
 - (a) American oystercatcher (*Haematopus palliatus*);
 - (b) Bachman's sparrow (*Peucaea aestivalis*);
 - (c) Barn owl (*Tyto alba*);
 - (d) Black-capped chickadee (*Poecile atricapillus*);
 - ~~(e)~~ ~~Black skimmer (*Rynchops niger*);~~
 - ~~(f)~~ ~~(e)~~ Brown creeper (*Certhia americana nigrescens*);
 - ~~(g)~~ ~~(f)~~ Cerulean warbler (*Setophaga cerulea*);
 - ~~(h)~~ ~~(g)~~ Glossy ibis (*Plegadis falcinellus*);
 - ~~(i)~~ ~~(h)~~ Golden-winged warbler (*Vermivora chrysoptera*);
 - ~~(j)~~ ~~(i)~~ Least bittern (*Ixobrychus exilis*);
 - ~~(k)~~ ~~(j)~~ Least tern (*Sternula antillarum*);
 - ~~(l)~~ ~~(k)~~ Little blue heron (*Egretta caerulea*);
 - ~~(m)~~ ~~(l)~~ Loggerhead shrike (*Lanius ludovicianus*);
 - ~~(n)~~ ~~(m)~~ Painted bunting (*Passerina ciris*);
 - ~~(o)~~ ~~(n)~~ Red crossbill (*Loxia curvirostra*);
 - ~~(p)~~ ~~(o)~~ Snowy egret (*Egretta thula*);
 - (p) Swallow-tailed kite (*Elanoides forficatus*);
 - (q) Tricolored heron (*Egretta tricolor*);
 - ~~(r)~~ ~~(q)~~ Vesper sparrow (*Poocetes gramineus*); and
 - ~~(s)~~ ~~(r)~~ Wilson's plover (*Charadrius wilsonia*).
- (3) Crustacea:
 - (a) Carolina skistodiptomus (*Skistodiptomus carolinensis*);
 - (b) Carolina well diacyclops (*Diacyclops jeannelli putei*);
 - (c) Chowanoke crayfish (*Faxonius virginensis*);
 - (d) Graceful clam shrimp (*Lynceus gracilicornis*);
 - (e) Greensboro burrowing crayfish (*Cambarus catagius*);
 - (f) Hiwassee headwaters crayfish (*Cambarus parrishi*);
 - (g) Little Tennessee River crayfish (*Cambarus georgiae*);

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- (h) North Carolina spiny crayfish (*Faxonius carolinensis*); and
 - (i) Oconee stream crayfish (*Cambarus chaugaensis*).
- (4) Fish:
- (a) American brook lamprey (*Lethenteron appendix*);
 - (b) "Atlantic" Highfin carpsucker (*Carpiodes* sp. cf. *velifer*);
 - (c) Banded sculpin (*Cottus carolinae*);
 - (d) Blue Ridge sculpin (*Cottus caeruleomentum*);
 - (e) Blueside darter (*Etheostoma jessiae*);
 - (f) Broadtail madtom (*Noturus* sp.);
 - (g) Carolina darter (*Etheostoma collis*);
 - (h) Cutlip minnow (*Exoglossum maxillingua*);
 - (i) Freshwater drum (*Aplodinotus grunniens*);
 - (j) Kanawha minnow (*Phenacobius teretulus*);
 - (k) Lake sturgeon (*Acipenser fulvescens*);
 - (l) Least killifish (*Heterandria formosa*);
 - (m) Mooneye (*Hiodon tergisus*);
 - (n) Mountain madtom (*Noturus eleutherus*);
 - (o) Ohio lamprey (*Ichthyomyzon bdellium*);
 - (p) Olive darter (*Percina squamata*);
 - (q) Pinewoods darter (*Etheostoma mariae*);
 - (r) River carpsucker (*Carpiodes carpio*);
 - (s) Sandhills chub (*Semotilus lumbee*);
 - (t) Seagreen darter (*Etheostoma thalassinum*);
 - (u) Sickie darter (*Percina williamsi*);
 - (v) Smoky dace (*Clinostomus* sp.);
 - (w) Sooty-banded darter (*Percina westfalli*);
 - ~~(w)(x)~~ Striped shiner (*Luxilus chrysocephalus*);
 - ~~(x)(y)~~ Snubnose darter (*Etheostoma simoterum*);
 - ~~(y)(z)~~ "Thinlip" chub (*Cyprinella* sp. cf. *zanema*);
 - ~~(z)(aa)~~ Waccamaw killifish (*Fundulus waccamensis*);
 - ~~(aa)~~ ~~Westfall's darter (*Percina westfalli*)~~;
 - (bb) Wounded darter (~~*Etheostoma vulneratum*~~); (*Nothonotus vulneratus*); and
 - (cc) Yellowfin shiner (~~*Notropis*~~*Hydrophlox* *lutipinnis*).
- (5) Mammals:
- (a) Allegheny woodrat (*Neotoma magister*);
 - (b) Buxton Woods white-footed mouse (*Peromyscus leucopus buxtoni*);
 - (c) Coleman's oldfield mouse (*Peromyscus polionotus colemani*);
 - (d) Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*);
 - (e) Eastern small-footed bat (*Myotis leibii leibii*);
 - (f) Florida yellow bat (*Lasiurus intermedius floridanus*);
 - (g) Southeastern bat (*Myotis austroriparius*);
 - (h) Southern rock vole (*Microtus chrotorrhinus carolinensis*); and
 - (i) Star-nosed mole (*Condylura cristata parva*).
- (6) Mollusks:

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- (a) Appalachian gloss (*Zonitoides patuloides*);
 - (b) Bidentate dome (*Ventridens coelaxis*);
 - (c) Black mantleslug (*Pallifera hemphilli*);
 - (d) Blackwater ancylid (*Ferrissia hendersoni*);
 - (e) Blue-foot lancetooth (*Haplotrema kendeighi*);
 - (f) Cape Fear spike (*Elliptio marsupiobesa*);
 - (g) Clingman covert (*Fumonelix wheatleyi clingmanicus*);
 - (h) Dark glyph (*Glyphyalinia junaluskana*);
 - (i) Dwarf proud globe (*Patera clarki clarki*);
 - (j) Dwarf threetooth (*Triodopsis fulciden*);
 - (k) Fringed coil (*Helicodiscus fimbriatus*);
 - (l) Glossy supercoil (*Paravitrea placentula*);
 - (m) Great Smoky slitmouth (*Stenotrema depilatum*);
 - (n) High mountain supercoil (*Paravitrea andrewsae*);
 - (o) Honey glyph (*Glyphyalinia vanattai*);
 - (p) Lamellate supercoil (*Paravitrea lamellidens*);
 - (q) Mirey Ridge supercoil (*Paravitrea clappi*);
 - (r) Open supercoil (*Paravitrea umbilicaris*);
 - (s) Pink glyph (*Glyphyalinia pentadelphica*);
 - (t) Pink heelsplitter, *Potamilus alatus*;
 - ~~(u)~~ Pod lance (*Elliptio folliculata*);
 - ~~(v)~~ Queen crater (*Appalachina chillhoweensis*);
 - ~~(w)~~ Ramp Cove supercoil (*Paravitrea lacteodens*);
 - ~~(x)~~ Ridged lioplax (*Lioplax subcarinata*);
 - ~~(y)~~ Roanoke slabshell (*Elliptio roanokensis*);
 - ~~(z)~~ Saw-tooth disc (*Discus bryanti*);
 - ~~(aa)~~ Seep mudalia (*Leptoxis dilatata*);
 - ~~(bb)~~ Spike (*Eurynia dilatata*);
 - ~~(cc)~~ Spiral coil (*Helicodiscus bonamicus*);
 - ~~(dd)~~ Velvet covert (*Inflectarius subpalliatus*);
 - ~~(ee)~~ Waccamaw amnicola (*Amnicola* sp.);
 - ~~(ff)~~ Waccamaw siltsnail (*Cincinnatia* sp.); and
 - ~~(gg)~~ Wavy-rayed lampmussel (*Lampsilis fasciola*).
- (7) Reptiles:
- (a) Carolina pigmy rattlesnake (*Sistrurus miliarius miliarius*);
 - (b) Carolina swamp snake (*Liodytes pygaea paludis*);
 - (c) Carolina watersnake (*Nerodia sipedon williamengelsi*);
 - (d) Cumberland slider (*Trachemys scripta troostii*);
 - (e) Diamondback terrapin (*Malaclemys terrapin*);
 - (f) Eastern chicken turtle (*Deirochelys reticularia reticularia*);
 - (g) Eastern coachwhip (*Coluber* ~~(=*Masticophis*)~~ [=*Masticophis*] *flagellum flagellum*);
 - (h) Eastern slender glass lizard (*Ophisaurus attenuatus longicaudus*);
 - (i) Eastern spiny softshell (*Apalone spinifera spinifera*);
 - (j) Northern map turtle (*Graptemys geographica*);

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- (k) Outer Banks kingsnake (*Lampropeltis getula sticticeps*);
- (l) Stripeneck musk turtle (*Sternotherus ~~minor~~ peltifer*); and
- (m) Timber rattlesnake (*Crotalus horridus*).

History Note: Authority G.S. 113-134; 113-333;

Eff. September 1, 1989;

Amended Eff. October 1, 2017; August 1, 2016; May 1, 2008; July 18, 2002; April 1, 2001;
November 1, 1991; April 1, 1991; June 1, 1990;

Readopted Eff. October 1, 2021;

Amended Eff. February 1, 2023.