



# Public Hearings

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Applying to 2018–2019

Fishing, Hunting & Trapping Seasons



**January 2018**

**North Carolina Wildlife Resources Commission**

[ncwildlife.org](http://ncwildlife.org)

# State of North Carolina

Roy Cooper, Governor

## North Carolina Wildlife Resources Commission

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 North Carolina Wildlife Resources Commission 

1701 Mail Service Center, Raleigh NC 27699-1701, 919-707-0010

The N.C. Wildlife Resources Commission appreciates the investment of your time and thanks you for attending this public hearing to show your concern for fish and wildlife programs in North Carolina. We welcome your opinions and suggestions about these conservation programs.

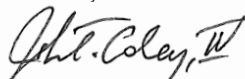
All state regulatory agencies must follow certain procedures that govern how rules are adopted under the *Administrative Procedure Act*. Public notice is required and proposed regulations are published in the *North Carolina Register*. A 60-day comment period follows, which includes nine public hearings. These procedures are designed to give the proposed regulations wide public exposure and to offer the public opportunities to respond with support, opposition or suggestions.

For fish and wildlife regulations, this process begins at the previous year's hearings and continues throughout the year. We consider all suggestions presented during the past year as starting points for these proposed regulations. The proposals in this document reflect public, staff and Commissioner input. The Commissioners approved these proposals for publication in the *North Carolina Register* and for presentation at these public hearings.

In February 2018, after considering comments from the public and consulting with staff, the Commission will make final decisions on these proposed regulations. The rules that are adopted will then be available in the *N.C. Inland Fishing, Hunting and Trapping Regulations Digest* for 2018–2019. The *Regulations Digest* will be available on August 1, 2018 from your licensing agent and on [ncwildlife.org](http://ncwildlife.org).

We appreciate your participation and look forward to hearing your comments. With your help, we will provide the best possible fish and wildlife programs for your enjoyment today and in the future.

Sincerely,



John T. Coley IV, Chairman  
N.C. Wildlife Resources Commission

# THE RULE-MAKING PROCESS

## **Step 1: PROPOSALS**

The public, Commission staff, Commissioners, conservation partners and other stakeholders propose new or amended hunting, fishing, trapping, land management and other regulations.

## **Step 2: PROPOSALS VETTED**

Staff analyze and present proposals to the Executive Director for consideration.

## **Step 3: COMMISSION VOTES ON PROPOSALS**

Proposals are presented to and reviewed by the Commission who then votes on the proposals to be noticed for public comment and presented at public hearings.

## **Step 4: PUBLIC COMMENTS ON PROPOSALS**

The public submits comments on proposals online ([ncwildlife.org](http://ncwildlife.org)), by e-mail ([regulations@ncwildlife.org](mailto:regulations@ncwildlife.org)), letter or in-person at public hearings.

## **Step 5: COMMENTS ARE REVIEWED AND VOTED ON BY COMMISSIONERS**

All comments submitted during the comment period are reviewed and the Commissioners vote to adopt proposals as presented, adopt in a modified form or reject the proposal.

## **Step 6: RULES ARE FILED**

Adopted rules are filed with the Office of Administrative Hearings for approval. The Rules Review Commission approves or disapproves the rules as written.

## **Step 7: APPROVED RULES PUBLISHED**

Approved rules are entered in the *N.C. Administrative Code* and added to the *Regulations Digest*.





**2017-2018**  
NORTH CAROLINA  
Inland Fishing, Hunting and Trapping  
**REGULATIONS  
DIGEST**  
Effective Aug. 1, 2017 to July 31, 2018  
Find the Regulations Digest online at [ncwildlife.org](http://ncwildlife.org)  
This publication is furnished free by the N.C. Wildlife Resources Commission.

## To Sportsmen and Women Attending

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The Commission has been charged with managing North Carolina's wildlife resources since 1947. The General Assembly, through statute, declares which matters of fish, wildlife and land management the N.C. Wildlife Resources Commission can regulate through rules, and those that are legislated directly. Rules are one means of managing resources to serve the recreational and economic interests of the state's citizens. We rely on the public's cooperation and assistance in this endeavor. Thus, we urge you to participate in these public hearings and to submit your comments, either verbally or in writing, to the staff of the Commission.

### Hearing Procedures

Please review the proposals in this booklet when you arrive and complete the record form on the back if you wish to comment. During the hearing, a Commission official will ask for your comments, opinions or suggestions. Your comments are welcome, and each will be considered. In the interest of time and fairness to others who want to speak, please be concise when commenting.

After the proposed changes in this booklet are presented, time will be allotted to comment on other matters of interest that you may want to present to the Commission for consideration. We earnestly solicit your input and ideas to improve wildlife regulations. We also ask you to remember that changing regulations in the *N.C. Administrative Code* can be a lengthy process that often takes more than one year to accomplish. These public hearings are, however, the proper starting point for your suggestions.

### What Happens Next?

You are encouraged to speak at the public hearings or to write to the Commission, if you have recommendations. We will accept public input about proposed changes to the regulations until the close of the public comment period on Feb. 1, 2018.

A written record of all public comments will be compiled and reviewed by staff and the Commissioners. Your recommendations; biological information from field surveys; harvest records; changes in habitat, fish and wildlife populations; breeding stocks; game lands use and other conditions that affect wildlife, all will be considered.

## Schedule for the 2018 Hunting, Trapping and Fishing Public Hearings

Before you make final plans to attend, check the Commission's website ([ncwildlife.org](http://ncwildlife.org)) for updates, including weather-related rescheduling.

### Hearing Time: 7 p.m.

<b>Date</b>	<b>District</b>	<b>City</b>	<b>Location</b>
Tue., Jan. 9	4	Dublin	Bladen Community College
Wed., Jan. 10	5	Graham	Old Alamance County Courthouse
Thu., Jan. 11	6	Albemarle	Stanly Agri-Civic Center
Tue., Jan. 16	9	Clyde	Haywood Community College
Wed., Jan. 17	8	Morganton	Western Piedmont Community College
Thu., Jan. 18	7	Elkin	Elkin High School
Tue., Jan. 23	1	Edenton	John A. Holmes High School
Wed., Jan. 24	2	New Bern	Craven Community College
Thu., Jan. 25	3	Rocky Mount	Nash Community College

### Limits to the N.C. Wildlife Resources Commission Rule-making Process

Some aspects of wildlife and fish management, hunting, fishing and human/wildlife interaction are legislated directly. The N.C. Wildlife Resources Commission appreciates the interest of North Carolina's sportsmen and women in the state's wildlife resources and respectfully considers all suggestions pertaining to regulations within its authority to change regulations.

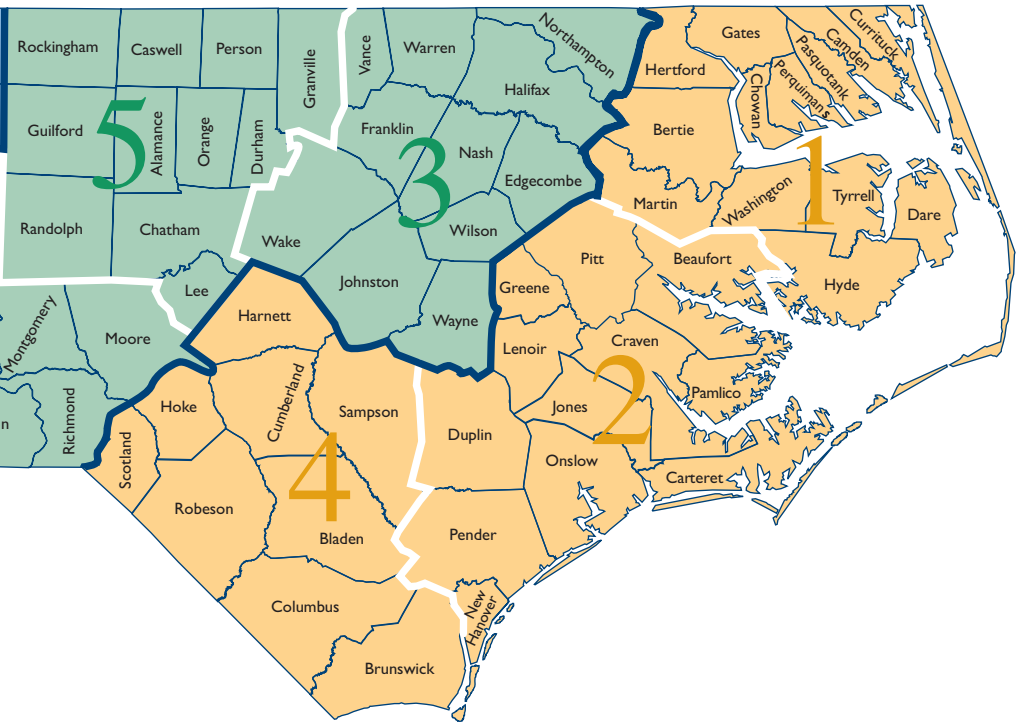
Get email updates on proposed rules and regulations from the N.C. Wildlife Resources Commission by submitting your email address to [regulations@ncwildlife.org](mailto:regulations@ncwildlife.org).

# North Carolina Wildlife Resources Commission Districts

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The NCWRC established **NC Turn-In-Poachers (TIP)** program as a silent witness, anti-poaching program that encourages the public to report any suspicious activity or knowledge about poaching violations. The multi-optional reporting system is available 24 hours a day, seven days a week, 365 days a year.

You can **report a violation online at [ncwildlife.org](http://ncwildlife.org)**. Tipsters can also install a free app. Search for “TipSoft” or “TipSubmit” in the Google Play store or the Apple App Store. To submit an anonymous tip through text messaging, type WILDTIP and your message, then send it to 274637 (CRIMES on most cell phones). Message and data rates may apply. Texting WILDTIP removes all identifying information from a text so tips are completely anonymous unless senders want to identify themselves to claim a reward. Tipsters can also call 1-855-WILDTIP.

***NOTE: This phone number is only for specific violations. For all other wildlife violations, questions and concerns please call 1-800-662-7137.***

# NCWILDTIP

# Proposed Changes to Inland Fishing Regulations for 2018–2019

*The following changes to the statewide fishing regulations are proposed by the N.C. Wildlife Resources Commission and are offered for your comments, opinions or suggestions.*

## Trout

**F1.** Designate all waters on Headwaters Game Land in Transylvania County, William H. Silvers Game Land in Haywood County and Pisgah Game Land in Watauga County as Public Mountain Trout Waters and classify as Wild Trout Waters adding approximately 65 miles to Public Mountain Trout Waters. In addition, this proposal would reformat the *N.C. Administrative Code* by alphabetizing the list of game lands and would correct the spelling of DuPont State Forest Game Land.

**Justification:** Naturally reproducing wild trout populations are found on the Headwaters, William H. Silvers and Pisgah game lands. These populations would be appropriately managed under the Wild Trout Waters classification, which is the default trout classification on game lands with trout resources. The proposed change would provide increased angling opportunities under the Wild Trout Waters classification. The additional proposed changes are administrative.

**F2.** Modify the lower boundary of Hatchery Supported Trout Waters on Beaver Creek in Ashe County removing approximately 0.4 miles from Public Mountain Trout Waters. The designated reach will be from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek.

**Justification:** The lower Hatchery Supported Trout Waters reach of Beaver Creek has been posted against trespass. The proposed change would more accurately reflect the portion of the stream that is stocked and accessible to the public.

**F3.** Modify the upper boundary of Delayed Harvest Trout Waters on East Fork French Broad River in Transylvania County removing 1.0 miles of Public Mountain Trout Waters. The designated reach will be from East Fork Baptist Church to the French Broad River.

**Justification:** The upper Delayed Harvest Trout Waters reach of East Fork French Broad River has been posted against trespass. The proposed change would more accurately reflect the portion of the stream that is stocked and accessible to the public.

**F4.** Modify the size and creel limits on the Special Regulation Trout Waters reach of the Catawba River in Burke County by establishing a 14-inch minimum size limit, removing the restriction of only one may be greater than 14 inches and reducing the daily creel limit from seven to two fish.

**Justification:** The proposed change would protect recently stocked Brown Trout and allow the opportunity to produce larger and older trout in the Special Regulation Trout Waters reach of the Catawba River. Results from a 5-year agency research project have shown high levels of mortality of young fish and few fish recruiting to larger size and age classes. Brown Trout are stocked at 8–10 inches, and

growth data demonstrate these fish are susceptible to harvest for one and a half years before reaching the 14-inch protective size range of the current regulation.

- F5.** Correct the *N.C. Administrative Code* to remove the prohibition on night fishing in Public Mountain Trout Waters on game lands.

**Justification:** This is an administrative change. The prohibition on night fishing on game lands was removed during the 2015–2016 regulatory cycle; however, the *N.C. Administrative Code* was not updated at the time.

### **Black Bass**

- F6.** Modify the exception to the general statewide regulation for black bass by prohibiting possession of black bass in Jean Guite Creek and associated canals within the boundaries of the Town of Southern Shores in Dare County.

**Justification:** Town of Southern Shores administrators requested the proposal and support its implementation. The proposed change would establish a catch-and-release fishery for Largemouth Bass and is anticipated to increase their abundance in Jean Guite Creek and associated canals. With the loss of Eurasian watermilfoil and other submerged aquatic vegetation, catch of Largemouth Bass and other fish species has reportedly declined. Recent Commission fisheries surveys in this area collected a relatively low number of Largemouth Bass. While no angler creel survey is available to inform current angling practices and preferences in this area, reports from anglers and town administrators suggest high angling effort for many fish species.

### **Blue Catfish**

- F7.** Establish an exception to the general statewide regulation for Blue Catfish in the North Carolina portion of John H. Kerr Reservoir, Lake Gaston and Roanoke Rapids Reservoir by allowing only one fish greater than 32 inches to be possessed in the daily creel.

**Justification:** The proposed change would protect larger Blue Catfish from overharvest and provide opportunity for trophy catfish fisheries in Lake Gaston, Kerr Reservoir and Roanoke Rapids Reservoir. Commission law enforcement officers have documented large quantities of Blue Catfish being removed from Lake Gaston and Kerr Reservoir to be sold in adjacent states. Roanoke Rapids Lake is included in the proposed change because of its proximity to Lake Gaston and Kerr Reservoir and to prevent the redirection of harvest.

### **Nongame Fishes**

- F8.** Require that the appearance of nongame fishes subject to a length and/or creel limit not be altered such that the fish cannot be identified, measured or counted.

**Justification:** Certain nongame fish (i.e. river herring, American Eel, Blue Catfish) are subject to length and/or daily creel limits. Removing the head or tail or otherwise changing the appearance of these species makes it difficult to

measure their original length or count the number in possession. The proposed change is consistent with the already established regulation for inland game fish and would facilitate enforcement efforts for the conservation of certain nongame species.

### **Equipment**

**F9.** Remove the requirement that minnow traps must be under the immediate control and attendance of the individual operating them when used to take nongame fish for bait or personal consumption. Under this provision, the use of minnow traps only requires a license that authorizes basic fishing privileges, and any nongame fish collected may not be sold. Minnow traps must be checked daily to remove all fish. Each minnow trap must be labeled with either the user's Commission customer number or name and address.

**Justification:** Minnow traps are traditionally fished by leaving them unattended overnight. The proposed change would provide additional opportunity for constituents and would make regulations consistent with current practice.

**F10.** Allow the harvest of nongame fishes for bait with equipment specified for the taking of nongame fishes for bait or personal consumption from impounded waters of power supply reservoirs and municipally-owned water supply reservoirs that are designated as Public Mountain Trout Waters. The exception would only apply to the following reservoirs: Bear Creek Lake, Buckeye Creek Reservoir, Calderwood Reservoir, Cedar Cliff Lake, Cheoah Reservoir, Cliffside Lake, Tanssee Creek Lake, Queens Creek Lake and Wolf Lake.

**Justification:** Reservoirs designated as Public Mountain Trout Waters support in addition to trout a wide variety of warmwater and coolwater gamefish species which can result in substantial angling effort. Anglers wish to collect nongame fish for bait on-site as they do in other similar reservoirs not designated as Public Mountain Trout Waters. The proposed change would provide additional opportunity for constituents. Nongame species are abundant in many of these reservoirs, and there is no biological or management reason to restrict their collection.

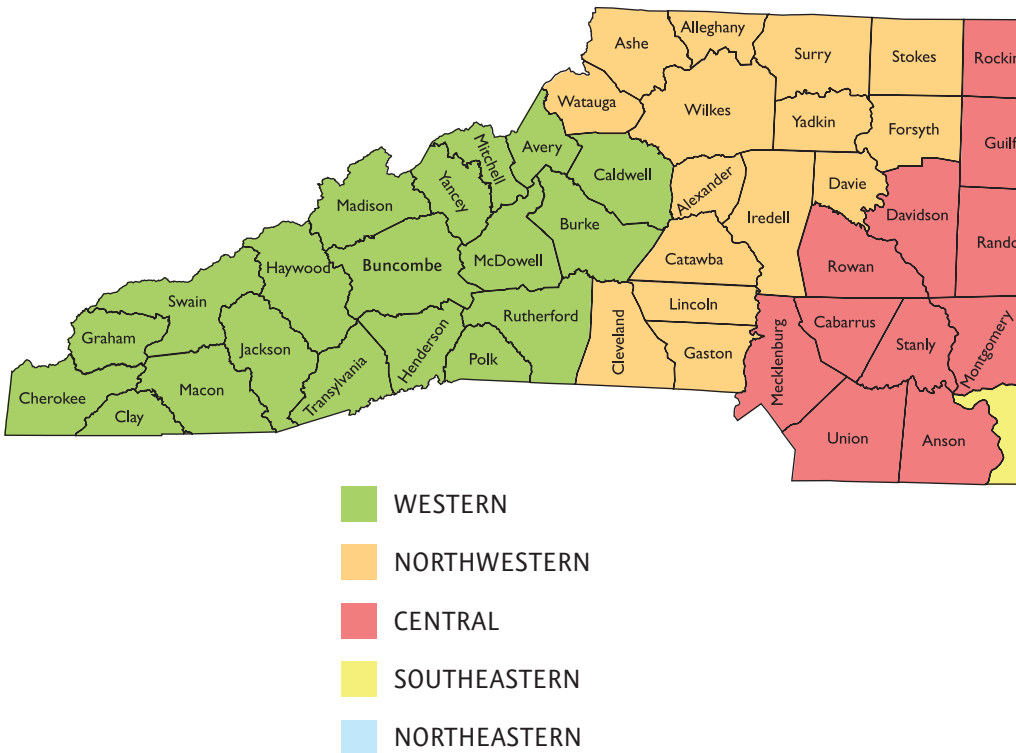
# Proposed Changes to Wildlife Management Regulations for 2018–2019

The following changes to the statewide hunting and wildlife management regulations are proposed by the N.C. Wildlife Resources Commission and are offered for your comments, opinions or suggestions.

## Deer

**H1.** Modify statewide deer hunting seasons to establish five deer season zones as shown below. Under this proposal, the current Eastern Zone would be separated into two zones, Northeastern and Southeastern; Polk and Rutherford counties would be moved to the Western Zone; and Cleveland County would be moved to the Northwest Zone.

## PROPOSED DEER S





**H2.** Implement deer hunting seasons that are based on biological data and hunter feedback for each of the five deer season zones. These options include changes in season length and time frames, establishing a statewide antlered deer bag limit of 2 antlered bucks, statewide antlerless deer bag limit of 4, and restricting the use of bonus antlerless deer tags to the Urban Archery Season. Under this proposal there would be no changes in the season opening dates for archery, but where other seasons begin later, archery seasons would be longer than currently established seasons.

**PROPOSED DEER SEASON ZONES  
(PEAK OF THE RUT)**

	<b>SOUTHEASTERN (OCT. 27)</b>	<b>NORTHEASTERN (NOV. 7)</b>	<b>CENTRAL (NOV. 15)</b>	<b>NORTHWESTERN (NOV. 25)</b>	<b>WESTERN (DEC. 2)</b>
<b>Opening of Blackpowder</b>	Saturday nearest Oct. 15	Saturday nearest Oct. 22	3 Saturdays before Thanksgiving	2 Saturdays before Thanksgiving	Saturday before Thanksgiving
<b>Length of Blackpowder</b>	1 week	1 week	1 week	1 week	1 week
<b>Opening of Gun</b>	Saturday nearest Oct. 22	Saturday nearest Oct. 29	2 Saturdays before Thanksgiving	Saturday before Thanksgiving	Saturday after Thanksgiving
<b>Length of Gun</b>	11 weeks	10 weeks	8 weeks	7 weeks	6 weeks
<b>Closing of Gun</b>	1st Sunday in January	1st Sunday in January	1st Sunday in January	1st Sunday in January	1st Sunday in January
<b>Antlerless Bag Limit</b>	4 - Statewide				
<b>Antlered Bag Limit</b>	2 - Statewide				

SEASON ATTRIBUTES

**H3.** Shift either-sex days to the beginning of Introductory, Conservative and Moderate Antlerless Deer Seasons, as shown below.

<b>Either-Sex Season</b>	<b>Area Impacted</b>	<b>Current</b>	<b>Proposed</b>
<b>Blackpowder—Introductory</b>	In and west of Henderson, Buncombe, Yancey, Mitchell, Avery	Last day	First day
<b>Gun—Introductory</b>	Buncombe, Haywood, Henderson, Madison, Transylvania	Last day	First day
<b>Gun—Conservative</b>	Avery, Burke, Caldwell, McDowell, Mitchell, Yancey	Last 6 days	First 7* days
<b>Gun—Moderate</b>	Cleveland, Polk, Rutherford	First 6** and last 7 days	First 14** days

\* Saturday opening and Friday closing (includes an additional Sunday)

\*\* Monday opening and Saturday closing



**Justification for H1, H2 and H3:** In 2010, Commission staff began evaluating deer populations and hunting season frameworks. Biological evaluations of the statewide deer herd were completed in 2015. A survey of deer hunters was conducted in 2016; to which we received 33,750 responses. Public forums were held in 2017 to present results of these evaluations, including potential changes in hunting seasons that could improve the condition of the deer herd and positively impact deer hunting. Biologically, the herd can be improved by reducing young buck harvest, shifting the timing of harvest later in the year and adjusting doe harvest rates. From the deer hunter survey, we found that 88 percent of hunters are hunting on properties less than 1,000 acres and that 68 percent think there are too few mature bucks in the herd. Since the last survey in 2006, hunter satisfaction has declined, with 48 percent of respondents wanting deer numbers to increase. Eighty-one percent of respondents were willing to see changes in deer hunting seasons to improve herd condition, but their preferences on these changes were mixed. Implement deer hunting seasons that are based on biological data and hunter feedback for each of the five deer season zones.

Because any changes require tradeoffs, staff used tradeoff analyses of survey responses and found that length of the gun season is the most important aspect to hunters, with the lengths and timing of the other seasons being less important. With these conditions in mind, we identified the highest hunter preference for season attributes and the biologically best attributes for each zone. Comparing these two possibilities, staff are proposing an option (as presented in Proposal H2) that balances hunter preference and biological data. To optimize the timing of breeding while increasing opportunity to harvest antlerless deer earlier in the season in portions of the State that currently have restricted antlerless deer seasons (Introductory, Conservative, and Moderate Either-Sex deer seasons), we propose to move the either-sex days to the beginning of the gun season (Proposal H3).

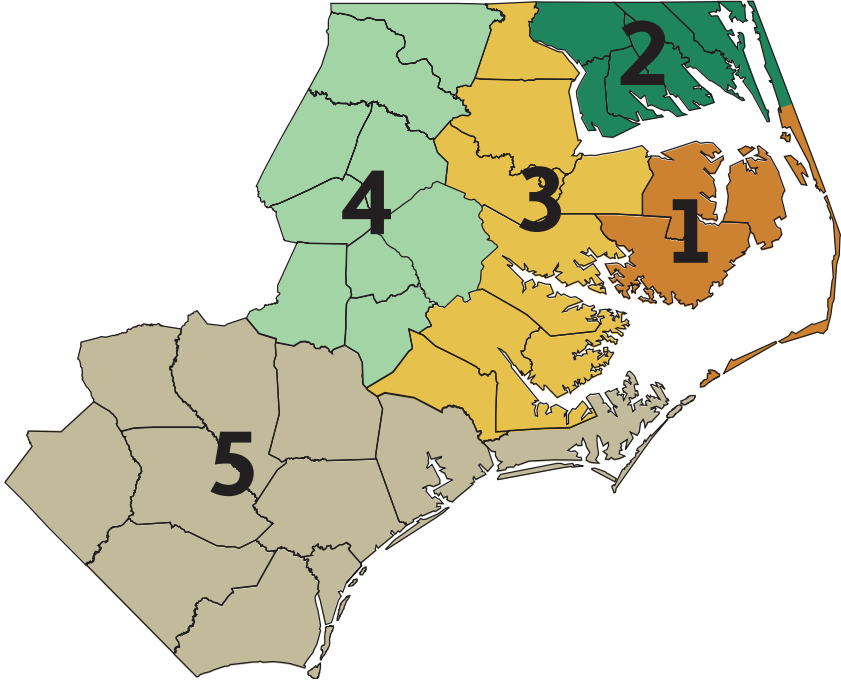
Proposed season frameworks represent these balanced options. Changes proposed as H1, H2 and H3 should significantly improve the biological condition of the deer herd and hunter satisfaction by improving buck age structure, timing of the harvest and establishing a sustainable doe harvest. In addition to these results being based on results from the deer hunter survey (33,750 responses), 80 percent of the 401 attendees at the 2017 deer forums indicated that they either supported the balanced option or would accept it if the results are improved management of the deer herd.

**Bear**

**H4.** Modify the bear hunting season in the Coastal Bear Management Unit (CBMU), as shown below, to align hunting seasons with five bear hunting zones established based upon biological data and bear hunter feedback.

**Justification:** Goals and objectives in the 2012 Black Bear Management Plan call for stabilizing bear population growth in the CBMU while sustaining a bear population to provide hunting and other benefits to the citizens of North Carolina. After evaluating significant public input, including results from bear management forums held on this topic, biological data from across the coastal region and options for balancing biological and social goals, these changes are proposed to meet goals in the Bear Management Plan and public desires for bear management and social carrying capacity.

Zone	1ST SEGMENT		2ND SEGMENT	
	START	END	START	END
CBMU ZONE 1	2 <sup>ND</sup> Saturday in November	4 <sup>TH</sup> Sunday in November	2 <sup>ND</sup> Saturday in December	4 <sup>TH</sup> Sunday in December
CBMU ZONE 2	2 <sup>ND</sup> Saturday in November	3 <sup>RD</sup> Sunday in November	2 <sup>ND</sup> Saturday in December	4 <sup>TH</sup> Sunday in December
CBMU ZONE 3	2 <sup>ND</sup> Saturday in November	3 <sup>RD</sup> Sunday in November	2 <sup>ND</sup> Saturday in December	4 <sup>TH</sup> Sunday in December
CBMU ZONE 4	3 <sup>RD</sup> Saturday in November	5 <sup>TH</sup> Sunday thereafter		
CBMU ZONE 5	2 <sup>ND</sup> Monday in November	January 1		



**H5.** Modify bear hunting season in the Mountain Bear Management Unit (MBMU) to add two weeks to the beginning of the current season.

**Justification:** Changes in deer hunting seasons in Proposal H2 would result in an overlap of the currently established bear hunting season in the MBMU and proposed deer hunting seasons in the Western Deer Zone. Historically, bear hunting season and gun deer season have not overlapped in the MBMU. In a meeting with bear hunters in July 2017, this possibility, as well as several potential alternatives, were discussed. Considering possible changes in deer hunting seasons in Proposal H2, most bear hunters in that meeting preferred the option of keeping the current bear season as structured, having an overlap with deer season and adding two weeks in October to the beginning of the season. Based on available biological data, adding two weeks to the beginning of the bear season should not have negative impacts on the bear population.

## Alligators

**H6.** Establish rules to allow limited take of American alligators as prescribed by the N.C. Alligator Management Plan. Under this proposal:

- The season for taking American alligators would be September 1 to October 1.
- Limited take would be by permit only issued by the Commission.
- The bag limit would be one per permit, with a season limit of one alligator per person.
- Alligators could only be taken using hand-held ropes or catch poles; hand-held or rod/reel snatch hooks; harpoons or gigs with attached restraining lines; baited, wooden pegs less than 2-inches in length attached to hand-held restraining lines; or archery equipment with arrow-attached restraining lines.
- Alligators taken by any method described above would have to be dispatched immediately upon capture.
- Alligators could be taken day or night and with the use of artificial lights.
- Baited hooks would be prohibited.
- Persons receiving a permit would be required to complete a harvest survey provided by the Commission and to allow staff to collect biological data from harvested alligators.

**Justification:** The Alligator Task Force, a group of citizens and agency staff appointed by Executive Director Gordon Myers at the direction of the Commission, has recommended in the N.C. Alligator Management Plan that the Commission allow limited take of American alligators by permit only. Consistent with that recommendation, this proposed rule would allow the limited take of American alligators to address public safety or to provide recreational hunting where scientific data demonstrates that the limited, permitted take will not impair long-term sustainability of the population. The intent of this proposal is to allow for closely regulated and monitored opportunities for take in accordance with the N.C. Alligator Management Plan.

## Possession of Non-native Species

**H7.** Amend the rule regulating possession of non-native species in the N.C.

*Administrative Code* to include additional non-native, potentially invasive, species that threaten native species. Under this proposal, brown anoles, red-eared sliders, Cuban treefrogs and all Asian newt species in the genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton* and *Tylototriton* would be added to this rule.

**Justification:** The primary impact of brown anole introduction into North Carolina would be competition and extirpation of native green anole populations. The proposed action in North Carolina is to ban possession and sale of live brown anoles.

The primary threat that red-eared sliders pose in North Carolina is genetic pollution of native yellow-bellied sliders; the secondary threat is competition with native turtles for food, basking and nesting sites. The proposed action in North Carolina is to ban the sale of live red-eared sliders and their apparent intergrades (based on morphology and/or mitochondrial DNA).

The primary impact of Cuban tree frog introduction into North Carolina would be predation on native, small-sized amphibians, other vertebrates and invertebrates and direct competition with native tree frogs. The proposed action in North Carolina is to ban possession and sale of live Cuban tree frogs.

The opportunity for spread of *Bsal* (the salamander chytrid fungus *Batrachochytrium salamandrivorans*) through trade in Asian newts is high. North Carolina is home to approximately 65 species of salamanders, more than any other U.S. state. The proposed action in North Carolina is to ban the possession and sale of live Asian newts (genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton* and *Tylotriton*) to prevent the introduction of *Bsal* to wild salamanders.

### **Clarify Definition of Blackpowder Firearm**

**H8.** Clarify the definition of a blackpowder firearm to mean “any firearm, including any firearm with a matchlock, flintlock, percussion cap or similar type of ignition system, manufactured in or before 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading shotgun or muzzle-loading or cylinder-loading handgun that is designed to use blackpowder, blackpowder substitute or any other propellant loaded through the muzzle or cylinder and that cannot use fixed ammunition.”

**Justification:** When the current language in the *N.C. Administrative Code* was adopted the Commission followed the federal definition of an antique firearm with the intent of excluding any firearm that uses fixed ammunition, irrespective of when it was manufactured, from the definition of a blackpowder firearm. However, the current language does not exclude firearms that use fixed ammunition if they were manufactured before 1898, or a replica of such firearms. This proposal is to match the *N.C. Administrative Code* language with agency intent and current language in the Commission’s *Regulations Digest*.

### **Technical Correction**

**H9.** Clarify that the hunting seasons for pheasant, fox (by archery) and rabbits open on the Saturday before Thanksgiving.

**Justification:** Current use of the term “Saturday next preceding Thanksgiving” for the beginning of these seasons in the *N.C. Administrative Code* is confusing and has been inconsistently interpreted in recent years. Implementing this proposal would ensure consistent and proper interpretation of the rules consistent with Commission intent.

# Proposed Changes to Game Land Regulations for 2018–2019

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*The following changes to game land regulations are proposed by the N.C. Wildlife Resources Commission and are offered for your comments, opinions or suggestions.*

## **Camping**

**G1.** Create a Designated Camping Area on the Shocco Creek Game Land to allow hunter camping during open hunting seasons. Camping will be restricted to September 1 through the last day of February, and March 31 through May 14. This will be a small primitive campground, primarily for tents and pop-ups, with no amenities.

**Justification:** Currently camping is prohibited on the Shocco Creek Game Land. This game land is approximately 8,000 acres in Franklin, Halifax, Nash and Warren Counties with no nearby municipalities offering lodging to game land users. Also, in the vicinity are the Brinkleyville, Embro and Sandy Creek Game Lands. These four game lands are collectively called the Upper Tar Game Land Complex (UTGLC, approximately 19,700 acres) and there are no camping areas elsewhere in the vicinity. It was identified in the public comment process of the UTGLC Management Plan that a designated hunter camping area was needed.

## **Target Shooting**

**G2.** Prohibit target shooting on the Sand Banks tract of Chowan Swamp Game Land.

**Justification:** An illegal group has established a makeshift shooting area on the Sand Banks tract. Participants have regularly deposited tires, a variety of containers and other material used as targets, which have been cleaned up numerous times by Commission staff. Often targets are placed on surrounding trees which have been damaged to the point that mortality is imminent. It is in an especially poor location, immediately adjacent to the designated horse riding trail and a river access point designated for Boating Access Area development. Shots are directed toward Sand Banks Road, an open state road, with an inadequate backstop for projectiles generating serious safety concerns.

## **Feral Swine**

**G3.** Allow for the take of feral swine on game lands during the open season for any game bird using any legal manner of take allowed during those open game seasons.

**Justification:** Currently, the taking of feral swine is allowed on game lands only during the open season for any game animal. By adding game bird seasons to the current rule, hunters will have the opportunity to harvest feral swine on game lands during the spring wild turkey season and migratory bird seasons.

## **Quail, Woodcock, Grouse**

**G4.** Remove the rule that prohibits the hunting of quail and woodcock, and the training of dogs on birds on the CURE portion of the Sandhills Game Land.

**Justification:** In 2004, when the Game Land CURE program was initiated, it was important to restrict quail and woodcock hunting, and bird dog training to allow for maximum recruitment of bobwhite quail populations after habitat enhancement activities aimed at promoting early successional habitats were complete. Small documented increases in quail densities were observed after five to six years and special hunt opportunity permits were established allowing for some controlled harvest. In recent years, permit holders have indicated that fewer coveys are being located and the hunts are declining in productivity. Adjacent property owners to the CURE area have also recently complained about not being able to train their dogs in this managed area and have requested that the restriction be removed. Commission staff feel that the permit hunts are no longer providing a quality hunt experience nor that opening the CURE area to correspond with the rest of the Sandhills Game Land will be detrimental to the local quail population.

**G5.** Remove the restriction on grouse hunting, quail hunting, woodcock hunting and all bird dog training on the CURE portion of South Mountains Game Land (SMGL) in Cleveland, McDowell and Rutherford counties.

**Justification:** A restriction on quail, grouse and woodcock hunting as well as bird dog training has been in effect since the CURE area was established at SMGL in 2004, as only a few quail were present at the southeastern tip of the CURE area. This population of quail expanded in range from approximately 200 acres initially to approximately 700 acres at present as habitat conditions improved. This increase in range and population density occurred rather quickly as management prescriptions were conducted. However, the quail population remains at low density across the area and has not shown additional expansion in several years. Commission staff does not anticipate additional expansion of the quail population at SMGL due to marginal habitat conditions. The grouse density at SMGL is so low that it is unlikely they would ever receive any significant hunting pressure. Woodcock are occasionally found at SMGL during the migration and hunting them would have no impact on populations levels since woodcock are only transitory residents on the game land. There have been several requests over the past few years from the public to open the CURE area at SMGL to bird hunting and bird dog training. Due to access difficulty, mountainous terrain and low upland game bird density it is unlikely that hunting interest/pressure and harvest would be beyond acceptable levels. Due to these factors Commission staff recommends the removal of the upland game bird hunting and bird dog training restriction at SMGL.

## **Deer and Bear**

**G6.** Prohibit the pursuing or chasing of deer or bear with dogs for the purposes of training or hunting on the Little Macedonia Tract of Green Swamp Game Land.

**Justification:** The Little Macedonia Tract of Green Swamp Game Land has recently been acquired and is a small, stand-alone tract that is 264 acres in size. There are nineteen different parcels of private property adjacent to this tract and, in future, a

Commission work depot will be located on the property. The size of the property, lack of an extensive road system, adjacent land use, lack of historical hunting practices and plans for a work depot do not lend this property to pursuing deer or bear with the use of dogs. Furthermore, this tract is bordered on the south and west boundaries by extensive wetlands that include Fall Swamp, the Middle River and Royal Oak Swamp. These adjacent wetland habitats make it impractical to pursue deer or bear with hounds on this property.

### **Permit Requirements**

**G7.** Designate the Little Macedonia Tract of Green Swamp Game Land as a permit-only area for bear, deer and turkey.

**Justification:** The Little Macedonia Tract of Green Swamp Game Land has recently been acquired and is a small, stand-alone tract that is 264 acres in size. Adding this new acquisition as a permit only area for bear, deer and turkey will help conserve the resources and provide for quality user experiences. Also, there are nineteen different parcels of private property adjacent to this tract and if hunting opportunities on this property are left unrestricted and not managed, Commission staff are confident that conflicts between hunters and adjacent landowners would be a regular occurrence.

### **New Game Lands**

**G8.** Establish the Headwaters State Forest Game Land in Transylvania County as a six-day-per-week area with an introductory Either-Sex Deer Season.

**Justification:** The N.C. Forest Service wishes to enroll the approximately 7,300-acre Headwaters State Forest into the Game Lands Program as a six-day-per-week game land. The N.C. Forest Service will manage the property as a foot traffic only area.

**G9.** Establish the Dan River Game Land in Rockingham County as a permit only area and prohibit target shooting. Further, prohibit horseback riding except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Land license.

**Justification:** The Commission is working in partnership with the Piedmont Land Conservancy to acquire approximately 1,768 acres of property bordering the Dan River in Rockingham County. Adding this property to the Game Land Program as a permit only area will ensure quality user experiences and provide the Commission with flexibility to manage for unique hunting opportunities in 2018-2019. Prohibiting target shooting will ensure a safe environment and users can be directed to the Caswell Shooting Range that is 37 miles away. Limiting horseback riding to posted areas will preserve wetlands and existing trails and limit maintenance.



**Game Lands – Regulations Applying to Specific Game Lands**

**G10.** Allow deer of either sex to be taken during the first 12 open days of the applicable Deer With Visible Antlers Season instead of the first six open days and the last six open days of the applicable Deer With Visible Antlers Season. These game lands would still be in the Moderate Gun Either-Sex Season and the total number of open either-sex days during the gun season would not change under this proposal:

**G A M E L A N D S**

<i>Coastal</i>	<i>Piedmont</i>	<i>Mountain</i>	<i>National</i>
Carteret County	Alcoa Brinkleyville Butner-Falls of Neuse Chatham Embro Harris Hyco Lee Lower Fishing Creek Mayo Pee Dee River Sandy Creek Shocco Creek Tillery	Thurmond Chatham	Uwharrie

**G11.** Allow deer of either sex to be taken during the first six open days of the applicable Deer With Visible Antlers Season instead of the last six open days of the applicable Deer With Visible Antlers Season. These game lands would still be in the Conservative Gun Either-Sex Season and the total number of open either-sex days during the gun season would not change under this proposal:

**G A M E L A N D S**

<i>Coastal</i>	<i>Piedmont</i>	<i>Mountain</i>
Dare Sutton Lake	R. Wayne Bailey-Caswell	Elk Knob Mitchell River Pond Mountain Rendezvous Mountain State Forest Three Top Mountain

**G12.** Allow deer of either sex to be taken during the first open day of the applicable Deer With Visible Antlers Season instead of the last open day of the applicable Deer With Visible Antlers Season. These game lands would still be in the Introductory Gun Either-Sex Season and the total number of open either-sex days during the gun season would not change under this proposal:

**G A M E L A N D S**

<b>Piedmont</b>	<b>Mountain</b>	<b>National</b>
Perkins	Buffalo Cove	Nantahala
	Cold Mountain	Pisgah
	Green River	
	Sandy Mush	
	South Mountains	
	Toxaway	
	William H. Silver	

**G13.** Change the gun, archery and blackpowder seasons to match the proposed Western Deer Season Zone for the following game lands:

**G A M E L A N D S**

- Mountain**
- South Mountains**
- Buffalo Cove**

**G14.** Nicholson Creek Game Land and Rockfish Creek Game Land in Hoke County:

- Allow deer of either sex to be taken with archery equipment during open days from the Saturday on or nearest September 10 through the third Friday before Thanksgiving, instead of through the fourth Friday before Thanksgiving. This would result in three extra days of the archery season on these game lands.
- Allow deer of either sex to be taken with blackpowder firearms during open days beginning on the third Saturday before Thanksgiving, instead of the fourth Saturday before Thanksgiving, through the first Wednesday thereafter. This would result in a loss of three days of the blackpowder season on these game lands.
- Allow deer of either sex to be taken during the first open day of the applicable Deer With Visible Antlers Season instead of the last open day of the applicable Deer With Visible Antlers Season. These game lands would still be in the Introductory Gun Either-Sex Season and the total number of open either-sex days during the gun season would not change under this proposal.

**G15.** Sandhills Game Land, J. Robert Gordon Field Trial Grounds in Richmond County:

- Allow deer of either sex to be taken with archery equipment during open days from the Saturday on or nearest September 10 through the third Friday before Thanksgiving, instead of through the fourth Friday before Thanksgiving. This would result in three extra days of the archery season on this area of

Sandhills Game Land.

- Allow deer of either sex to be taken with blackpowder firearms during the open days beginning on the third Saturday before Thanksgiving, instead of the fourth Saturday before Thanksgiving, through the third Wednesday before Thanksgiving. This would result in a loss of three days for the blackpowder season on this area of the Sandhills Game Land.
- Allow Deer With Visible Antlers to be taken with all legal weapons from the second Saturday before Thanksgiving, instead of the second Monday before Thanksgiving, through the Saturday following Thanksgiving. This would result in one extra day of the Deer With Visible Antlers Season on this area of Sandhills Game Land.

**G16.** Sandhills Game Land in Hoke, Moore, Richmond and Scotland counties, excluding the J. Robert Gordon Field Trial Grounds:

- Allow deer of either sex to be taken with archery equipment during open days from the Saturday on or nearest September 10 through the third Friday before Thanksgiving, instead of through the fourth Friday before Thanksgiving. This would result in three extra days for the “first” archery season on this game land.
- Allow deer of either sex to be taken with blackpowder firearms during open days beginning on the third Saturday before Thanksgiving, instead of the fourth Saturday before Thanksgiving, through the first Wednesday thereafter. This would result in a loss of three days for the “first” blackpowder season on this game land.
- Allow deer of either sex to be taken with archery equipment and blackpowder firearms during open days from the third Monday after Thanksgiving through the first Saturday in January, instead of through January 1st. Depending on the year, this will result in extra days for the “second” archery season on this game land.

**Justification for G10 through G16:** Implement game land regulation changes to provide regulatory alignment with the proposed deer season changes in H1–H3 (pgs. 12–15) that apply to private lands. These proposals include changes in season length and dates. There would be no changes in the season opening dates for archery, but where other seasons would begin later, archery seasons would be longer than currently established seasons. These proposals also shift either-sex days to the beginning of Introductory, Conservative and Moderate Antlerless Deer Seasons.

## 2018–2019 Season Dates

The Commission provides this table of upcoming season dates for planning purposes ONLY. Final season dates are published in the 2018–2019 *Regulations Digest*, available Aug. 1, 2018.

<b>Species</b>	<b>Open Dates</b>
<b>Bear</b>	<p><b>MOUNTAIN BEAR MANAGEMENT UNIT</b> In and west of Surry, Wilkes, Caldwell, Burke and Cleveland: Oct. 1 – Nov. 17, 2018 and Dec. 10 – Jan. 1, 2018</p> <p><b>PIEDMONT BEAR MANAGEMENT UNIT</b> Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg, Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly and Union: Nov. 10, 2018 – Jan. 6, 2019</p> <p>Franklin, Johnston, Vance, Wake and Warren: Oct. 27, 2018 – Jan. 6, 2019</p> <p>Harnett, Hoke, Moore, Richmond and Scotland: Oct. 20, 2018 – Jan. 6, 2019</p> <p>Alexander, Catawba, Davie, Forsyth, Gaston, Iredell, Lincoln, Stokes and Yadkin: Nov. 17, 2018 – Jan. 6, 2019</p> <p><b>COASTAL BEAR MANAGEMENT UNIT</b> <b>Zone 1:</b> Dare, Hyde and Tyrell: Nov. 10 – Nov. 25 and Dec. 8 – Dec. 23, 2018</p> <p><b>Zone 2:</b> Camden, Chowan, Gates, Currituck, Pasquotank and Perquimans: Nov. 10 – Nov. 18 and Dec. 8 – Dec. 23, 2018</p> <p><b>Zone 3:</b> Beaufort, Bertie, Craven, Hertford, Jones, Martin, Pamlico and Washington: Nov. 10 – Nov. 18 and Dec. 8 – Dec 23, 2018</p> <p><b>Zone 4:</b> Edgecombe, Greene, Halifax, Lenoir, Nash, North Hampton, Pitt, Wayne and Wilson: Nov. 17 – Dec. 16, 2018</p> <p><b>Zone 5:</b> Bladen, Brunswick, Carteret, Columbus, Cumberland, Duplin, New Hanover, Onslow, Pender, Robeson and Sampson: Nov. 12, 2018 – Jan. 1, 2019</p>
<b>Wild Turkey Spring Season</b> <i>(bearded or male turkeys only)</i>	Apr. 14 – May 12, 2018 Apr. 13 – May 11, 2019
<b>Wild Turkey Youth-only Season</b> <i>(bearded or male turkeys only)</i>	Apr. 7 – 13, 2018 Apr. 6 – 12, 2019
<b>Raccoon and Opossum</b>	Oct. 15, 2018 – Feb. 28, 2019
<b>Squirrel</b>	<b>Gray and Red Squirrel:</b> Oct. 15, 2018 – Feb. 28, 2019 <b>Fox Squirrel:</b> Oct. 15, 2018 – Dec. 31, 2018 in selected counties
<b>Rabbit</b>	Nov. 17, 2018 – Feb. 28, 2019
<b>Quail</b>	Nov. 17, 2018 – Feb. 28, 2019

<b>Grouse</b>	Oct. 15, 2018 – Feb. 28, 2019
<b>Bobcat</b>	Oct. 15, 2018 – Feb. 28, 2019
<b>Fox</b>	See “Fox Season Hunting and Trapping Seasons” publication at <a href="http://ncwildlife.org">ncwildlife.org</a> .
<b>Crow</b>	Wednesday, Friday and Saturday of each week between June 6, 2018 and Feb. 28, 2019 plus Labor Day, Thanksgiving Day, Christmas Day, New Year’s Day, Martin Luther King Jr. Day and July 4th. Except crows may not be hunted on Sundays.
<b>Pheasant</b>	Nov. 17, 2018 – Feb. 1, 2019
<b>Trapping</b>	Dec. 1, 2018 – Feb. 28, 2019, in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenior, Duplin, Pender and New Hanover Nov. 1, 2018 – Feb. 28, 2019 in all other counties

## Deer Seasons

<b>Locations</b>	<b>Type of Season and Dates</b>
<b>Northeastern</b>	<b>Archery:</b> Sept. 8 – Oct. 19, 2018 <b>Blackpowder:</b> Oct. 20 – Oct. 26, 2018 <b>Gun:</b> Oct. 27, 2018 – Jan. 6, 2019
<b>Southeastern</b>	<b>Archery:</b> Sept. 8 – Oct. 12, 2018 <b>Blackpowder:</b> Oct. 13 – Oct. 19, 2018 <b>Gun:</b> Oct. 20, 2018 – Jan. 6, 2019
<b>Central</b>	<b>Archery:</b> Sept. 8 – Nov. 2, 2018 <b>Blackpowder:</b> Nov. 3 – Nov. 9, 2018 <b>Gun:</b> Nov. 10, 2018 – Jan. 6, 2019
<b>Northwestern</b>	<b>Archery:</b> Sept. 8 – Nov. 9, 2018 <b>Blackpowder:</b> Nov. 10 – Nov. 16, 2018 <b>Gun:</b> Nov. 17, 2018 – Jan. 6, 2019
<b>Western</b>	<b>Archery:</b> Sept. 8 – Nov. 16, 2018 <b>Blackpowder:</b> Nov. 17 – Nov. 23, 2018 <b>Gun:</b> Nov. 24, 2018 – Jan. 6, 2019
<b>Gun: Either-Sex Seasons</b>	<b>Introductory Season:</b> First open day of the applicable gun season. <b>Conservative Season:</b> First seven open days of the applicable gun season. <b>Moderate Season:</b> First 14 open days of the applicable gun season. <b>Maximum Season:</b> All open days of the applicable gun season.
<b>Urban Deer Season</b> (open in participating cities only; see <i>Regulations Digest</i> for list and contact information)	<b>Archery Only:</b> Jan. 12 – Feb. 17, 2019



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**North Carolina Wildlife Resources Commission**

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**Additional Comments:**



**PUBLIC HEARING RECORD FORM**

\_\_\_\_\_ / \_\_\_\_\_  
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\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
**LAST NAME** **FIRST NAME** **MIDDLE INITIAL** **SUFFIX**

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**BIRTH DATE** **PHONE NUMBER**

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**ADDRESS**

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
**CITY** **ZIP CODE** **COUNTY**

\_\_\_\_\_  
**E-MAIL ADDRESS**

**Please check “agree” or “disagree” for the proposals below.  
 If you have no opinion do not check a box.**

**Additional comments can be written on the back of this form. Please tear off your record form and give it to a Commission staff member at the end of the hearing.**

INLAND FISHING		WILDLIFE MANAGEMENT		GAME LAND	
AGREE	DISAGREE	AGREE	DISAGREE	AGREE	DISAGREE
F1 <input type="checkbox"/>	<input type="checkbox"/>	H1 <input type="checkbox"/>	<input type="checkbox"/>	G1 <input type="checkbox"/>	<input type="checkbox"/>
F2 <input type="checkbox"/>	<input type="checkbox"/>	H2 <input type="checkbox"/>	<input type="checkbox"/>	G2 <input type="checkbox"/>	<input type="checkbox"/>
F3 <input type="checkbox"/>	<input type="checkbox"/>	H3 <input type="checkbox"/>	<input type="checkbox"/>	G3 <input type="checkbox"/>	<input type="checkbox"/>
F4 <input type="checkbox"/>	<input type="checkbox"/>	H4 <input type="checkbox"/>	<input type="checkbox"/>	G4 <input type="checkbox"/>	<input type="checkbox"/>
F5 <input type="checkbox"/>	<input type="checkbox"/>	H5 <input type="checkbox"/>	<input type="checkbox"/>	G5 <input type="checkbox"/>	<input type="checkbox"/>
F6 <input type="checkbox"/>	<input type="checkbox"/>	H6 <input type="checkbox"/>	<input type="checkbox"/>	G6 <input type="checkbox"/>	<input type="checkbox"/>
F7 <input type="checkbox"/>	<input type="checkbox"/>	H7 <input type="checkbox"/>	<input type="checkbox"/>	G7 <input type="checkbox"/>	<input type="checkbox"/>
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