

SUBCHAPTER 10B - HUNTING AND TRAPPING

SECTION .0100 - GENERAL REGULATIONS

15A NCAC 10B .0101 IMPORTATION OF WILD ANIMALS AND BIRDS

(a) Before any live wild bird or wild animal is imported into North Carolina for any purpose, a permit shall be obtained from the Executive Director of the North Carolina Wildlife Resources Commission authorizing the importation, using application forms provided by the Commission.

(b) Deer, elk, or other species in the family Cervidae may only be imported into the state of North Carolina from a herd in which Chronic Wasting Disease (CWD) has not been detected for at least five years and has been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and 15A NCAC 10H .0302. The individual U.S. or Mexican state or territory, Canadian province or other country of origin must have CWD monitoring requirements that are at least as stringent as those described in this Rule, 15A NCAC 10H .0301 and 15A NCAC 10H .0302. The originating individual U.S. or Mexican state's or territory's, Canadian province's or other country's CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina. There shall be no importation from individual U.S. or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild herd or a captive herd.

(c) Cervids imported into North Carolina shall be individually identified by tags provided by the Wildlife Resources Commission that shall be affixed by the licensee to each cervid as set forth in 15A NCAC 10H .0301.

(d) Waterfowl imported into North Carolina must be received from facilities or individuals who are certified under the National Poultry Improvement Plan (NPIP) as pullorum-typhoid and avian influenza negative. If the source birds are not part of NPIP, they must be tested pullorum-typhoid and avian influenza negative by NPIP standards within 30 days prior to entry into North Carolina. Health certificates for imported waterfowl shall be available for inspection by authorized Commission personnel upon request.

History Note: Authority G.S. 106.549.97; 113-134; 113-272.6; 113-274; 113-291.3;
Eff. February 1, 1976;
Temporary Amendment Eff. October 8, 2002; May 17, 2002;
Amended Eff. August 1, 2010; May 1, 2010; June 1, 2005; August 1, 2004.

15A NCAC 10B .0102 IMPORTATION OF GRAY FOXES

The importation of gray foxes into Anson, Avery, Burke, Cabarrus, Caldwell, Catawba, Cleveland, Davidson, Gaston, Lincoln, McDowell, Mecklenburg, Mitchell, Montgomery, Moore, Richmond, Rowan, Rutherford, Stanly, Union and Yancey Counties is prohibited.

History Note: Authority G.S. 113-134; 113-274; 113-291.3; 113-291.4;
Eff. February 1, 1976.

15A NCAC 10B .0103 RESPONSIBILITY OF GUIDES

History Note: Authority G.S. 113-134; 113-270.4;
Eff. February 1, 1976;
Repealed Eff. February 1, 1982.

15A NCAC 10B .0104 HUNTING AND TRAPPING IN VICINITY OF FLOOD OR FIRE

History Note: Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976;
Repealed Eff. March 1, 1992.

15A NCAC 10B .0105 MIGRATORY GAME BIRDS

(a) Cooperative State Rules:

- (1) The taking of sea ducks (scoter, eider and old squaw) during any federally-announced season for only these species shall be limited to the waters of the Atlantic Ocean, and to those coastal waters south of

US 64 that are separated by a distance of at least 800 yards of open water from any shore, island or marsh.

- (2) Tundra swans may be taken during the open season by permit only subject to annual limitations imposed by the U.S. Fish and Wildlife Service. Based upon the annual limitations imposed by the U.S. Fish and Wildlife Service, the Wildlife Resources Commission shall issue nontransferable swan permits to applicants who will be selected at random by computer. Only one swan may be taken under each permit which shall be cancelled at the time of the kill by cutting out the month and day of the kill. Accompanying the permit is a tag which must be affixed to the swan at the time and place of the kill. The tag must be affixed in accordance with instructions provided with the permit. In addition, a preaddressed post-paid card is supplied to each permittee on which to report the number of days hunted and the details of the kill if made. It is unlawful to hunt swans without having the permit and the tag in possession or to possess a swan without the cancelled permit in possession and the tag affixed in accordance with instructions provided with the permit to the swan. It is unlawful to possess a swan permit or tag while hunting that was assigned to another person or to alter the permit or tag in any way other than cutting out the proper month and day of kill.

(b) Notwithstanding the provisions of G.S. 113-291.1(a) and (b), the following restrictions apply to the taking of migratory game birds:

- (1) No migratory game bird may be taken:
 - (A) With a rifle;
 - (B) With a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so as to limit its total capacity to not more than three shells.
- (2) No migratory game bird may be taken:
 - (A) From or by the use of a sinkbox or any other type of low floating device affording the hunter a means of concealment beneath the surface of the water;
 - (B) With the aid of bait, or on, over, or within 300 yards of any place where any grain, salt or other feed is exposed so as to constitute an attraction to migratory game birds or has been so exposed during any of the 10 consecutive days preceding the taking, except that this Part shall not apply to standing crops, flooded croplands, grain crops shocked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting;
 - (C) With the aid of live decoys, or on, over or within 300 yards of any place where tame or captive migratory game birds are present, unless such birds are and have been for a period of 10 consecutive days prior to such taking confined within an enclosure which eliminates the audibility of their calls and totally conceals them from the sight of wild migratory game birds.
- (3) Crippled waterfowl may be taken from a motorboat under power in those areas described, delineated, and designated as special sea duck hunting areas in Subparagraph (a)(1) of this Rule.
- (4) Waterfowl hunting and harassment and other unauthorized activities is prohibited on posted waterfowl management areas established by the Wildlife Resources Commission for Canada Geese and ducks restoration. Information on impoundments can be found at ncwildlife.org.
- (5) In that area of Roanoke Sound adjacent to and immediately Northeast of Roanoke Island as marked by buoys designating the waterfowl rest area, it is unlawful to harass or take any waterfowl.
- (6) The area east of US 17 is designated as an experimental September teal season zone as referenced by the Federal frameworks calling for state rules designating experimental areas.

(c) Reporting Requirements: For tundra swan and Canada goose seasons where a permit is required to hunt by Memorandum of Agreement with the U.S. Fish & Wildlife Service, hunter questionnaires supplied on preaddressed, postage-paid cards shall be returned to the Commission and postmarked no later than April 1 following the end of the applicable season. Failure to return the questionnaire and animal parts, if required, by this date shall make the individual ineligible to receive a permit for the following applicable season. In lieu of returning a hard copy, individuals may fill out a questionnaire on-line through the Wildlife Commission web site at ncwildlife.org when this option is available by April 1 following the end of the applicable season.

History Note: Authority G.S. 113-134; 113-274; 113-291.1; 113-291.2; 50 C.F.R. 20.21; 50 C.F.R. 20.105; Eff. February 1, 1976; Amended Eff. July 1, 1995; April 1, 1992; February 1, 1990; September 1, 1989;

*Temporary Amendment Eff. September 10, 1998;
Amended Eff. August 1, 2015; May 1, 2007; June 1, 2005; May 1, 2004; July 1, 2000.*

15A NCAC 10B .0106 WILDLIFE TAKEN FOR DEPREDATIONS

(a) Depredation permits allow the taking of undesirable or excess wildlife resources as described in Subparagraphs (1) and (2) of this Paragraph. Only employees of the Wildlife Resources Commission and Wildlife Damage Control Agents may issue depredation permits. Each permit shall be written on a form supplied by the Commission. No permit is needed for the owner or lessee of a property to take wildlife while committing depredations on the property; however the manner of taking, disposition of dead wildlife, and reporting requirements as described in this Rule still apply.

No permit shall be issued to take any endangered or threatened species of wildlife listed under 15A NCAC 10I, except alligators, by reason of depredations to property. Only the Executive Director may issue depredation permits for Special Concern species listed in 15A NCAC 10I .0105 and for alligators. An individual may take an endangered or threatened species in immediate defense of his own life or of the lives of others without a permit. Any endangered or threatened species that may constitute a demonstrable but non-immediate threat to human safety shall be reported to a federal or state wildlife enforcement officer, who, upon verification of the report, may take or remove the specimen as provided by 15A NCAC 10I .0102. Depredation permits for other species shall be issued under the following conditions:

- (1) for taking wildlife that is or has been damaging or destroying property provided there is evidence of property damage. No permit may be issued for the taking of any migratory birds and other federally-protected animals unless a corresponding valid U.S. Fish and Wildlife Service depredation permit, if required, has been issued. A permit issued pursuant to this Rule shall name the species allowed to be taken and may contain limitations as to age, sex, or any other condition, such as type of depredation, location of animal or damage, and local laws, within the species so named. The permit shall be issued to a landholder or an authorized representative of a unit of local government for depredations on public property; and the permit shall be used only by individuals named on the permit.
- (2) for taking of wildlife resources in circumstances of overabundance or when the wildlife resources present a danger to human safety. Cities as defined in G.S. 160A-1(2) seeking such a depredation permit shall apply to the Executive Director using a form supplied by the Commission requesting the following information:
 - (A) the name and location of the city;
 - (B) the acreage of the affected property;
 - (C) a map of the affected property;
 - (D) the signature of an authorized city representative;
 - (E) the nature of the overabundance or the threat to public safety; and
 - (F) a description of previous actions taken by the city to ameliorate the problem.

(b) Wildlife Damage Control Agents: Upon completion of a training course designed for the purpose of reviewing and updating information on wildlife laws and safe, humane wildlife handling techniques, and demonstration of a knowledge of wildlife laws and safe, humane wildlife handling techniques, an individual with no record of wildlife law violations may apply to the Wildlife Resources Commission (Commission) to become a Wildlife Damage Control Agent (WDCA). Those persons who demonstrate knowledge of wildlife laws and safe, humane wildlife handling techniques by a passing score of 85 percent or better on a written examination provided by a representative of the Wildlife Resources Commission, in cooperation with the training course provider, shall be approved. Those persons failing to obtain a passing score shall be given one chance for re-testing without re-taking the course. Those persons approved as agents by the Commission may then issue depredation permits for depredation as defined in Subparagraph (a)(1) of this Rule to landholders and be listed as a second party to provide the control service. WDCAs may not issue depredation permits for coyotes in the counties of Beaufort, Dare, Hyde, Tyrrell, Washington; big game animals; bats; or species listed as endangered, threatened, or special concern under 15A NCAC 10I .0103, .0104, and .0105 of this Chapter. WDCAs shall report to the Wildlife Resources Commission the number and disposition of animals taken, by county, annually. Records shall be available for inspection by a Wildlife Enforcement officer at any time during normal business hours. These business hours are the posted business hours of the Commission at ncwildlife.org. WDCA status shall be revoked at any time by the Executive Director when there is evidence of violations of wildlife laws, failure to report, or inhumane treatment of animals by the WDCA. A WDCA may not charge for the permit, but may charge for his or her investigations and control services. In order to maintain a knowledge of current laws, rules, and techniques, each WDCA shall renew his or her agent status every three years by showing proof of having attended at least one training course provided for the purpose of reviewing and updating information on wildlife laws and safe, humane wildlife handling techniques within the previous 12 months or agency approved continuing education credits.

(c) Each depredation permit shall have an expiration date or time after which the depredation permit is no longer valid. The depredation permit authorizes possession of any wildlife resources taken under the permit and shall be retained as long as the wildlife resource is in the permittee's possession. All individuals taking wildlife resources under the authority of a depredation permit shall comply with the conditions written on the permit and the requirements specified in this Rule.

(d) Manner of Taking:

- (1) Taking Without a Permit. Wildlife taken without a permit while committing depredations to property may, during the open season on the species, be taken by the landholder by any lawful method. During the closed season, such depredating wildlife may be taken without a permit only by the use of firearms or archery equipment as defined in 15A NCAC 10B .0116.
- (2) Taking With a Permit. Wildlife taken under a depredation permit may be taken only by the method or methods authorized by the permit. When trapping is authorized, in order to limit the taking to the intended purpose, the permit may specify a reasonable distance from the property sought to be protected, according to the particular circumstances, within which the traps shall be set. The Executive Director or agent may also state in a permit authorizing trapping whether or not bait may be used and the type of bait, if any, that is authorized based upon factors such as type of depredation, locations of animal or damage, and local laws. In addition to any trapping restrictions that may be contained in the permit, the method of trapping shall be in accordance with the requirements and restrictions imposed by G.S. 113-291.6 and other local laws passed by the General Assembly. No depredation permit shall authorize the use of poisons or pesticides in taking wildlife except in accordance with the provisions of the North Carolina Pesticide Law of 1971, G.S. 143, Article 52, the Structural Pest Control Act of 1955, G.S. 106, Article 4C, and G.S. 113, Article 22A. No depredation permit shall authorize the taking of wildlife by any method by any landholder upon the lands of another except when the individual is listed as a second party on a depredation permit.
- (3) Intentional Wounding. It is unlawful for any landholder, with or without a depredation permit, intentionally to wound a wild animal in a manner so as not to cause its immediate death as suddenly and humanely as the circumstances permit.

(e) Disposition of Wildlife Taken:

- (1) Generally. Except as provided by Subparagraphs (e)(2) through (5) of this Paragraph, any wildlife killed without a permit while committing depredations shall be buried or otherwise disposed of in a safe and sanitary manner on the property. Wildlife killed under a depredation permit may be transported to an alternate disposal site if desired. Anyone in possession of carcasses of animals being transported under a depredation permit shall have the depredation permit in his or her possession. Except as provided by Subparagraphs (e)(2) through (5) of this Rule, all wildlife killed under a depredation permit shall be buried or otherwise disposed of as stated on the permit.
- (2) Deer and feral swine. The edible portions of feral swine and deer may be retained by the landholder for consumption but shall not be transported from the property where the depredations took place without a valid depredation permit. The landholder may give a second party the edible portions of the feral swine and deer taken under the depredation permit. The receiver of the edible portions shall hold a copy of the depredation permit. The nonedible portions of any deer carcass, including head, hide, feet, and antlers, shall be disposed of as specified in Subparagraph (1) of this Paragraph or turned over to a wildlife enforcement officer for disposition.
- (3) Fox. Any fox killed under a depredation permit may be disposed of as described in Subparagraph (1) of this Paragraph or, upon compliance with the fur tagging requirements of 15A NCAC 10B .0400, the carcass or pelt thereof may be sold to a licensed fur dealer.
- (4) Furbearing Animals. The carcass or pelt of any furbearing animal killed during the open season for taking such furbearing animal for control of depredations to property, whether with or without a permit, may be sold to a licensed fur dealer provided that the person offering such carcass or pelt for sale has a valid hunting or trapping license; provided further that bobcats and otters may only be sold upon compliance with any required fur tagging requirement set forth in 15A NCAC 10B .0400.
- (5) Animals Taken Alive. Wild animals in the order Carnivora, armadillos, groundhogs, nutria, and beaver shall be humanely euthanized either at the site of capture or at a facility designed to humanely handle the euthanasia or released on the property where captured. Feral swine shall be euthanized while still in the trap in accordance with G.S. 113-291.12. For all other animals taken alive, the animal shall be euthanized or released on property with permission of the landowner. When the relocation

site is public property, written permission shall be obtained from an appropriate local, state, or federal official before any animal may be released. Animals transported or held for euthanasia shall be euthanized within 12 hours of capture. Anyone in possession of live animals being transported for relocation or euthanasia under a depredation permit shall have the depredation permit in his or her possession.

(f) Reporting Requirements. Any landholder who kills an alligator; a coyote in the counties of Beaufort, Dare, Hyde, Tyrrell, or Washington; deer; Canada goose; bear; elk; or wild turkey under a valid depredation permit shall report such kill on the form provided with the permit and mail the form upon the expiration date to the Wildlife Resources Commission. Any landowner who kills a coyote in the counties of Beaufort, Dare, Hyde, Tyrrell, and Washington shall report such kill as directed on the form provided with the depredation permit. The killing and method of disposition of every alligator; coyote in the counties of Beaufort, Dare, Hyde, Tyrrell, and Washington; bear; or elk taken without a permit shall be reported to the Wildlife Resources Commission within 24 hours following the time of such killing.

History Note: Authority G.S. 113-134; 113-273; 113-274; 113-291.4; 113-291.6; 113-300.1; 113-300.2; 113-307; 113-331; 113-333; 113-334(a); 113-337;
Eff. February 1, 1976;
Amended Eff. August 1, 2013; January 1, 2012; August 1 2010; July 1, 2010; May 1, 2008; August 1, 2002; July 1, 1997; July 1, 1995; January 1, 1995; January 1, 1992; August 1, 1990;
Temporary Amendment Eff. August 1, 2014 and shall remain in effect until amendments expire as specified in G.S. 150B-21.1(d) or the United States District Court for the Eastern District of North Carolina's court order number 2:13-CV-60-BOs signed on May 13, 2014 is rescinded, whichever date is earlier. The court order is available at www.ncwildlife.org;
Temporary Amendment Eff. February 27, 2015;
Amended Eff. December 1, 2016; July 1, 2016; May 1, 2016.

15A NCAC 10B .0107 BLACK BEAR

It is unlawful to take or possess a female bear with a cub or cubs at its side, or to take or possess a cub bear. For the purpose of this Rule, a cub bear is defined as any bear weighing less than 75 pounds.

History Note: Authority G.S. 113-134; 113-291.2; 113-291.7;
Eff. February 1, 1976;
Amended Eff. August 1, 2016; June 1, 2005; July 1, 1985.

15A NCAC 10B .0108 CHASING DEER BY DOGS IN CLOSED SEASON

History Note: Authority G.S. 113-134; 113-291.5;
Eff. February 1, 1976;
Repealed Eff. February 1, 1982.

15A NCAC 10B .0109 CHASING DEER BY DOGS IN CERTAIN COUNTIES

It is unlawful to allow dogs to run or chase deer or to attempt to take deer with dogs at any time in Alamance County south of I-85; Orange County south of I-85; Chatham County; Lee County; Wake County south of NC 98; and in and west of Rockingham, Guilford, Randolph and Montgomery Counties and that part of Anson County west of NC 742. Note: See 15A NCAC 10D .0103 which prohibits any hunting with dogs on game lands during the season for hunting deer with guns in and west of these counties.

History Note: Authority G.S. 113-134; 113-291.5;
Eff. February 1, 1976;
Amended Eff. July 1, 1999; July 1, 1991; August 1, 1980; August 1, 1978; August 1, 1977.

15A NCAC 10B .0110 ATTENDANCE OF TRAPS

Every trap shall be visited daily and any animal caught therein removed, except for completely submerged conibear type traps which shall be visited once every 72 hours and any animal caught therein removed.

History Note: Authority G.S. 113-134; 113-291.6;
Eff. February 1, 1976;
Amended Eff. August 1, 2002; July 1, 1988.

15A NCAC 10B .0111 RESTRICTIONS ON RACCOON AND OPOSSUM HUNTING

- (a) Axes or saws may not be carried when raccoon or opossum hunting.
- (b) Except in Richmond County, raccoon may not be shot during daylight hours west of US 1.

History Note: Authority G.S. 113-134; 113-291.1;
Eff. February 1, 1976;
Amended Eff. August 1, 1981; August 1, 1979; August 1, 1978; August 1, 1977.

15A NCAC 10B .0112 BEAVER

History Note: Authority G.S. 113-134; 113-291.1;
Eff. February 1, 1976;
Repealed Eff. July 1, 1988.

15A NCAC 10B .0113 BIG GAME KILL REPORTS

- (a) Upon killing a bear, deer, or wild turkey and before moving the animal from the site of kill, the successful hunter shall validate the Big Game Harvest Report Card furnished with the big game hunting license by cutting or punching out the validation box that correctly identifies the big game animal harvested. In lieu of the Big Game Harvest Report Card, antlerless deer may be recorded as outlined on the Bonus Antlerless Deer Harvest Report Card acquired from the Wildlife Resources Commission or a Wildlife Service Agent. Deer harvested under the Deer Management Assistance Program (DMAP) program, not validated with either a Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card, shall be validated by affixing a Commission-issued DMAP tag to the deer as required by G.S. 113-291.2(e).
- (b) Before any harvested bear, deer, or wild turkey is skinned, dressed, or dismembered for consumption and within 24 hours of the kill, the animal shall be registered through the Electronic Big Game Reporting System. The hunter may field dress the animal at the site of kill or before registering it by bleeding and removing the digestive, respiratory, and circulatory organs. However, the hunter may not further process the carcass in a manner that obscures its species identity, age, or sex before registering the animal. When the kill occurs in a remote area that prevents the animal from being transported as an entire carcass, the animal may be skinned and quartered before being registered. When a hunter harvests a big game animal in a remote area and plans to remain in the remote area for longer than a day, the 24-hour time limit to register the kill is extended until the hunter leaves the area. Upon leaving the remote area, the hunter shall register the kill within 24 hours.
- (c) When a hunter registers a kill, the Electronic Big Game Reporting System shall issue an authorization number to the big game hunter. The hunter shall record the authorization number obtained through the Electronic Big Game Reporting System in the space provided immediately adjacent to the validation box that has been cut or punched out on the Big Game Harvest Report Card or the Bonus Antlerless Deer Harvest Report Card. Any hunter validating a deer harvest with a Commission-issued DMAP tag shall record and maintain the issued authorization number to serve as proof of registration. The authorization number shall thereafter constitute authorization for the continued possession of the carcass. Possession of a harvested bear, deer, or wild turkey without the validated Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card where applicable, including the authorization number obtained through the Electronic Big Game Reporting System, is unlawful.
- (d) Persons who kill a big game animal and leave it unattended shall identify the carcass with their name, their hunting license number, and the date of kill. Once an unattended animal is registered, the animal need only be identified with the authorization number received by registering the kill. It is unlawful for a person to possess a Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card on which the species validation box has been cut or punched out, but on which the authorization number received by registering the kill has not been recorded, or to possess a used or affixed Commission-issued DMAP tag without a valid authorization number, unless the animal is in the person's possession or is identified as described in this Paragraph and not more than 24 hours have passed since the harvest.
- (e) Persons who are by law exempt from the big game hunting license by G.S. 113-276 shall obtain a Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card for License Exempt Hunters from a Wildlife Service Agent, or possess a valid Commission-issued DMAP tag. Upon harvesting a bear, deer, or wild turkey, the exempt person shall validate and register the kill as provided by this Rule.

(f) Persons who use special tags issued pursuant to G.S. 113-291.2(e) to validate the harvest of a deer shall follow the tagging and reporting requirements set forth by statute and shall not take any action under this Rule.

History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291; Eff. February 1, 1976; Amended Eff. July 1, 1998; July 1, 1997; July 1, 1995; July 1, 1994; July 1, 1993; July 1, 1989; Temporary Amendment Eff. July 1, 1999; Amended Eff. August 1, 2017; August 1, 2012; August 1, 2010; June 1, 2009; May 1, 2007; May 1, 2004; July 1, 2000.

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

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

(1) "Commission-sanctioned field trial" means a field trial that, pursuant to a written request from the sponsoring organization, has been authorized in writing and scheduled for occurrence by an authorized representative of the Wildlife Resources Commission.

(2) "Active participant" means a person participating in a field trial who handles dogs or uses a firearm.

(b) Each person using wildlife to train or run dogs shall possess a North Carolina hunting license.

(c) A person serving as judge of a commission-sanctioned field trial is exempted from any license requirements. Judges of non-sanctioned field trials using wildlife shall possess a North Carolina hunting license.

(d) Except as exempted in Paragraph (e) of this Rule, the following applies to active participants in field trials:

(1) North Carolina residents participating in any field trial that uses wildlife shall have a N.C. hunting license;

(2) non-residents participating in a commission-sanctioned field trial that uses wildlife shall possess a N.C. hunting license or a hunting license from his or her state of residence; and

(3) non-residents participating in other types of field trials that use wildlife shall possess a N.C. hunting license

(e) Persons without a license may participate in commission-sanctioned field trials for beagles conducted without firearms on private field trial areas that are fenced in accordance with G.S. 113-276(k).

(f) Except as allowed by rules pertaining to authorized field trials, it is unlawful to carry axes, saws or climbing irons while training or running dogs during closed season on game animals.

(g) On a commission-sanctioned field trial for retrievers or bird dogs, shotguns containing live ammunition or firearms using only blank ammunition may be used only when the application for and the authorization of the field trial so provide. No wild waterfowl, quail or pheasant shall be used in field trials when shotguns with live ammunition are permitted. All waterfowl, quail and pheasants so used shall be obtained from a licensed game bird propagator. Each specimen of waterfowl so obtained shall be marked by one of the methods provided by 50 C.F.R. 21.13. Each pheasant or quail so obtained shall be banded by the propagator prior to delivery with a leg band that is imprinted with the number of his or her propagation license. The purchaser of the birds shall obtain a copy of the receipt from the propagator showing the date and the number and species of birds purchased. The copy of the receipt shall be available for inspection by any authorized agent of the Wildlife Resources Commission during the time and at the place where the trial is being held.

(h) Applications for authorization of a field trial shall be submitted in writing to a Wildlife Enforcement Officer at least 30 days prior to the scheduled event.

(i) Pursuant to G.S. 113-291.1(d), hunters may train dogs using shotguns with shot of number 4 size or smaller during the closed season using domestically raised waterfowl and domestically raised game birds. Only nontoxic shot shall be used when training dogs using domestically raised waterfowl. All domestically raised waterfowl shall be individually tagged on one leg with a seamless band stamped with the number of the propagation license for the facility from which the domestically raised waterfowl originated. All other domestically raised game birds shall be individually tagged on one leg with a band indicating the propagation license number for the facility from which the birds originated.

History Note: Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 C.F.R. 21.13; Eff. February 1, 1976; Amended Eff. May 1, 2015; January 1, 2013; January 1, 2012; May 1, 2006; July 1, 1995; July 1, 1994; July 1, 1991; May 1, 1990.

15A NCAC 10B .0115 SHINING LIGHTS IN DEER AREAS

(a) It having been found upon sufficient evidence that certain areas frequented by deer are subject to substantial unlawful night deer hunting, or that residents in such areas have been greatly inconvenienced by persons shining lights on deer, or both, the shining of lights on deer in such areas is limited by Paragraphs (b) and (c) of this Rule, subject to the exceptions contained in Paragraph (d) of this Rule.

(b) No person shall, between the hours of 11:00 p.m. and one-half hour before sunrise, intentionally shine a light upon a deer or intentionally sweep a light in search of deer in the indicated portions of the following counties:

- (1) Beaufort -- entire county;
- (2) Bladen -- entire county;
- (3) Brunswick -- entire county;
- (4) Camden -- entire county;
- (5) Chowan -- entire county;
- (6) Currituck -- entire county;
- (7) Duplin -- entire county;
- (8) Franklin -- entire county;
- (9) Gates -- entire county;
- (10) Greene -- entire county;
- (11) Hertford -- entire county;
- (12) Hyde -- entire county;
- (13) Jones -- entire county;
- (14) Lenoir -- entire county;
- (15) Martin -- entire county;
- (16) Nash -- entire county;
- (17) Pamlico -- entire county;
- (18) Pasquotank -- entire county;
- (19) Pender -- entire county;
- (20) Perquimans -- entire county;
- (21) Pitt -- entire county;
- (22) Sampson -- entire county;
- (23) Tyrrell -- entire county;
- (24) Vance -- entire county;
- (25) Wake -- entire county;
- (26) Warren -- entire county;
- (27) Washington -- entire county;
- (28) Wayne -- entire county.

(c) No person shall, between the hours of one-half hour after sunset and one-half hour before sunrise, intentionally shine a light upon a deer or intentionally sweep a light in search of deer in the indicated portions of the following counties:

- (1) Alamance -- entire county;
- (2) Alexander -- entire county;
- (3) Alleghany -- entire county;
- (4) Anson -- entire county;
- (5) Ashe -- entire county;
- (6) Avery -- that portion south and east of Highway 221;
- (7) Buncombe County -- entire county;
- (8) Burke -- entire county;
- (9) Cabarrus -- entire county;
- (10) Caswell -- entire county;
- (11) Catawba -- entire county;
- (12) Chatham -- entire county;
- (13) Cherokee -- entire county;
- (14) Clay -- entire county;
- (15) Cleveland -- entire county;
- (16) Cumberland -- entire county;
- (17) Davidson -- entire county;
- (18) Davie -- entire county;
- (19) Durham -- entire county;

- (20) Edgecombe -- entire county;
- (21) Forsyth County -- entire county;
- (22) Gaston -- entire county;
- (23) Granville -- entire county;
- (24) Guilford -- entire county;
- (25) Halifax -- entire county;
- (26) Harnett -- entire county;
- (27) Henderson -- entire county;
- (28) Hoke -- entire county;
- (29) Iredell -- entire county;
- (30) Johnston -- entire county;
- (31) Lee -- entire county;
- (32) Lincoln -- entire county;
- (33) Macon -- entire county;
- (34) McDowell -- entire county;
- (35) Mecklenburg -- entire county;
- (36) Mitchell -- entire county;
- (37) Montgomery -- entire county;
- (38) Northampton -- entire county;
- (39) Orange County -- entire county;
- (40) Person -- entire county;
- (41) Polk -- entire county;
- (42) Randolph -- entire county;
- (43) Robeson County -- entire county;
- (44) Rockingham -- entire county;
- (45) Rowan -- entire county;
- (46) Rutherford -- entire county;
- (47) Stanly -- entire county;
- (48) Stokes -- entire county;
- (49) Surry -- entire county;
- (50) Swain -- entire county;
- (51) Transylvania -- entire county;
- (52) Union -- entire county;
- (53) Watauga -- entire county;
- (54) Yancey -- entire county.

(d) Paragraphs (b) and (c) of this Rule shall not be construed to prevent:

- (1) the lawful hunting of raccoon or opossum during open season with artificial lights designed or commonly used in taking raccoon and opossum at night;
- (2) the necessary shining of lights by landholders on their own lands;
- (3) the shining of lights necessary to normal travel by motor vehicles on roads or highways; or
- (4) the use of lights by campers and others who are legitimately in such areas for other reasons and who are not attempting to attract or to immobilize deer by the use of lights.

History Note: Authority G.S. 113-134; 113-291.1; S.L. 1981, c. 410; S.L. 1981 (Second Session 1982), c. 1180; Eff. November 11, 1979; Amended Eff. July 18, 2002; April 1, 1997; July 1, 1996; November 1, 1995; March 1, 1995; July 1, 1994.

15A NCAC 10B .0116 PERMITTED ARCHERY EQUIPMENT

(a) Only longbows and recurved bows having a minimum pull of 40 pounds, compound bows having a minimum pull of 35 pounds, and crossbows shall be used for taking game.

(b) Only arrows with a fixed minimum broadhead width of seven-eighths of an inch or a mechanically opening broadhead with a width of at least seven-eighths of an inch in the open position shall be used for taking bear, deer, or wild turkey. Blunt-type arrow heads may be used in taking small animals and birds including rabbits, squirrels, quail, grouse, and pheasants. Poisonous, drugged, barbed, or explosive arrowheads shall not be used for taking any game.

(c) Crossbows shall have a minimum pull rated at least 100 pounds. Heads on bolts used with crossbows shall conform to those described for arrows in Paragraph (b) of this Rule.

*History Note: Authority G.S. 113-134; 113-291.1(a);
Eff. September 1, 1980;
Amended Eff. August 1, 2014; August 1, 2012; July 10, 2010; May 1, 2007; August 1, 2002; July 1, 2000; July 1, 1998; July 1, 1996; August 1, 1990.*

15A NCAC 10B .0117 REPLACEMENT COSTS OF WILDLIFE RESOURCES

(a) Replacement Costs Distinguished. As it applies to wildlife resources, the term "replacement costs" must be distinguished from the "value" of the wildlife concerned. Except in cases where wild animals and wild birds may lawfully be sold on the open market, as with the carcasses or pelts of furbearing animals, the monetary value of the specimens cannot be determined easily. The degree of special interest or concern in a particular species by the public, including not only hunters and trappers, but conservationists and those to whom the value of wildlife resources is primarily aesthetic, cannot be measured in dollar amounts. The average cost per animal or bird legally taken by hunters, including travel and lodging, weapons and ammunition, excise taxes on equipment, licenses, and hunting club fees, may fairly be estimated. This too, however, is a reflection of the value of existing wildlife resources rather than a measure of the cost of its replacement. Thus, the relative values of wildlife species shall be considered only as they may bear on the necessity or desirability of actual replacement.

(b) Factors to Be Considered. The factors which shall be considered in determining the replacement costs of resident species of wildlife resources that have been taken, injured, removed, harmfully altered, damaged, or destroyed include the following:

- (1) whether the species is classified as endangered or threatened;
- (2) the relative frequency of occurrence of the species in the state;
- (3) the extent of existing habitat suitable for the species within the state;
- (4) the dependency of the species on unique habitat requirements;
- (5) the cost of acquiring, by purchase or long-term lease, lands and waters for habitat development;
- (6) the cost of improving and maintaining suitable habitat for the species on lands and waters owned or acquired;
- (7) the cost of live-trapping the species in areas of adequate populations and transplanting them to areas of suitable habitat with low populations;
- (8) the availability of the species and the cost of acquisition for restocking purposes;
- (9) the cost of rearing in captivity those species which, when released, have a probability of survival in the wild;
- (10) the ratio between the natural life expectancy of the species and the period of its probable survival when, having been reared in captivity, it is released to the wild;
- (11) the change in the value of money as reflected by the consumer price index. Inflation costs are based on the consumer price index from the last update shown in Paragraph (c) of this Rule.

(c) Costs of Replacement. Based on the factors listed in Paragraph (b) of this Rule, including a June, 2001 update of the original figures using consumer price index from the June, 1980 base, the following wild animals and wild birds are listed with the estimated replacement cost of each individual specimen:

Species	Replacement Cost
Any endangered species	\$4,960.00
Any threatened species	4313.00
Any other species with no open season	54.00
Beaver	104.00
Black Bear	2232.00
Crow	4.00
Deer	602.00
Dove	13.00
Duck	41.00
Elk	2500.00
Fox	88.00

Goose	125.00
Grouse	37.00
Mink	75.00
Muskrat	19.00
Nutria	15.00
Opossum	6.00
Otter	647.00
Pheasant	37.00
Quail	30.00
Rabbit	13.00
Raccoon	58.00
Rail	37.00
Skunk	19.00
Snipe	26.00
Squirrel, fox	54.00
Squirrel, gray and red	17.00
Tundra swan	1078.00
Weasel	11.00
Wild boar	755.00
Wildcat	647.00
Wild turkey	1617.00
Woodcock	26.00

(d) Costs of Investigations

- (1) Factors to Be Considered. Upon any investigation required as provided by G.S. 143-215.3(a)(7) or by court order for the purpose of determining the cost of replacement of wildlife resources which have been killed, taken, injured, removed, harmfully altered, damaged, or destroyed, the factors to be considered in determining the cost of the investigation are as follows:
 - (A) the time expended by the employee or employees making the investigation, including travel time between the place of usual employment and the site of the investigation, and the time required in formulating and rendering the report;
 - (B) the cost of service to the state of each employee concerned, including annual salary, hospitalization insurance, and the state's contribution to social security taxes and to the applicable retirement system;
 - (C) subsistence of the investigating personnel, including meals, reasonable gratuities, and lodging away from home, when required;
 - (D) the cost of all necessary transportation;
 - (E) the use or rental of boats and motors, when required;
 - (F) the cost of cleaning or repairing any uniform or clothing that may be damaged, soiled or contaminated by reason of completing the investigation;
 - (G) the cost of necessary telephonic communications;
 - (H) any other expense directly related to and necessitated by the investigation.
- (2) Computation of Costs. In assessing the cost of time expended in completing the investigation, the time expended by each person required to take part in the investigation shall be recorded in hours, the value of which shall be computed according to the ratio between the annual costs of service of the employee and his total annual working hours (2087 hours reduced by holidays, annual leave entitlement, and earned sick leave). Other costs shall be assessed as follows:
 - (A) subsistence: the actual cost of meals, reasonable gratuities, and lodging away from home, not to exceed the then current maximum per diem for state employees;
 - (B) transportation: total mileage by motor vehicle multiplied by:
 - (i) the then current rate per mile for travel by state-owned vehicle; or
 - (ii) the then current rate per mile for travel by privately owned vehicle, as applicable;
 - (C) boat and motor: five dollars (\$5.00) per hour;
 - (D) uniform and clothing cleaning and repair: actual cost;
 - (E) telephonic communications: actual cost;

- (F) other expenses: actual cost.

History Note: Authority G.S. 113-134; 113-267;
Eff. October 1, 1980;
Amended Eff. August 1, 2002; December 1, 1993; October 1, 1989.

15A NCAC 10B .0118 SALE OF WILDLIFE

(a) The carcasses or pelts of bobcats, opossums, and raccoon that have been lawfully taken by any hunting method, upon compliance with applicable fur tagging requirements set forth in 15A NCAC 10B .0402, may be sold to licensed fur dealers. The sale of carcasses or pelts of bobcats, opossums, and raccoon killed accidentally or taken by hunting for control of depredations shall be permitted under the conditions set forth in 15A NCAC 10B.0106(e)(4) and 15A NCAC 10B .0127.

(b) Except as otherwise provided in Paragraphs (a), (d), (e), and (f) of this Rule, the sale of game birds and game animals or parts thereof is prohibited, except that processed products other than those made from edible portions may be sold provided that no label or advertisement identifies the product as a game bird, game animal, or part thereof; that the game bird or game animal was lawfully acquired; and the product is not readily identifiable as a game bird or game animal, or part thereof.

(c) The sale of edible portions or products of game birds and game animals is prohibited, except as may be otherwise provided by statute.

(d) The pelt or feathers of deer, elk, fox, pheasant, quail, rabbit, or squirrel (fox and gray) may be bought or sold for the purpose of making fishing flies provided that the source of these animals may be documented as being legally obtained from out of state sources or from lawfully operated commercial breeding facilities. The buying and selling of migratory game birds shall be in accordance with 50 C.F.R. 20.91 which is hereby incorporated by reference, including subsequent amendments and editions (<https://www.gpo.gov/fdsys/granule/CFR-2000-title50-vol1/CFR-2000-title50-vol1-sec20-91>).

(e) The Executive Director or his designee may issue Trophy Wildlife Sale permits as authorized in G.S. 113-274 for the sale of lawfully taken and possessed individual dead wildlife specimens or their parts that are mounted, stuffed, or otherwise permanently preserved that may be sold under G.S. 113-291.3. A copy of the permit shall be retained with the specimen.

(f) Raw hides from any lawfully-taken or possessed white-tailed deer may be sold.

History Note: Authority G.S. 113-134; 113-273; 113-274; 113-276.2; 113-291.3; 113-337; 50 C.F.R. 20.91;
Eff. November 9, 1980;
Amended Eff. May 1, 2014; August 1, 2002; April 1, 1991; February 1, 1990;
Temporary Amendment Eff. February 27, 2015;
Temporary Amendment Expired Eff. December 11, 2015;
Amended Eff. May 1, 2016.

15A NCAC 10B .0119 WILDLIFE COLLECTORS

(a) Collection Licenses. The Executive Director may license qualified individuals to take or collect any species of wildlife resources except that endangered, threatened, and special concern species may not be taken or collected except under a special permit issued by the Executive Director for research purposes, unless there is an open season for the species. If an open season exists for the species, then the appropriate hunting, fishing, or trapping license serves as the authorization for take. This Rule shall not prohibit an individual from killing an endangered, threatened, or special concern species in defense of his own life or the lives of others without a permit. Individuals who annually collect fewer than five reptiles or fewer than 25 amphibians that are not on the endangered, threatened, or special concern lists shall be exempted from this license requirement, except snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) shall not be collected at all. The license shall be issued upon payment of a fee in accordance with G.S. 113-272.4, except that licenses shall be issued to representatives of educational or scientific institutions or of governmental agencies without charge. The license shall be used in lieu of any other hunting or trapping license required by law and shall authorize possession and transportation of the wildlife incidental to the authorized taking, except that it shall not authorize the taking, possession, or transportation of any species of wildlife in violation of the Endangered Species Act, the Migratory Bird Treaty Act, The Bald and Golden Eagle Protection Act or any other federal act to prohibit or restrict the possession and transportation of wildlife resources.

(b) Limits on collection. Individuals shall collect no more than 10 turtles from the family Chelydridae (snapping turtles) per day and no more than 100 per calendar and these turtles shall have a curved carapace length greater than 11 inches.

Individuals shall collect no more than 10 turtles from the family Kinosternidae (mud and musk turtles) per day and no more than 100 per calendar year.

(c) Qualifications of Licensees. In addition to representatives of educational and scientific institutions and governmental agencies, the collection license may be issued to any individual for any purpose when it is not deemed inimical to the efficient conservation of the species to be collected or to some other wildlife species that may be dependent thereon.

(d) Methods of Taking. The manner of taking wildlife resources under a collection license may be specified by the Executive Director pursuant to G.S. 113-272.4(d) and need not be restricted to the usual methods of hunting or trapping.

(e) Term of License. The Executive Director may, pursuant to G.S. 113-272.4(c), impose time limits and other restrictions on the duration of any collection license, but unless so restricted the license shall be valid from January 1 through December 31 of the applicable year.

(f) Report of Collecting Activity. Each individual licensed under this Rule shall submit a report to the Wildlife Resources Commission within 15 days following the date of expiration of the license. The report shall show the numbers of each species taken under the license and the use or disposition thereof. The Executive Director may require additional information for statistical purposes such as the dates and places of the taking and the sex, size, weight, condition, and approximate age of each specimen taken.

(g) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-272.4(d), impose such other requirements and restrictions on persons licensed under this Rule as he may deem to be necessary to the efficient administration of the wildlife conservation statutes and rules.

History Note: Authority G.S. 113-134; 113-272.4;
Eff. January 1, 1981;
Amended Eff. August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2008; April 1, 2001; February 1, 1994; November 1, 1990; September 1, 1989.

15A NCAC 10B .0120 TAKING DEER AND BEAR WITH HANDGUNS

Handguns of any type may be used to take deer and bear. Ammunition of any type may be used to take deer and bear, unless otherwise prohibited by state or federal law.

History Note: Authority G.S. 113-134; 113-291.1;
Eff. October 1, 1983;
Amended Eff. August 1, 2014; June 1, 2005.

15A NCAC 10B .0121 WILD BIRDS DEFINED

The English sparrow (*Passer domesticus*), Eurasian collared dove (*Streptopelia decaocto*), pigeon (*Columba livia*), mute swan (*Cygnus olor*), and starling (*Sturnus vulgaris*) are specifically excluded from the definition of "wild birds" contained in G.S. 113-129(15a).

History Note: Authority G.S. 113-129; 113-134;
Eff. December 1, 1987;
Amended Eff. August 1, 2010; May 1, 2006; October 1, 2004.

15A NCAC 10B .0122 PROHIBITED HUNTING ON STATE FISH HATCHERIES

It is unlawful to possess a loaded firearm within a posted restricted zone on any state owned fish hatchery or to discharge a firearm into or across such a restricted zone.

History Note: Authority G.S. 113-134; 113-264;
Eff. September 1, 1989.

15A NCAC 10B .0123 LIMITATIONS ON CERTAIN EXOTIC SPECIES

(a) Except as provided in this Rule, it shall be unlawful to import, transport, export, purchase, possess, sell, transfer, or release into public or private waters or lands of the State, any live specimen(s) of Tongueless or African Clawed Frog (*Xenopus* spp.), Brown Anole (*Anolis sagrei*), Cuban Treefrog (*Osteopilus septentrionalis*), any Asian Newts (genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton*, *Tylotriton*), or Red-eared Slider (*Trachemys scripta elegans*).

(b) The North Carolina Wildlife Resources Commission may by permit authorize importation, transportation, exportation, purchase, possession, sale, or transfer of any species in this Rule by the following entities, subject to the specified limitations:

- (1) Retail and Wholesale Establishments. Importation, possession, sale, transfer, transportation, and exportation of these species within North Carolina, by retail and wholesale establishments whose primary business is providing scientific supplies for research, shall be allowed by permit, provided the following conditions are met:
 - (A) the application for a permit shall be in writing and include plans for holding, transportation, advertisement, and sale to allow a determination of the safeguards employed to prevent accidental escape and sales to unauthorized individuals;
 - (B) in-state sale or transfer is allowed only to agencies, entities, and institutions listed in Subparagraph (2) of this Paragraph;
 - (C) exportation shall comply with all applicable rules and regulations of the importing state;
 - (D) all specimens shall be possessed in indoor facilities; and
 - (E) transportation of specimens shall employ safeguards that prevent accidental escape.
- (2) Government Agencies and Research Institutions. Purchase, importation, possession, transfer, transportation, and exportation of these species within North Carolina shall be allowed by permitted state and federal governmental agencies, corporate research entities, and research institutions, provided the following conditions are met:
 - (A) the application for a permit shall be in writing and include plans for holding, transportation, final disposition, and safeguards to prevent accidental escape;
 - (B) exportation shall comply with all applicable rules and regulations of the importing state;
 - (C) all specimens shall be possessed in indoor facilities;
 - (D) transportation of specimens shall employ safeguards that prevent accidental escape; and
 - (E) the agency's, entity's, or institution's Animal Use and Care Committee has approved the research protocol for these species.

(c) Notwithstanding Paragraph (a) of this Rule, it shall be lawful for private individuals in possession of a live specimen(s) of Red-eared Slider(s) (*Trachemys scripta elegans*) prior to August 1, 2018, to retain, transport, transfer, or export the animal(s) in their possession.

(d) Notwithstanding Paragraph (a) of this Rule, facilities open to the public for education may apply for a permit to collect, receive, and possess Red-eared Slider(s).

History Note: Authority G.S. 113-134; 113-274; 113-292;
Eff. February 1, 1994;
Amended Eff. August 1, 2018; April 1, 1997.

15A NCAC 10B .0124 IMPORTATION OF ANIMAL PARTS

(a) It shall be unlawful to import, transport, or possess a cervid carcass or carcass part(s) originating from outside of North Carolina except:

- (1) meat that has been boned out such that no pieces or fragments of bone remain;
- (2) caped hides with no part of the skull or spinal column attached;
- (3) antlers, antlers attached to cleaned skull plates, or skulls with no meat or brain tissue;
- (4) cleaned lower jawbone(s) with teeth or cleaned teeth; or
- (5) finished taxidermy products and tanned hides.

(b) Any cervid carcass, carcass part(s), or container of cervid meat or carcass parts listed in Subparagraph (a)(1) through (4) of this Rule shall be labeled or identified with the following information:

- (1) the individual's name and address;
- (2) the state, Canadian province, or foreign country of origin; and
- (3) the date the cervid was killed and the individual's hunting license number, permit number, or equivalent identification from the state, Canadian province, or foreign country of origin.

History Note: Authority G.S. 113-291.2;
Eff. May 1, 2006;
Temporary Amendment Eff. August 1, 2018.

15A NCAC 10B .0125 RELEASE OF MUTE SWANS

It is unlawful for any individual to release any mute swan (*Cygnus olor*) into the public waters of North Carolina. Any individual who releases a mute swan to privately controlled waters must ensure that the animal has been pinioned. Individuals who currently possess or confine mute swans on their property must pinion all mute swans on their property by January 1, 2009. For the purposes of this Rule privately controlled waters is defined as: a body of water lying wholly upon a single tract of privately owned land or a body of water lying entirely within private property, even if that property is comprised of multiple tracts owned by one or multiple individuals. In addition, privately controlled waters are waters to which the public does not have access without permission of one or more of the private landowners surrounding the water(s).

History Note: Authority G.S. 113-292(d);
Eff. July 1, 2008.

15A NCAC 10B .0126 STATE HUNTING LICENSE EXEMPTIONS

(a) Any governmental or non-profit entity conducting an organized hunting event may obtain from the Executive Director or his designee, subject to the requirements in Paragraph (b) of this Rule, an exemption which allows all participants in the event to hunt without first obtaining hunting licenses, but the participants must:

- (1) comply with the hunter safety requirements of G.S. 113-270.1A or be accompanied by a properly licensed adult who maintains a proximity to the license exempt individual which enables the adult to monitor the activities of, and communicate with, the individual at all times;
- (2) report all big game harvested as proscribed in Rule .0113 of this Section;
- (3) obtain a certificate of participation in federal Harvest Information Program, if hunting migratory game birds; and
- (4) obtain a federal Migratory Bird Hunting and Conservation Stamp, if the participant is 16 years of age or older and hunting waterfowl.

(b) The governmental or non-profit entity requesting a state hunting license exemption shall apply using a form provided by the Commission and submit that form to the Chief of the Division of Wildlife Management not less than 21 days prior to the organized hunting event. A statement of purpose for the event must be attached to the completed form. The Executive Director or his designee shall deny any request with a statement of purpose that is:

- (1) inconsistent with the mission of the Wildlife Resources Commission as stated in Paragraph (d) of this Rule; or
- (2) for a purpose other than to promote hunting to youth, disabled people, novice hunters or lapsed hunters.

(c) The person in charge of the event must be on-site at all times and have a copy of the exemption available for inspection on request by Commission personnel. The exemption is limited to the immediate location of the event and shall remain in effect for the time period specified on the exemption.

(d) The mission of the N.C. Wildlife Resources Commission is to conserve North Carolina's wildlife resources and their habitats and provide programs and opportunities that allow hunters, anglers, boaters and other outdoor enthusiasts to enjoy wildlife-associated recreation.

History Note: Authority G.S. 113-134; 113-270.2; 113-276; 113-276.1;
Eff. August 1, 2010.

15A NCAC 10B .0127 POSSESSION OF WILDLIFE KILLED ACCIDENTALLY OR FOUND DEAD

For wildlife killed accidentally or found dead of natural causes the following apply:

- (1) When a deer is accidentally killed on a road or highway by reason of collision with a motor vehicle, the law enforcement officer who investigates the accident shall, upon request, authorize possession and transport of the carcass of the deer for personal and lawful use, including delivery of the carcass to a second person for his private use or the use by a charitable organization. Commission employees may authorize possession of any deer or turkey found dead of natural causes or as the result of a vehicle collision.
- (2) Black bears shall not be possessed. Species listed as endangered, threatened, or of special concern under 15A NCAC 10I .0103, .0104, and .0105 may be possessed with written permission. Raptors and nongame migratory birds may be possessed under federal permits.

- (3) For all other wildlife resources possession shall be legal. The sale of any wildlife resources or wildlife parts found dead is prohibited, except licensed trappers and hunters may sell the carcasses or pelt of any beaver, coyote, groundhog, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel or bobcat to a licensed fur dealer if the dead furbearing animal was found during the open season for that species. Licensed trappers and hunters may also sell the carcasses or pelt of any fox to a licensed fur dealer if the dead fox was found during an open fox season and the county in which the fox was found allows for the sale of fox carcasses and pelts. All tagging requirements set forth in 15A NCAC 10B .0400 apply.

History Note: Authority G.S. 113-134; 113-274; 113-291.3; 113-291.4; 113-331; 113-333; 113-337; Eff. January 1, 2013.

SECTION .0200 - HUNTING

15A NCAC 10B .0201 PROHIBITED TAKING AND MANNER OF TAKE

(a) It is unlawful for any person to take, or have in possession, any wild animal or wild bird listed in this Section except during the open seasons and in accordance with the limits herein prescribed, or as prescribed by 15A NCAC 10B .0300 pertaining to trapping or 15A NCAC 10D applicable to game lands managed by the Wildlife Resources Commission, unless otherwise permitted by law. Lawful seasons and bag limits for each species apply beginning with the first day of the listed season and continue through the last day of the listed season, with all dates being included. When any hunting season ends on a January 1 that falls on a Sunday, that season shall be extended to Monday, January 2.

(b) On Sundays, hunting on private lands shall be allowed under the following conditions:

- (1) archery equipment as described in 15A NCAC 10B .0116, falconry, and dogs where and when allowed the other days of the week are lawful methods of take, except as prohibited in G.S. 103-2;
- (2) firearms are lawful methods of take when used as described in G.S. 103-2; and
- (3) migratory game birds may not be taken.

(c) On Sundays, hunting on public lands is allowed with the following restrictions:

- (1) only falconry and dogs used in conjunction with falconry are lawful methods of take; and
- (2) migratory game birds may not be taken.

These restrictions do not apply to military installations under the exclusive jurisdiction of the federal government.

(d) Those animals not classified as game animals in G.S. 113-129(7c), and for which a season is set under this Section, may be taken during the hours and methods authorized for taking game animals.

(e) Where local laws govern hunting, or are in conflict with this Subchapter, the local law shall prevail.

History Note: Authority G.S. 103-2; 113-291.1(a); 113-134; 113-291.2; 113-291.3; Eff. February 1, 1976; Amended Eff. May 1, 2016; August 1, 2012; July 10, 2010; July 1, 1996; July 1, 1987.

15A NCAC 10B .0202 BEAR

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

- (1) Monday on or nearest October 15 through the Saturday before Thanksgiving and the third Monday after Thanksgiving through January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland counties;
- (2) Second Monday in November through January 1 in Bladen, Brunswick, Carteret, Columbus, Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, Robeson, and Sampson counties;
- (3) Second Saturday in November through the second Sunday thereafter and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Beaufort, Bertie, Craven, Hertford, Jones, Martin, and Washington counties;
- (4) Second Saturday in November through the first Sunday after Thanksgiving and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Dare, Hyde, and Tyrrell counties;
- (5) Second Saturday in November through the second Sunday thereafter and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Currituck, Gates, and Perquimans counties;
- (6) Second Sunday in November through the following Sunday and the third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Camden, Chowan, and Pasquotank counties;

- (7) Third Saturday in November through the fifth Sunday thereafter in Edgecombe, Greene, Halifax, Lenoir, Nash, Northampton, Pitt, Wayne, and Wilson counties; and
- (8) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A NCAC 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie, Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston, Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Wake, Warren, and Yadkin counties.

(b) Restrictions

- (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain, fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw components.
- (2) Bears shall not be taken with the use or aid of:
 - (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum, candy block, oils, spices, peanut butter, or grease;
 - (B) any extracts of substances identified in Part (A) of this Subparagraph;
 - (C) any substances modified by substances identified in Part (A) of this Subparagraph, including any extracts of those substances; or
 - (D) any bear bait attractant, including sprays, aerosols, scent balls, and scent powders.
- (3) Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the Saturday before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.
- (4) Bears may be taken with the aid of bait during the entire open season in the counties identified in Subparagraphs (a)(2) through (a)(6) of this Rule.
- (5) Bears shall not be taken while in the act of consuming bait.
- (6) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85, Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.

(c) No Open Season. There is no open season in those parts of counties included in the following posted bear sanctuaries:

- Avery, Burke, and Caldwell counties--Daniel Boone bear sanctuary except by permit only
- Beaufort, Bertie, and Washington counties--Bachelor Bay bear sanctuary
- Bladen County--Suggs Mill Pond bear sanctuary
- Brunswick and Columbus Counties--Green Swamp bear sanctuary
- Buncombe, Haywood, Henderson, and Transylvania counties--Pisgah bear sanctuary
- Carteret, Craven, and Jones counties--Croatian bear sanctuary
- Clay County--Fires Creek bear sanctuary
- Columbus County--Columbus County bear sanctuary
- Currituck County--North River bear sanctuary
- Dare County--Bombing Range bear sanctuary except by permit only
- Haywood County--Harmon Den bear sanctuary
- Haywood County--Sherwood bear sanctuary
- Hyde County--Gull Rock bear sanctuary
- Hyde County--Pungo River bear sanctuary
- Jackson County--Panthertown-Bonas Defeat bear sanctuary
- Macon County--Standing Indian bear sanctuary
- Macon County--Wayah bear sanctuary
- Madison County--Rich Mountain bear sanctuary
- McDowell and Yancey counties--Mt. Mitchell bear sanctuary except by permit only
- Mitchell and Yancey counties--Flat Top bear sanctuary
- Wilkes County--Thurmond Chatham bear sanctuary

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

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;

Eff. February 1, 1976;
Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002;
Amendment Eff. August 1, 2002;
Temporary Amendment Eff. September 1, 2003;
Temporary Amendment Expired Eff. December 27, 2003;
Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May 1,
2008; May 1, 2007; May 1, 2006; June 1, 2005;
Temporary Amendment Eff. May 31, 2016;
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016;
Temporary Amendment Eff August 1, 2018.

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

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

- (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, may be taken on all game lands except Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Deer With Visible Antlers seasons on these Game Lands), during the following seasons:
 - (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bladen, Brunswick, Carteret, Columbus*, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones, Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson, Scotland, Tyrrell, and Washington counties.
 *Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline.
 - (B) Saturday on or nearest October 15 through January 1 in all of Bertie, Camden, Chowan, Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin, Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and Wilson counties.
 - (C) Saturday before Thanksgiving Day through January 1 in all of Alexander, Alleghany, Ashe, Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes, Surry, Watauga, Wilkes, and Yadkin counties.
 - (D) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, and Yancey counties.
 - (E) Two Saturdays before Thanksgiving Day through January 1 in all of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg, Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union counties.
 - (F) Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in that part of Hyde county known as Lake Mattamuskeet National Wildlife Refuge; in those parts of Dare and Hyde counties known as Alligator River National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in that part of Currituck County known as the Mackay Island National Wildlife Refuge.
- (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open seasons and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this Subparagraph (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game Lands). Deer of either sex may be taken during the open season identified in Part (H) of this Subparagraph.
 - (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service during the period from the Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties

known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife Refuge.

- (B) The open either-sex deer hunting dates established by the appropriate military commands at each of the military installations listed in this Paragraph, during the period from Saturday on or nearest October 15 through January 1 in that part of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of Craven County known and marked as Cherry Point Marine Base, in that part of Onslow County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall Military Reservation.
- (C) Youth either-sex deer hunts. First Saturday in October for youth either-sex deer hunting by permit only on a portion of Belews Creek Steam Station in Stokes County designated by agents of the Commission; the third Saturday in October for youth either-sex deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties; and the second Saturday in November for youth either-sex deer hunting by permit only on apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated by agents of the Commission. A youth is defined as a person under 18 years of age.
- (D) The first open Saturday of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and Transylvania counties.
*Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280
- (E) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the first Saturday thereafter in all of Avery, Burke, Caldwell, McDowell, Mitchell, and Yancey counties.
- (F) The first open day of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule through the second Friday thereafter in all of Cleveland, Polk, and Rutherford counties.
- (G) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and Gaston counties and in the following parts of counties: Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280; and Henderson; That part east of NC 191 and north and west of NC 280.
- (H) The fourth Saturday in September in all counties, subject to the following restriction: only persons under the age of 18 years may hunt.

(b) Open Seasons (Archery) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the following seasons:
 - (A) Saturday on or nearest September 10 through the day immediately preceding the first open day of the Blackpowder Firearms and Archery Seasons described in Subparagraph (c)(1) of this Rule; and the Sunday immediately following the closing of blackpowder firearms and archery season identified in Part (c)(1)(B) of this Rule to the Sunday before Thanksgiving in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Archery seasons on these Game Lands).
 - (B) Sunday immediately following the closing of the open season for Deer With Visible Antlers through January 1 in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.
- (2) Restrictions
 - (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs may not be used for hunting deer during the archery season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).

- (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer may be used during the archery deer hunting season.
- (C) Deer of either sex may be taken during archery seasons specified by Part (b)(1)(A) of this Rule.
Only deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, shall be taken during the archery season specified by Part (b)(1)(B) of this Rule.

(c) Open Seasons (Blackpowder Firearms and Archery) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be taken only with blackpowder firearms and archery equipment during the following seasons:
 - (A) Two Saturdays preceding the first day of the Deer with Visible Antlers seasons described in Parts (a)(1)(A), (B), (C), (E), and (F) of this Rule through the second Friday thereafter except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Blackpowder Firearms and Archery seasons on these Game Lands):
 - (B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.
- (2) Restrictions
 - (A) Deer of either sex may be taken during blackpowder firearms and archery season in and east of the following counties: Polk, Rutherford, McDowell, Burke, Caldwell, Watauga, and Ashe. Deer of either sex may be taken on the first Saturday day of this season only in all other counties.
 - (B) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the blackpowder firearms and archery seasons, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
- (3) As used in this Rule, blackpowder firearms means "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."

(d) Open Season (Urban Season) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow in participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following January 1 through the sixth Sunday thereafter. Deer shall not be taken on any game land or part thereof that occurs within a city boundary.
- (2) Participation. Cities that intend to participate in the urban season shall send a letter to that effect no later than April 1 of the year prior to the start of the urban season to the Executive Director or his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map of the city's boundaries within which the urban season shall apply.
- (3) Restrictions:
 - (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the urban season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
 - (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer shall be used during the urban season.

(e) Bag limits. The possession and season limit is six deer, two of which may be deer with visible antlers and four of which may be antlerless deer. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from spikes protruding through the skin. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report cards from the Wildlife Resources Commission or any Wildlife Service

Agent to allow the harvest of two additional antlerless deer per card for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities, except on State-owned game lands. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the possession and season limit. The bag limits described above do not apply to deer harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e) for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with DMAP tags may only be harvested during the regularly established deer seasons subject to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report card.

History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2; 113-291.5;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1, 1994; July 1, 1994;
July 1, 1993;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002; July 1, 2001;
Amended Eff. August 1, 2002 (Approved by RRC on 06/21/01 and 04/18/02);
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, 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.

15A NCAC 10B .0204 WILD BOAR (BOTH SEXES)

History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2;
Eff. February 1, 1976;
Amended Eff. May 1, 2009; May 1, 2007; July 1, 1999; July 1, 1995; July 1, 1993; July 1, 1987; July 1, 1986;
Repealed Eff. February 1, 2012.

15A NCAC 10B .0205 RACCOON AND OPOSSUM

(a) Open Season: The open season for taking raccoon and opossum shall be from sunrise Monday on or nearest October 15 through the last day of February.

(b) Bag Limits:

- (1) The daily bag limit for raccoon is three and there are no season and no possession limits.
- (2) There is no restriction on bag limits for opossum.

Note: See 15A NCAC 10B .0111 prohibiting axes, saws and shooting in certain western counties.

History Note: Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976;
Amended Eff. July 1, 1995; July 1, 1987; July 1, 1986; July 1, 1985;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. May 1, 2008; May 1, 2007; July 1, 2000.

15A NCAC 10B .0206 SQUIRRELS

(a) Open Seasons:

- (1) Gray and red squirrels may be taken by hunting on the Monday on or closest to October 15 to the last day of February.

- (2) Fox squirrels may be taken by hunting on the Monday on or nearest October 15 to December 31 in the counties of Alleghany, Anson, Ashe, Bladen, Brunswick, Cumberland, Duplin, Edgecombe, Greene, Harnett, Hoke, Johnston, Jones, Lenoir, Moore, New Hanover, Onslow, Pender, Pitt, Richmond, Sampson, Scotland, Stokes, Surry, Watauga, Wayne and Wilkes.

(b) Bag Limits:

- (1) The daily bag limit for gray and red squirrels is eight and there are no season and no possession limits.
(2) In those counties listed in Subparagraph (a)(2) of this Rule, the daily bag limit for fox squirrels is one; the possession limit is two, and the season limit is 10.

History Note Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976;
Amended Eff. August 1, 2013; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2006; July 1, 1995;
July 1, 1987; July 1, 1986; July 1, 1985.

15A NCAC 10B .0207 RABBITS

(a) Open Season: The open season for taking rabbits shall be the Saturday before Thanksgiving Day through the last day of February.

(b) Bag Limits: The daily bag limit for rabbits is five and there are no season and no possession limits.

(c) Box-traps: During the hunting season specified in Paragraph (a) of this Rule and subject to the bag limits set forth in Paragraph (b) of this Rule, rabbits may be taken with box-traps. A valid hunting license shall serve as a transportation permit for live rabbits taken pursuant to this Rule.

History Note: Authority G.S. 113-134; 113-274; 113-291.1; 113-291.2;
Eff. February 1, 1976;
Amended Eff. July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984;
Temporary Amendment Eff. August 1, 1998;
Amended Eff. August 1, 2018; May 1, 2008; April 1, 1999.

15A NCAC 10B .0208 QUAIL

(a) The open season for quail shall be the Saturday before Thanksgiving to the last day of February.

(b) The daily bag Limit shall be six per day and the possession limit shall be 12. There shall be no season limit.

History Note: Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976;
Amended Eff. July 1, 1996; July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984;
Temporary Amendment Eff. July 1, 2001;
Amended Eff. July 18, 2002.

15A NCAC 10B .0209 WILD TURKEY

(a) Open Seasons:

- (1) Spring Wild Turkey Season is from the second Saturday in April through the Saturday of the fourth week thereafter on only bearded or male turkeys in all counties statewide.
(2) Spring Youth Only Wild Turkey Season is from the first Saturday in April until the Friday thereafter on only bearded or male wild turkeys. The bag limit during the Spring Youth Only Wild Turkey season is one bird. For purposes of this Subparagraph, a youth hunter is younger than 18 years of age.

(b) Bag Limits. The daily bag limit is one bird and the annual bag limit shall be two birds. Possession limit is two birds.

(c) Dogs. The use of dogs for hunting wild turkeys is prohibited.

(d) Kill Reports. The kill shall be validated at the site of kill and the kill reported as provided by 15A NCAC 10B .0113.

History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2; 113-291.5;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993; July 1, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;

Temporary Amendment Eff. July 1, 2001;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);
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. February 1, 2018; August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2007;
November 1, 2005.

15A NCAC 10B .0210 RUFFED GROUSE (NATIVE PHEASANT)

- (a) Open Season: Monday on or nearest October 15 to last day of February.
(b) Bag Limits: Daily, three; possession, six; season, 30.

History Note: Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976;
Amended Eff. July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984.

15A NCAC 10B .0211 PHEASANT (NONNATIVE VARIETIES)

- (a) Open Season: The open season for taking Pheasant (nonnative varieties) shall be the Saturday before Thanksgiving Day to February 1 on male pheasant only.
(b) Bag Limits: The daily bag limit for pheasants (nonnative varieties) is three; the possession limit is six; and the season limit is 30.

History Note: Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976;
Amended Eff. August 1, 2018; July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984.

15A NCAC 10B .0212 FOXES (GRAY AND RED)

- (a) Fox Season:
- (1) There shall be no closed season on taking foxes with dogs, except on Bladen Lakes State Forest Game Land from March 15 through July 15;
 - (2) Foxes may be taken with weapons or traps the first to fourth Saturday in January in the following counties:

Caswell	Henderson
Clay	Macon
Graham	Tyrrell
 - (3) Foxes may be taken the Saturday before Thanksgiving Day through January 1 using archery equipment in all areas of the State east of Interstate Highway 77 and in Mitchell County.
- (b) Bag Limit for Foxes:
- (1) Except in areas of open season for taking foxes with weapons or traps, foxes shall not be intentionally killed by any method;
 - (2) For areas of open season detailed in Subparagraph (a)(2) and (a)(3) of this Rule, the following bag limit applies: the daily limit is two; and the season limit is 10.
- (c) Where local laws governing the taking of foxes conflict with this Rule, local laws shall prevail.

History Note: Authority G.S. 113-134; 113-291.2; 113-291.4; 113-291.4A;
Eff. February 1, 1976;
Amended Eff. July 1, 1987; December 1, 1985;
Temporary Amendment Eff. November 1, 1989;
Amended Eff. July 1, 1994; May 1, 1990;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. August 1, 2018; May 1, 2009; July 1, 2000.

15A NCAC 10B .0213 GROUNDHOG

- (a) No closed season.
- (b) Bag Limits: No restriction.

*History Note: Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976.*

15A NCAC 10B .0214 WILDCAT (BOBCAT)

- (a) The open season for bobcat shall be the Monday on or nearest October 15 through the last day in February.
- (b) There shall be no restriction on bag limits.

*History Note: Authority G.S. 113-134; 113-291.2;
Eff. February 1, 1976;
Amended Eff. July 1, 1996; July 1, 1995; July 1, 1987; July 1, 1986; July 1, 1985.*

15A NCAC 10B .0215 CROWS

- (a) Open seasons for hunting crows are as follows: Wednesday, Friday, and Saturday of each week from the first Wednesday in June to the last day of February and on the following holidays: July 4, Labor Day, Thanksgiving, Christmas, New Years, and Martin Luther King, Jr., except when those days occur on a Sunday.
Note: Federal law protects crows and limits state seasons to a maximum of 124 days per year.
- (b) There are no bag limit restrictions on crows.
- (c) Manner of Take. Hunters may use electronic calls.

*History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 50 C.F.R. 20.133;
Eff. February 1, 1976;
Amended Eff. May 1, 2009; May 1, 2006; June 1, 2005; July 1, 1991; July 1, 1987; July 1, 1984; July 1, 1983;
Temporary Amendment Eff. October 1, 2011;
Amended Eff. August 1, 2017; January 1, 2012.*

15A NCAC 10B .0216 FALCONRY

- (a) Seasons. Except as provided in Paragraphs (d) and (e) of this Rule, the open seasons for the practice of falconry as permitted by the rules contained in 15A NCAC 10H .0800 coincides with the regular open seasons contained in this Section for squirrels, rabbits, quail, ruffed grouse and pheasant, and with the open seasons set forth in the Code of Federal Regulations for migratory game birds in this state.
- (b) Bag Limits. The daily bag, possession and season limits set forth in this Section for squirrels, rabbits, quail, ruffed grouse and pheasant and the daily bag, field possession, and total possession limits set forth in the Code of Federal Regulations for migratory game birds apply to falconry except as provided in Paragraph (e) of this Rule.
- (c) Out of Season Kills. When any raptor being used in falconry kills any species of wildlife for which there is no open season or a species of game on which the season is then closed, the falconer or person using the raptor shall not take the dead wildlife into his possession but shall leave the same where it lies, provided that the raptor may be allowed to feed on the dead wildlife before leaving the site of the kill. If the species so killed is a resident species of game on which there is a season limit, the kill shall be included as part of the season limit of the person using the raptor for falconry.
- (d) Hunting After Limit Taken. After a falconer has acquired the daily bag, possession or season limit of any lawful species, regardless of the manner of taking, the falconer shall not release any raptor.
- (e) Extended Seasons. An extended falconry season on rabbits is the Monday on or nearest October 15 until the last day of February. Bag limits for those portions of the season outside the regular seasons are three rabbits daily, and a possession limit of six.

*History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29;
Eff. September 1, 1979;
Amended Eff. August 1, 2012; May 1, 2008; July 1, 1998.*

15A NCAC 10B .0217 PISTOL SEASONS

The seasons for taking rabbits, squirrels, opossums, raccoons, furbearing animals, groundhogs, and crows by the use of pistols as authorized by G.S. 113-291.1(g) shall be the same as the hunting and trapping seasons established by the applicable rules of this Section and of Section .0300 of this Subchapter for the particular species.

History Note: Authority G.S. 113-134; 113-291.1(g); 50 C.F.R. 20.133;
Eff. August 1, 1980.

15A NCAC 10B .0218 LOCAL TURKEY SEASON CLOSED

History Note: Temporary Adoption Eff. April 2, 1982;
Authority G.S. 113-134; 113-291.2; 150B-13;
Repealed Eff. September 1, 1982.

15A NCAC 10B .0219 COYOTE

(a) This Rule applies to hunting coyotes. In all counties of the State, except those counties specified in Paragraph (b), the following apply:

- (1) There is no closed season for taking coyotes.
- (2) Coyotes may be taken on private lands anytime during the day or night.
- (3) Coyotes may be taken on public lands without a permit from the hours of one-half hour before sunrise until one-half hour after sunset, and from one-half hour after sunset to one-half hour before sunrise by permit only.

(b) In the counties of Beaufort, Dare, Hyde, Tyrell, and Washington, the following apply:

- (1) Coyote hunting on public lands is prohibited, except that coyotes may be taken on State-owned game lands by the holder of a permit for a specific special hunt opportunity for coyotes authorized by G.S. 113-264(d). Any special hunt for coyotes pursuant to G.S. 113-264(d) shall only allow hunting from the hours of one-half hour before sunrise until one-half hour after sunset. Contests or competition coyote hunts on public lands are prohibited. If, within a calendar year, two or more red wolves are shot by one or more hunters with a valid special hunt permit for coyotes on State game lands within the five counties identified in this Paragraph, all special hunts for coyotes on State game lands within those five counties shall be suspended for one calendar year.
- (2) There is no closed season for taking coyotes on private lands. Coyotes may be taken on private lands from hours of one-half hour before sunrise until one-half hour after sunset only.
- (3) Coyotes may be taken on private lands by permit only, and any take shall be reported within 24 hours to the Commission.
- (4) Coyote hunting permits are in addition to hunting licenses. Individuals exempted from license requirements under the provisions specified in G.S. 113-276 shall acquire the coyote hunting permits to hunt coyotes in the counties specified in this Paragraph. Coyote hunting permits are valid for one calendar year and are subject to annual renewal. These permits are non-transferable. Permit holders shall submit their harvest reports in order to be eligible for permit renewal.

(c) There are no bag limit restrictions on coyotes.

(d) Manner of Take. Hunters may use electronic calls and artificial lights.

History Note: Authority G.S. 113-134; 113-264; 113-291.1; 113-291.2;
Eff. July 1, 1993;
Temporary Amendment Eff. October 1, 2011;
Amended Eff. January 1, 2012;
Temporary Amendment Eff. August 1, 2014 and shall remain in effect until amendments expire as specified in G.S. 150B-21.1(d) or the United States District Court for the Eastern District of North Carolina's court order number 2:13-CV-60-BOs signed on May 13, 2014 is rescinded, whichever date is earlier. The court order is available at www.ncwildlife.org;
Amended Eff. July 26, 2013;
Temporary Amendment Eff. February 27, 2015;
Amended Eff. July 1, 2016.

15A NCAC 10B .0220 NUTRIA

- (a) There shall be no closed season.
- (b) There shall be no bag limit restrictions.

History Note: Authority G.S. 113-134; 113-291.2; 113-291.1(a);
Eff. July 1, 1996.

15A NCAC 10B .0221 STRIPED SKUNK

- (a) There shall be no closed season.
- (b) There shall be no bag limit restrictions.

History Note: Authority G.S. 113-134; 113-291; 113-291.2;
Eff. May 1, 2006.

15A NCAC 10B .0222 ARMADILLO

- (a) Open season. There is no closed season for taking armadillo by hunting.
- (b) Bag limits. There are no bag limit restrictions.

History Note: Authority G.S. 113-134; 113-291; 113-291.2;
Eff. August 1, 2010.

15A NCAC 10B .0223 FERAL SWINE

- (a) This Rule applies to hunting feral swine. There is no closed season for taking feral swine. Feral swine may be taken on private lands anytime during the day or night. Feral swine may be taken on public lands without a permit from the hours of one-half hour before sunrise until one-half hour after sunset, and from one-half hour after sunset to one-half hour before sunrise by permit only.
- (b) There are no bag limit restrictions on feral swine.
- (c) Hunters may use artificial lights and electronic calls.

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

15A NCAC 10B .0224 AMERICAN ALLIGATOR

- (a) The season for taking American alligators shall be September 1 to October 1.
- (b) Take shall be by permit only.
- (c) The bag limit shall be one per permit and the season limit is one.
- (d) American alligators shall be restrained before being killed. American alligators shall only be restrained using a hand-held restraining line or catch pole; a snatch hook attached to a hand-held restraining line or rod and reel; a harpoon or gig attached to a hand-held restraining line; a baited wooden peg less than two inches in length attached to a hand-held restraining line; or archery equipment with an arrow-attached restraining line.
- (e) American alligators restrained by any method specified in Paragraph (d) of this Rule shall be killed immediately upon capture.
- (f) Alligators may be taken day or night and with the use of artificial lights.
- (g) The use of baited hooks is prohibited.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2;
Eff. August 1, 2018.

15A NCAC 10B .0225 ELK

- (a) The season for taking elk by hunting shall be October 1 to November 1.
- (b) Hunting elk shall be by permit only.
- (c) The bag limit shall be one per permit.
- (d) Elk may be taken by any legal weapon as defined in G.S. 113-291.1.

History Note: Authority G.S. 113-134; 113-291; 113-291.1; 113-291.2;
Eff. August 1, 2016.

SECTION .0300 - TRAPPING

15A NCAC 10B .0301 DEFINITIONS

As used in this Section, the following definitions apply:

- (1) "Breakaway device" means any device incorporated into a snare or snare component that allows the loop to break open, and an animal to escape completely free of the snare, when a specified amount of force is applied.
- (2) "Collarum™-type trap" means any power-activated snare that is activated when the trigger is pulled and that is designed to capture and restrain the animal by a cable around the neck.
- (3) "Leghold" and "foothold" mean any trap designed to hold an animal by the foot.
- (4) "Loop stop" means a device that is attached to the snare cable to prevent the loop from closing beyond a specified point.
- (5) "Power-activated" means a snare on which the loop closure (speed or direction) is initiated or augmented by some type of powering device (e.g., a spring).
- (6) "Relaxing lock" means a snare lock that allows the snare loop to release constriction pressure on the captured animal when the cable is not taut.
- (7) "Snare" means any restraining device made from a cable and a locking mechanism.
- (8) "Steel-jaw" means any leghold or foothold trap in which the jaw(s) are made of metal.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.6;
Eff. January 1, 2011.

15A NCAC 10B .0302 PROHIBITED TAKING

It is unlawful for any person to trap, take, or have in possession any beaver, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel or wildcat (bobcat), except during the open seasons and in accordance with the limits set forth in Rules .0302 and .0303 of this Section or during the open seasons and within the limits prescribed for the particular species under 15A NCAC 10B .0200.

Note: See 15A NCAC 10B .0110 as to requirements of tagging and attending traps.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2;
Eff. February 1, 1976;
Amended Eff. August 1, 1977;
Recodified from Rule 10B .0301 Eff. January 1, 2011.

15A NCAC 10B .0303 OPEN SEASONS

(a) General. Following are the seasons for taking by trapping fur-bearing animals as defined in G.S. 113-129(7a), coyotes, armadillos, and groundhogs, all dates being inclusive:

- (1) November 1 through the last day of February except for that part of the state described in Subparagraph (2) of this Paragraph.
- (2) December 1 through the last day of February in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender and New Hanover counties.
- (3) Trapping coyotes is allowed during times and with methods described by local laws in counties where local laws have established fox trapping seasons even when those seasons fall outside the regular trapping seasons described above.
- (4) Nutria may be trapped east of I-77 at any time.

(b) Feral Swine. There is no closed season for trapping feral swine subject to the following restrictions:

- (1) In addition to a hunting or trapping license, a permit issued by the Wildlife Resources Commission is required to trap feral swine. Individuals exempted from license requirements under the provisions specified in G.S. 113-276 may trap feral swine without a hunting or trapping license, but must acquire the permit.

- (2) Feral swine may be live-trapped using only corral or box traps. Corral and box traps must be constructed in a manner such that a non-target animal can be easily released or can escape without harm. The permit number must be displayed on all traps.
- (3) Feral swine must be euthanized while in the trap and may not be removed alive from any trap.

Note: See 15A NCAC 10D .0102(f) for other trapping restrictions on game lands.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2;
 Eff. February 1, 1976;
 Amended Eff. July 1, 1996; July 1, 1984; July 1, 1983; August 1, 1982; August 1, 1981;
 Temporary Amendment Eff. July 1, 1999;
 Amended Eff. July 1, 2000;
 Temporary Amendment Eff. June 1, 2003;
 Amended Eff. August 1, 2010; May 1, 2009; November 1, 2008; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005; August 1, 2004;
 Recodified from Rule 10B .0302 Eff. January 1, 2011;
 Temporary Amendment Eff. December 29, 2011;
 Amended Eff. November 1, 2012.

15A NCAC 10B .0304 BAG LIMITS

There are no restrictions on bag limits of furbearers, coyotes, groundhogs, and feral swine.

Note: Where local laws govern trapping, or are in conflict with these regulations, the local law shall prevail.

History Note: Authority G.S. 113-134; 113-291.2;
 Eff. August 1, 1977;
 Amended Eff. May 1, 2009; May 1, 2008; June 1, 2005; July 1, 1996; July 1, 1984;
 Recodified from Rule 10B .0303 Eff. January 1, 2011;
 Temporary Amendment Eff. December 29, 2011;
 Amended Eff. November 1, 2012.

15A NCAC 10B .0305 TRAPS

(a) A steel-jaw or leghold trap set on dry land with a solid anchor shall not have a chain longer than eight inches unless the chain is fitted with a shock-absorbing device with at least 40 pounds and no more than 75 pounds of pressure to stretch or compress the device.

(b) A Collarum™-type trap shall:

- (1) Have a cable that is 3/16th inch in diameter, a loop stop with a minimum loop diameter of three inches, a relaxing lock, and a breakaway device that has been tested to break or disassemble at no more than 285 pounds of pull.
- (2) Have a set capture loop no less than 10 inches and no greater than 12 inches in diameter.
- (3) Be equipped with at least one swivel device between the loop and the anchor.
- (4) Be staked in a manner that does not allow the animal or the restraint device to reach any part of a fence or reach rooted, woody vegetation greater than ½ inch in diameter.
- (5) Not be set using a drag or used with a kill pole.

History Note: Authority G.S. 113-134; 113-291.6;
 Eff. May 1, 2007;
 Recodified from Rule 10B .0304 Eff. January 1, 2011;
 Amended Eff. January 1, 2011.

SECTION .0400 - TAGGING FURS

15A NCAC 10B .0401 DEFINITIONS

As used in this Section, the following definitions shall apply:

- (1) "Affix", when used in reference to attachment of a fur tag to the carcass or pelt of an animal, means permanent attachment of the tag through some portion of the carcass or pelt in such a manner as not to be removable without damage to the tag;
- (2) "Carcass" means the dead body of an animal from which the pelt thereof has not been removed;
- (3) "Fur dealer" means any person who is licensed under the provisions of Paragraph (f) of Section 113-273 of the General Statutes of North Carolina;
- (4) "Pelt" means the fur, hide, or skin of an animal which has been removed from the carcass thereof, but does not include a finished product which has been manufactured from such fur, hide or skin or is in the active process of such manufacture;
- (5) "Person" means any individual, firm, corporation or association which is authorized by law to act as an entity.

*History Note: Authority G.S. 113-129; 113-134; 113-273; 113-291.4;
Eff. November 14, 1978;
Amended Eff. January 1, 1992; August 1, 1981; October 1, 1980.*

15A NCAC 10B .0402 TAGGING FURS

(a) Except as provided in Rule .0404 and .0405 of this Section, it is unlawful to transport or to buy, sell, barter, trade, or otherwise transfer possession or ownership of the carcass or pelt of any bobcat, otter or fox without having affixed to such carcass or pelt an individual tag provided by the North Carolina Wildlife Resources Commission. Each such tag shall bear a serial number. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this paragraph shall apply only to tagging foxes.

(b) It is unlawful for any person to import into this State the carcass or pelt of any otter or bobcat which has not been previously affixed with a tag required and supplied by the state in which the animal was taken. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall no longer apply.

*History Note: Authority G.S. 113-134; 113-273; 113-276.1; 50 C.F.R. 23; 87 Stat. 884;
Eff. November 14, 1978;
Amended Eff. August 1, 2010; August 1, 2004; January 1, 1992; October 11, 1980; October 1, 1980.*

15A NCAC 10B .0403 APPLICATION FOR TAGS

(a) Fur tags shall be distributed in response to applications made on forms supplied by the Commission.

(b) The fees to be charged for each fur tag are as follows:

<u>Species</u>	<u>Fee</u>
Bobcat	2.20
Otter	2.20

(c) Foxes shall be tagged in accordance with G.S. 113-291.4(g). The carcasses or pelts of foxes lawfully taken and lawfully tagged in an area of open fox season, and those taken under a depredation permit, and those taken under a local law that permits foxes to be sold may be sold; provided that this Paragraph shall not authorize the sale of carcasses or pelts of foxes taken under a depredation permit in any county in which the sale of foxes or parts thereof is prohibited by local law.

*History Note: Authority G.S. 113-134; 113-270.1; 113-273; 113-276.1; 113-291.4;
Eff. November 14, 1978;
Amended Eff. April 1, 2003; January 1, 1992; August 1, 1988; July 1, 1988; July 1, 1984.*

15A NCAC 10B .0404 TRAPPERS AND HUNTERS

(a) Every fox taken in an area of open season as provided by G.S. 113-291.4 shall be tagged at the scene of taking.

(b) Every person taking any bobcat or otter in this State, or any foxes under a depredation permit, general statute, rule, or local law that permits taking, shall obtain and affix the appropriate tag to each carcass or pelt before selling or transferring the same to any person or transporting the same for any purpose, except that:

- (1) A person may transport the same from the place of taking to his North Carolina residence and from his North Carolina residence to a fur tag agent or taxidermist's place of business.

- (2) A person may transport the same from the place of taking to the nearest place in this State where the appropriate tag may be obtained.
- (3) The carcass, pelt or mounted specimen is exempt from tagging requirements while in the taxidermist's place of business or after the mount is completed.
- (4) A licensed trapper may take live foxes during any legal trapping season, except foxes taken under G.S. 113-291.4, without tagging them and sell them to a licensed controlled hunting preserve for fox in accordance with G.S. 113-273(g).

No carcass or pelt of any bobcat, otter or fox taken within this State may be removed from the state without an appropriate fur tag having been affixed thereto, except a licensed taxidermist may ship the same to a tannery for processing. Any carcass or pelt remaining in a person's possession after the end of the season, except those in a licensed taxidermist's place of business or his or her taxidermy preservation facility, shall be properly tagged by him or her within 30 days following the close of such season, provided that no tags shall be shipped from the Commission to a person 23 consecutive days from the close of the season. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(c) In any case where the taking of foxes with weapons or traps and the sale thereof is authorized by local legislation, except live foxes taken by licensed trappers who live-trap foxes for sale during any open season, the hunter or trapper taking any such fox shall, in the absence of a specific provision to the contrary, obtain and affix the carcass or pelt with an appropriate tag before selling or transferring the same to any other person, or transporting the same for any purpose than as authorized by Paragraph (a) of this Rule.

History Note: Authority G.S. 113-134; 113-276.1; 113-291.4; S.L. 1985, chs. 108, 179, 180, 664 and 722; Eff. November 14, 1978; Amended Eff. August 1, 2015; August 1, 2010; July 10, 2010; May 1, 2008; July 1, 1994; January 1, 1992; December 1, 1985; October 1, 1980.

15A NCAC 10B .0405 FUR DEALERS

(a) It is unlawful for any fur dealer licensed or otherwise authorized to deal in furs in this State, or any person or agent acting in his behalf, to buy or accept delivery from any person the carcass or pelt of any fox taken within the State which has not been previously affixed with a tag provided by the North Carolina Wildlife Resources Commission as required by this Section.

(b) It is unlawful for any fur dealer to import into this State the carcass or pelt of any otter or bobcat which has not been previously affixed with a tag required and supplied by the state in which the animal was taken. It is unlawful for any fur dealer, or agent of a fur dealer, to import into this State or to accept delivery of a carcass or pelt of any fox from a source located in any other state which does not by law or regulation require tagging of such carcasses or pelts, or a carcass or pelt of any fox which has not been tagged in accordance with the tagging requirements of the state from which it is imported, unless documentation of the date and hour of the arrival of such carcass or pelt at such fur dealer's place of business is available for inspection and such carcass or pelt is affixed with a fur tag provided by the North Carolina Wildlife Resources Commission within seven days after the date and hour of such arrival. No such carcass or pelt shall be resold or removed from such fur dealer's place of business without having been tagged as required by this Section. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(c) Any fur dealer or agent of a fur dealer authorized to do business in this State may import and accept delivery in this State of the carcass or pelt of any bobcat, otter or fox which has been affixed with a tag when and as required by the laws or regulations of the state from which such carcass or pelt is imported. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(d) Except as provided by Paragraph (b) of this Rule, it is unlawful for any fur dealer licensed to do business in this State to have in possession the carcass or pelt of any bobcat, otter or fox which has not been affixed with a fur tag provided by the North Carolina Wildlife Resources Commission or a tag required by the laws or regulations of the state from which the same was imported. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(e) Each fur dealer licensed to do business in this State shall maintain records of all acquisitions of carcasses and pelts of beaver, bobcat, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel, and foxes. Such records shall consist of receipts, copies of receipts, or other written evidence of the transactions showing the sources and numbers of acquisition. Each fur dealer shall provide the Wildlife Resources Commission with monthly reports, made on forms supplied by the Commission, summarizing all acquisitions of carcasses and pelts of such animals, except those which have been acquired

from and reported by other fur dealers licensed by the State. The reports shall include all such acquisitions made during each month beginning with October and ending with March of the following year; shall distinguish between acquisitions made within the State and those made from without the State; and, if acquired from within the State, shall indicate the counties in which the animals were taken. The report covering each month shall be mailed or delivered to the Commission on or before the 15th day of the next succeeding month. The records required by this Paragraph and the inventory of carcasses and pelts on hand shall be made available for inspection by any officer or representative of the Wildlife Resources Commission upon request at all reasonable times. In the case of nonresident fur dealers licensed to do business in this State, the records and reports required by this Paragraph apply only to carcasses or pelts of animals acquired from within this State, and no reports are required from nonresident fur dealers who acquire pelts only from other fur dealers licensed in the State.

(f) The tagging requirements of Paragraph (a) of Rule .0402 of this Section and of Paragraphs (b) and (d) of this Rule do not apply to the pelts or furs of foxes that are imported into this State by a fur dealer operating under a valid North Carolina Fur-Dealer Station License at a fixed place of business or to such pelts or furs delivered to the place of business of such fur dealer by a seller from another state provided that the following conditions are satisfied:

- (1) the nonresident seller is a licensed fur dealer in the state from which the pelts or furs originated;
- (2) the resident dealer has available for inspection a dated, signed bill of sale indicating the precise number of green pelts and dry pelts of fox purchased in each lot of imported fur; the name, address, and fur dealer license number of the seller; and the date of arrival of the lot of pelts at the licensed place of business;
- (3) imported green pelts of fox are kept separate from the green pelts of native fox during processing and are readily identifiable as to imported lot number and bill of sale;
- (4) imported dry pelts of fox are not batched with native dry pelts of fox unless such pelts are marked in a manner that readily identifies them as to imported lot number and bill of sale;
- (5) such imported, untagged pelts of fox are imported, processed, and stored only for sale and export to buyers in other states; and
- (6) such imported, untagged pelts of fox are not held on the premises for longer than 21 days from the date of arrival without having been tagged as required by Rule .0402(a) of this Section.

History Note: Authority G.S. 113-129; 113-134; 113-273; 113-291.3; 113-291.4; 50 C.F.R. 23; 87 Stat. 884; Eff. November 14, 1978; Amended Eff. August 1, 2010; January 1, 1992; December 1, 1981; August 1, 1981; February 2, 1981.

15A NCAC 10B .0406 MISUSE OF TAGS

(a) It is unlawful for any person to affix any fur tag to the carcass or pelt of any species of animal other than that for which its use is authorized and it is unlawful to buy or sell any bobcat, otter, or fox carcass or pelt which has an unauthorized tag so affixed. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

(b) It is unlawful for any person to sell or transfer any unused fox tag to any other person. It is unlawful for any person to sell any unused fur tag for a price greater than the fee listed for such tag in Paragraph (c) of Rule .0403 of this Section.

(c) It is unlawful for any person to reuse a fur tag or to remove the same from the pelt to which affixed prior to delivery to a manufacturer or fur processor.

(d) It is unlawful to counterfeit or modify any fur tag.

History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-273; 113-276.1; 113-291.4; Eff. November 14, 1978; Amended Eff. August 1, 2017; August 1, 2010; January 1, 1992; December 1, 1981; October 1, 1980.

15A NCAC 10B .0407 REVOCATION AND NONRENEWAL OF LICENSES

History Note: Authority G.S. 113-134; 113-276.2; 113-276.3; 113-277; Eff. October 1, 1980; Repealed Eff. July 1, 1988.

15A NCAC 10B .0408 FOX DEALER PERMIT

History Note: Authority G.S. 113-134; 113-274; 113-291.3; 113-291.4;
Eff. November 1, 1982;
Repealed Eff. July 1, 1988.

15A NCAC 10B .0409 SALE OF LIVE FOXES AND COYOTES TO CONTROLLED FOX HUNTING PRESERVES

Licensed trappers may, subject to the restrictions on taking foxes in G.S.113- 291.4, live-trap foxes and coyotes during any open trapping season for foxes and coyotes, and sell them to licensed controlled fox hunting preserves in accordance with the following conditions:

- (1) Licensed trappers are exempt from caging, captivity permit or captivity license requirements set forth in 15A NCAC 10H .0300 for any live-trapped foxes or coyotes trapped for the purpose of sale to controlled hunting preserves. This exemption shall apply during the trapping season and for a period of 10 days after the trapping season.
- (2) Licensed trappers are exempt from tagging requirements set forth in this Section so long as the foxes are kept alive.

History Note: Authority G.S. 113-134; 113-273(g);113-291.4;
Eff. January 1, 1992;
Amended Eff. July 10, 2010; June 1, 2004.