

1 15A NCAC 10C .0302 is readopted with changes as published in 35:22 NCR 2433 as follows:

2
3 **15A NCAC 10C .0302 MANNER OF TAKING INLAND GAME FISHES**

4 (a) ~~Except as provided in this Rule, it is unlawful for any person to take inland game fishes from any of the waters of~~
5 ~~North Carolina by any method other than with hook and line. Inland game fishes may only be taken with hook and~~
6 ~~line unless otherwise provided. Landing nets may be used to land fishes caught on hook and line. Game fishes taken~~
7 ~~incidental to commercial fishing operations in joint fishing waters or coastal fishing waters shall be immediately~~
8 ~~returned to the water unharmed. Game fishes taken incidental to the use of special devices for taking nongame fishes~~
9 ~~from inland fishing waters as authorized in Rule .0402 of this Subchapter or as authorized by 15A NCAC 10C .0407~~
10 ~~by anglers licensed under G.S. 113-272.2(c) shall be immediately returned to the water unharmed, except that a daily~~
11 ~~creel limit of American and hickory shad may be taken with dip nets and bow nets from March 1 through April 30 in~~
12 ~~those waters where such gear may be lawfully used, and white perch may be taken when captured in a cast net being~~
13 ~~used to collect nongame fishes in all impounded waters west of Interstate 95 and in the Tar River Reservoir (Nash~~
14 ~~County).~~

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

16 (c) Game fishes taken incidental to:

17 (1) commercial fishing operations in joint fishing waters or coastal fishing waters shall be immediately
18 returned to the water unharmed.

19 (2) the use of special devices for taking nongame fishes from inland fishing waters as authorized in
20 Rule .0402 of this Subchapter or as authorized by 15A NCAC 10C .0407 by anglers licensed under
21 G.S. 113-272.2(c) shall be immediately returned to the water unharmed except:

22 (A) that a daily creel limit of American and hickory shad may be taken with dip nets and bow
23 nets from March 1 through April 30 in those waters where such gear may be lawfully used;
24 and

25 (B) white perch may be taken when captured in a cast net being used to collect nongame fishes
26 in all impounded waters west of Interstate 95 and in the Tar River Reservoir (Nash County).

27 ~~(b)- (d)~~ (d) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless hook or a lure
28 with a single barbless hook may be used from 1 April to 30 June. **Barbless “Barbless”** as used in this **Rule, Rule**
29 requires that the hook does not have a barb or the barb is bent down.

30
31 *History Note: Authority G.S. 113-134; ~~113-273~~; 113-272.3; 113-292; ~~113-302~~;*

32 *Eff. February 1, 1976;*

33 *Amended Eff. July 1, 1996; October 1, 1994; July 1, 1993; May 1, 1992; January 1, 1982;*

34 *Temporary Amendment Eff. November 1, 1998;*

35 *Amended Eff. August 1, 2014; August 1, 2002; April 1, 1999.*

36 *Readopted Eff. September 1, 2021.*

1 15A NCAC 10C .0307 is readopted with changes as published in 35:22 NCR 2433 as follows:

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3 **15A NCAC 10C .0307 FLOUNDER, SEA TROUT, AND RED DRUM**

4 In inland fishing waters, Sea Trout (Spotted or Speckled), Flounder, and Red Drum (also known as Channel Bass, Red
5 Fish or Puppy Drum) recreational seasons, size ~~limits~~ limits, and creel limits are the same as those established in the
6 Rules of the Marine Fisheries Commission or proclamations issued by the Fisheries Director in adjacent joint or
7 coastal fishing waters.

8

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

10 *Eff. November 1, 2013;*

11 *Readopted Eff. September 1, 2021.*

12

13

1 15A NCAC 10C .0311 is readopted with changes as published in 35:22 NCR 2433 as follows:

2

3 **15A NCAC 10C .0311 ROANOKE AND ROCK BASS**

4 (a) There is no daily creel limit ~~and no minimum size limit~~ for Roanoke and Rock Bass, except for waters identified
5 in Paragraph ~~(b)~~ **(e)** **(d)** of this Rule. ~~There is no closed season for Roanoke and Rock Bass.~~

6 (b) There is no minimum size limit, except for waters identified in Paragraph (d) of this Rule.

7 ~~(b)~~ (c) There is no closed season.

8 (d) In all public fishing waters east of Interstate 77, the daily creel limit for Roanoke and Rock Bass is two fish in the
9 aggregate and the minimum size for these fish is eight inches.

10

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

12 *Eff. November 1, 2013;*

13 *Readopted Eff. September 1, 2021.*

14

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1 15A NCAC 10C .0315 is readopted with changes as published in 35:22 NCR 2434 as follows:

2

3 **15A NCAC 10C .0315 SUNFISH**

4 (a) For purposes of this Rule, Sunfish include bluegill, redbreast, redear, pumpkinseed, warmouth, ~~flier~~ flier, and all
5 other species of the sunfish family (Centrarchidae) not specified in 15A NCAC 10C .0305, ~~15A NCAC 10C .0306~~
6 ~~.0306~~, and ~~15A NCAC 10C .0311~~, ~~.0311~~, ~~[NCAC 10C] .0321~~, ~~[NCAC 10C] .0322~~, ~~[NCAC 10C]~~ or ~~.0323~~.

7 (b) There is no daily creel limit for Sunfish, except for waters identified in Paragraph ~~(e)~~ (c) of this Rule. ~~There is no~~
8 ~~minimum size limit for these fish. There is no closed season.~~

9 (c) There is no minimum size limit.

10 (d) There is no closed season.

11 ~~(e)~~ (c) In the following waters and all their tributaries, the daily creel limit for Sunfish is 30 in the aggregate, no more
12 than 12 of which may be Redbreast Sunfish:

- 13 (1) Roanoke River downstream of Roanoke Rapids Dam;
- 14 (2) Tar River downstream of Tar River Reservoir Dam;
- 15 (3) Neuse River downstream of Falls Lake Dam;
- 16 (4) Haw River downstream of Jordan Lake Dam;
- 17 (5) Deep River downstream of Lockville Dam;
- 18 (6) Cape Fear River;
- 19 (7) Waccamaw River downstream of Lake Waccamaw Dam;
- 20 (8) Lumber River including Drowning Creek; and
- 21 (9) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County.

22

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

24 *Eff. November 1, 2013;*

25 *Readopted Eff. September 1, 2021.*

26

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1 Rule 15A NCAC 10C .0501 was published as a readoption in 35:22 NCR 2434 but is now repealed as follows:

2

3 **15A NCAC 10C .0501 SCOPE AND PURPOSE**

4 ~~To establish and protect those fragile inland waters which support embryonic, larval or juvenile populations of marine~~
5 ~~or estuarine fish or crustacean species. These Rules will set forth permanent nursery areas in inland fishing waters.~~
6 ~~Nursery areas are necessary for the early growth and development of virtually all of North Carolina's important marine~~
7 ~~or estuarine fish or crustacean species. Nursery areas need to be maintained, as much as possible, in their natural state,~~
8 ~~and the fish and crustacean populations within them must be permitted to develop in a normal manner with as little~~
9 ~~interference from man as possible.~~

10

11 *History Note: Authority G.S. 113-132; 113-134;*

12 *Eff. September 1, 1990;*

13 *Amended Eff. July 1, 2000.*

14 *Repealed Eff. October 1, 2021.*

15

1 15A NCAC 10C .0502 is readopted with changes as published in 35:22 NCR 2434 as follows:

2

3 **15A NCAC 10C .0502 PRIMARY NURSERY AREAS DEFINED**

4 Primary nursery areas are defined as those areas inhabited by the embryonic, larval, or juvenile life stages of
5 marine or estuarine fish or crustacean species due to favorable physical, chemical, or biological factors.

6

7 *History Note: Authority G.S. 113-132; 113-134;*

8 *Eff. August 1, 1990;*

9 *Amended Eff. July 1, 2000.*

10 *Readopted Eff. September 1, 2021.*

1 15A NCAC 10C .0503 is readopted with changes as published in 35:22 NCR 2434 as follows:

2

3 **15A NCAC 10C .0503 DESCRIPTIVE BOUNDARIES**

4 The following waters have been designated as primary nursery areas:

5 (1) North River:

6 (a) Broad Creek - Camden County - Entire stream;

7 (b) Deep Creek - Currituck County - Entire stream; **and**

8 (c) Lutz Creek - Currituck County - Entire stream.

9 (2) Alligator River:

10 (a) East Lake - Dare County - Inland waters portion; **and**

11 (b) Little Alligator River - Tyrrell County - Entire stream.

12 (3) Currituck Sound:

13 (a) Martin Point Creek - Dare County - Entire stream (Jean Guite Creek); **and**

14 (b) Tull Creek and Bay - Currituck County - Tull Bay to mouth of Northwest River; Tull Creek
15 from mouth upstream to SR 1222 bridge.

16 (4) Pamlico River:

17 (a) Duck Creek - Beaufort County - Entire stream;

18 (b) Bath Creek - Beaufort County - Entire stream;

19 (c) Mixons Creek - Beaufort County - Entire stream;

20 (d) Porter Creek - Beaufort County - Entire stream;

21 (e) Tooleys Creek - Beaufort County - Entire stream;

22 (f) Jacobs Creek - Beaufort County - Entire stream;

23 (g) Jacks Creek - Beaufort County - Entire stream;

24 (h) Bond Creek - Beaufort County - Entire stream;

25 (i) Muddy Creek - Beaufort County - Entire stream;

26 (j) Strawhorn Creek - Beaufort County - Entire stream;

27 (k) South Prong Wright Creek - Beaufort County - Entire stream; **and**

28 (l) Jordan Creek - Beaufort County - Entire stream.

29 (5) Neuse River:

30 (a) Slocum Creek - Craven County - Entire stream; **and**

31 (b) Hancock Creek - Craven County - Entire stream.

32 (6) New River:

33 (a) French Creek - Onslow County - Entire stream; **and**

34 (b) New River - Onslow County - US Highway 17 bridge to NC 24/US 258 bridge.

35 (7) Roanoke River: Halifax and Northampton counties - US 258 bridge to Roanoke Rapids dam.

36 (8) Tar-Pamlico River: Nash, Edgecombe, Pitt and Beaufort counties - N&S railroad at Washington
37 upstream to Rocky Mount Mills Dam.

- 1 (9) Neuse River: Wake, Johnston, Wayne, Lenoir, Pitt and Craven counties - Pitchkettle Creek
2 upstream to Milburnie Dam.
- 3 (10) Cape Fear River: Chatham, Lee, Harnett, Cumberland and Bladen counties - Lock and Dam No. 1
4 upstream to Buckhorn Dam.
- 5 (11) Albemarle Sound: Peter Mashoes Creek – Dare County – Entire Stream.
- 6 (12) Croatan Sound: Spencer Creek – Dare County – Entire Stream.
- 7 (13) White Oak River: Onslow and Jones counties – Grants Creek upstream to Gibson Bridge Road (SR
8 1118).
- 9 (14) Northeast Cape Fear River: Pender County – NC 210 bridge upstream to NC 53 bridge.

10

11 *History Note: Authority G.S. 113-132; 113-134;*
12 *Eff. August 1, 1990;*
13 *Amended Eff. May 1, 2008; November 1, 2007; August 1, 2004; July 1, 2000; July 1, 1993;*
14 *Readopted Eff. September 1, 2021.*

1 Rule 15A NCAC 10C .0601 was published as a readoption in 35:22 NCR 2434 but is now repealed as follows:

2

3 **15A NCAC 10C .0601 SCOPE AND PURPOSE**

4 ~~To establish and protect those inland waters which function as spawning areas for anadromous fishes. These Rules~~
5 ~~will set forth anadromous fish spawning areas in inland fishing waters. Anadromous fish spawning areas are necessary~~
6 ~~for the spawning and early development of North Carolina's important anadromous fishes. Anadromous fish spawning~~
7 ~~areas provide the physical, biological, and chemical attributes necessary for anadromous fishes to spawn successfully.~~

8

9 *History Note: Authority G.S. 113-132; 113-134;*

10 *Eff. May 1, 2008.*

11 *Repealed Eff. October 1, 2021.*

12

1 15A NCAC 10F .0317 is amended with changes as published in 35:22 NCR 243 as follows:

2
3 **15A NCAC 10F .0317 STANLY COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the following waters described as follows:

5 (1) ~~Badin Lake; and Lake, within 50 yards northeast and southwest of the section of railroad trestle~~
6 ~~designed for vessel traffic, northwest of the Old Whitney Boating Access Area near the Stanly-~~
7 ~~Montgomery County line.~~

8 (2) Lake Tillery.

9 (A) Turner Beach Cove shore to shore, south of a point at 35.22529 N, 80.09318 W; and

10 (B) The waters within 50 yards of the fuel docks at the Boathouse and Marina at 712 Berry
11 Hill Drive in Norwood.

12 (b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any
13 public boat launching ramp while on the waters of a regulated area described in Paragraph (a) of this Rule.

14 (c) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any
15 marked public swimming area on the waters of a regulated area described in Paragraph (a) of this Rule.

16 (d) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated area
17 described in Paragraph (a) of this Rule.

18 (e) Placement of Markers. The North Carolina Wildlife Resources Commission shall be the designated agency for
19 placement and maintenance of the markers implementing Part (a)(1) of this Rule. The Board of Commissioners of
20 Stanly County shall be the designated agency for placement of markers implementing Parts (a)(2)(A) and (B) of this
21 Rule.

22
23 *History Note: Authority G.S. 75A-3; 75A-15;*

24 *Eff. February 1, 1976;*

25 *Amended Eff. July 1, 1995; March 25, 1978; November 1, 1977;*

26 *Temporary Amendment Eff. June 1, 1998;*

27 *Amended Eff. July 1, 2000; April 1, 1999; July 1, 1998;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
29 *6, 2016;*

30 *Amended Eff. October 1, 2018;*

31 *Emergency Amendment Eff. July 30, 2019;*

32 *Temporary Amendment Eff. June 1, 2020; October 1, 2019;*

33 *Temporary Amendment Expired February 26, 2021;*

34 *Amended Eff. October 1, 2021; February 1, 2021.*

1 15A NCAC 10F .0327 is amended with changes as published in 35:22 NCR 2434-2435 as follows:

2
3 **15A NCAC 10F .0327 MONTGOMERY COUNTY**

4 (a) Regulated Areas. This Rule shall apply to the waters and portions of waters described as follows:

5 (1) Badin Lake.

6 (A) the cove west of Lakeshore Drive and east of Strand Drive, southeast of a line at the mouth
7 of the cove from a point on the east shore at 35.49242 N, 80.09241 W to a point on the
8 west shore at 35.49242 N, 80.09241 W;

9 (B) Lake Forest Drive Cove shore to shore, west of a point 50 yards east of the fueling site at
10 the marina at 35.48739 N, 80.10918 W;

11 (C) Garr Creek shore to shore, north of a line beginning at a point on the east shore at 35.47952
12 N, 80.13633 W to a point on the west shore at 35.47946 N, 80.13932 W; **and**

13 (D) the channel between Beyer's Island and the mainland, shore to shore beginning at a line
14 from a point on Beyer's Island at 35.49102 N, 80.10221 W to a point on the mainland at
15 35.49230 N, 80.10241 W, ending at a line westward, from a point on Beyer's Island at
16 35.48988 N, 80.10573 W to a point on the mainland at ~~35.49077 N, 80.10702 W.~~ 35.49077
17 N, 80.10702 W; and

18 (E) within 50 yards of the fueling station at the Old North State Marina at the entrance to a
19 cove within the Uwharrie Point community.

20 (2) Lake Tillery.

21 (A) the waters within 50 yards of the boat ramp in the south end of Woodrun Cove at 35.33113
22 N, 80.06277 W;

23 (B) Carolina Forest Cove shore to shore and the waters within 50 yards of the boat ramps and
24 boat slips at the end of Arroyo Drive in Carolina Forest Community, from a point on the
25 south shore at 35.36276 N, 80.05386 W, northeast to a point on the north shore at 35.36405
26 N, 80.05304 W; and

27 (C) Lilly's Bridge Boating Access Area shore to shore, from line 25 feet north of the SR 1110
28 bridge otherwise known as Lillys Bridge Road at a point on the east shore at 35.23223 N,
29 80.06166 W, to a point on the west shore at 35.23289 N, 80.06318 W, to a line 200 feet
30 southwest of the Lilly's Bridge Boating Access Area, from a point on the east shore at
31 35.23067 N; 80.06262 W, to a point on the west shore at 35.23156 N; 80.06437 W.

32 (3) Tuckertown Reservoir.

33 (b) Speed Limit Near Shore Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards
34 of any marked boat launching area, dock, pier, bridge, marina, boat storage structure, or boat service area on the waters
35 of the regulated areas described in Paragraph (a) of this Rule.

36 (c) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any regulated area described
37 in Paragraph (a) of this Rule.

1 (d) Badin Lake Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to
2 enter the marked swimming area on Badin Lake at the Pinehaven Village beach area at 370 Pinehaven Drive in New
3 London, within 50 feet of the shoreline between points at 35.49927 N, 80.11428 W; and 35.49934 N, 80.11437 W.

4 (e) Placement of Markers. The Board of Commissioners of Montgomery County shall be the designated agency for
5 placement of the markers implementing Parts (a)(1)(A), (B), (C), (D), (E), (2)(A) and (B), and Subparagraph (a)(3) of
6 this Rule. The North Carolina Wildlife Resources Commission is the designated agency for placement and
7 maintenance of the markers implementing Part (a)(2)(C) of this Rule. The Board of Commissioners of Montgomery
8 County shall be the designated agency for placement and maintenance of the ropes and markers implementing
9 Paragraph (d) of this Rule.

10
11 *History Note: Authority G.S. 75A-3; 75A-15;*
12 *Eff. November 1, 1977;*
13 *Amended Eff. December 1, 1990; May 1, 1989; March 25, 1978;*
14 *Temporary Amendment Eff. June 1, 1998;*
15 *Amended Eff. April 1, 1999; July 1, 1998;*
16 *Temporary Amendment Eff. July 1, 2002;*
17 *Amended Eff. August 1, 2006; June 1, 2005; April 1, 2003;*
18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
19 *6, 2016;*
20 *Amended Eff. October 1, 2018; April 1, 2017;*
21 *Emergency Amendment Eff. July 30, 2019;*
22 *Temporary Amendment Eff. October 1, 2019;*
23 *Amended Eff. May 1, 2020;*
24 *Temporary Amendment Eff. June 1, 2020;*
25 *Temporary Amendment Expired March 12, 2021;*
26 *Amended Eff. October 1, 2021.*

1 15A NCAC 10I .0103 is readopted with changes as published in 35:22 NCR 2436-2437 as follows:

2
3 **15A NCAC 10I .0103 ENDANGERED SPECIES LISTED**

4 (a) The following species of resident wildlife shall be designated as federally-listed endangered species:

- 5 (1) Amphibians: None Listed At This Time.
- 6 (2) Birds:
- 7 (A) Bachman's warbler (*Vermivora bachmanii*);
- 8 (B) Ivory-billed woodpecker (*Campephilus principalis*);
- 9 ~~(C) Kirtland's warbler (*Setophaga kirtlandii*);~~
- 10 ~~(D)~~(C) Piping plover (*Charadrius melodus circumcinctus*);
- 11 ~~(E)~~(D) Red-cockaded woodpecker (~~*Picoides*~~ *Dryobates borealis*); and
- 12 ~~(F)~~(E) Roseate tern (*Sterna dougallii dougallii*).
- 13 (3) Crustacea: None Listed At This Time.
- 14 (4) Fish:
- 15 (A) Cape Fear shiner (*Notropis mekistocholas*);
- 16 (B) Roanoke logperch (*Percina rex*);
- 17 (C) Shortnose sturgeon (*Acipenser brevirostrum*), when found in inland fishing waters as
- 18 defined in G.S. 113-291(9)a, 113-129(9)a and (9)b.; and
- 19 (D) Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), when found in inland fishing waters.
- 20 (5) Mammals:
- 21 (A) Carolina northern flying squirrel (*Glaucomys sabrinus coloratus*);
- 22 (B) Eastern cougar (*Puma concolor*);
- 23 (C) Gray bat (*Myotis grisescens*);
- 24 (D) Indiana bat (*Myotis sodalis*);
- 25 (E) Manatee (*Trichechus manatus*), when found in inland fishing waters; and
- 26 (F) Virginia big-eared bat (*Corynorhinus townsendii virginianus*).
- 27 (6) Mollusks:
- 28 (A) Appalachian elktoe (*Alasmidonta raveneliana*);
- 29 (B) Carolina heelsplitter (*Lasmigona decorata*);
- 30 (C) Dwarf wedgemussel (*Alasmidonta heterodon*);
- 31 (D) James spinymussel (~~*Pleurobema*~~ (*Parvaspina collina*);
- 32 (E) Littlewing pearlymussel (*Pegias fabula*);
- 33 (F) Tan riffleshell (*Epioblasma florentina walkeri*); and
- 34 (G) Tar River spinymussel (~~*Elliptio*~~ (*Parvaspina steinstansana*).
- 35 (7) Reptiles:
- 36 (A) Kemp's ridley seaturtle (*Lepidochelys kempii*);
- 37 (B) Atlantic hawksbill seaturtle (*Eretmochelys imbricata imbricata*); and

- 1 (C) Leatherback sea turtle (*Dermochelys coriacea*).
- 2 (b) The following species of resident wildlife shall be designated as ~~state-listed~~ State-listed endangered species:
- 3 (1) Amphibians:
- 4 (A) Gopher frog (*Rana* [=*Lithobates*] *capito*);
- 5 ~~(B)~~ (B) Hickory Nut Gorge green salamander (*Aneides* ~~[*carvanensis*]~~ *caryaensis*);
- 6 ~~(B)(C)~~ Ornate chorus frog (*Pseudacris ornata*); and
- 7 ~~(C)(D)~~ River frog (*Rana* [=*Lithobates*] *heckscheri*).
- 8 (2) Birds:
- 9 (A) American peregrine falcon (*Falco peregrinus anatum*);
- 10 (B) Bewick's wren (*Thryomanes bewickii*);
- 11 (C) Common tern (*Sterna hirundo*);
- 12 (D) Henslow's sparrow ~~(*Ammodramus* (*Centronyx henslowii*))~~; and
- 13 (E) Wayne's black-throated green warbler (*Setophaga virens waynei*).
- 14 (3) Crustacea: ~~Bennett's Mill cave water slater (*Caecidotea carolinensis*)~~.
- 15 (A) Bennett's Mill cave water slater (*Caecidotea carolinensis*); and
- 16 (B) Waccamaw crayfish (*Procambarus braswelli*).
- 17 (4) Fish:
- 18 (A) Blotchside logperch (*Percina burtoni*);
- 19 (B) Bridle shiner (*Notropis bifrenatus*);
- 20 ~~(C)~~ (C) ~~Dusky darter (*Percina sciera*)~~;
- 21 ~~(D)(C)~~ Orangefin madtom (*Noturus gilberti*);
- 22 ~~(E)(D)~~ Paddlefish (*Polyodon spathula*);
- 23 ~~(F)(E)~~ Robust redbreast (*Moxostoma robustum*);
- 24 ~~(G)(F)~~ Rustyside sucker (*Thoburnia hamiltoni*);
- 25 ~~(H)(G)~~ Sharpnose darter (*Percina oxyrhynchus*); and
- 26 ~~(I)(H)~~ Stonecat (*Noturus flavus*).
- 27 (5) Mammals: None Listed At This Time.
- 28 (6) Mollusks:
- 29 (A) Atlantic pigtoe (*Fusconaia masoni*);
- 30 (B) Barrel floater ~~(*Anodonta* (*Utterbackiana couperiana*))~~;
- 31 (C) Brook floater (*Alasmidonta varicosa*);
- 32 (D) Carolina creekshell (*Villosa vaughaniana*);
- 33 (E) Fragile glyph (*Glyphyalinia clingmani*);
- 34 (F) Green floater (*Lasmigona subviridis*);
- 35 (G) Greenfield rams-horn (*Helisoma eucosmium*);
- 36 (H) Knotty elimia (*Elimia christyi*);
- 37 (I) Longsolid (*Fusconaia subrotunda*);

- 1 (J) Magnificent rams-horn (*Planorbella magnifica*);
- 2 (K) Purple wartyback (*Cyclonaias tuberculata*);
- 3 (L) Savannah lilliput (*Toxolasma pullus*);
- 4 (M) Slippershell mussel (*Alasmidonta viridis*);
- 5 (N) Tennessee clubshell (*Pleurobema oviforme*);
- 6 (O) Tennessee heelsplitter (*Lasmigona holstonia*);
- 7 (P) Tennessee pigtoe (~~*Fusconaia*~~ (*Pleuronaia barnesiana*); and
- 8 (Q) Yellow lampmussel (*Lampsilis ~~cariosa~~; cariosa*); and
- 9 (~~R~~) ~~Yellow lance (*Elliptio lanceolata*)~~.

10 (7) Reptiles:

- 11 (A) Eastern coral snake (*Micrurus fulvius fulvius*); and
- 12 (B) Eastern diamondback rattlesnake (*Crotalus ~~adamanteus~~; adamanteus*); and
- 13 (C) Mimic glass lizard (*Ophisaurus mimicus*).

14

15 *History Note: Authority G.S. 113-134; 113-291.2; 113-292; 113-333;*

16 *Eff. June 11, 1977;*

17 *Amended Eff. September 1, 2021, October 1, 2017; August 1, 2016; May 1, 2008; April 1, 2001;*

18 *February 1, 1994; November 1, 1991; April 1, 1991; June 1, 1990;*

19 *Readopted Eff. September 1, 2021.*

20

1 15A NCAC 10I .0104 is readopted with changes as published in 35:22 NCR 2437-2438 as follows:

2

3 **15A NCAC 10I .0104 THREATENED SPECIES LISTED**

4 (a) The following species of resident wildlife shall be designated as federally-listed threatened species:

5 (1) Amphibians: None Listed At This Time.

6 (2) Birds:

7 (A) Eastern black rail (*Laterallus jamaicensis jamaicensis*);

8 ~~(A)(B)~~ Piping plover (*Charadrius melodus melodus*);

9 ~~(B)(C)~~ Red knot (*Calidris canutus rufa*); and

10 ~~(C)(D)~~ Wood stork (*Mycteria americana*).

11 (3) Crustacea: None Listed At This Time.

12 (4) Fish:

13 (A) Spotfin chub (*Erimonax monachus*); and

14 (B) Waccamaw silverside (*Menidia extensa*).

15 (5) Mammals: Northern long-eared bat (*Myotis septentrionalis*)

16 (6) Mollusks: ~~Noonday globe (*Patera clarki nantahala*).~~

17 (A) Noonday globe (*Patera clarki nantahala*); and

18 (B) Yellow lance (*Elliptio lanceolata*).

19 (7) Reptiles:

20 (A) Bog turtle (*Glyptemys muhlenbergii*);

21 (B) American alligator (*Alligator mississippiensis*);

22 (C) Green sea turtle (*Chelonia mydas*); and

23 (D) Loggerhead sea turtle (*Caretta caretta*).

24 (b) The following species of resident wildlife are designated as ~~state-listed~~ **State-listed** threatened species:

25 (1) Amphibians:

26 (A) Eastern tiger salamander (*Ambystoma tigrinum tigrinum*);

27 (B) Green salamander (*Aneides aeneus*);

28 (C) Junaluska salamander (*Eurycea junaluska*);

29 (D) Long-tailed salamander (*Eurycea longicauda longicauda*);

30 ~~(D)(E)~~ Mabee's salamander (*Ambystoma mabeei*); ~~and~~

31 (F) Pine Barrens tree frog (*Hyla andersonii*); and

32 ~~(E)(G)~~ Wehrle's salamander (*Plethodon wehrlei*).

33 (2) Birds:

34 (A) Bald eagle (*Haliaeetus leucocephalus*);

35 (B) Caspian tern (*Hydroprogne caspia*);

36 (C) Gull-billed tern (*Gelochelidon nilotica aranea*); and

37 (D) Northern saw-whet owl (*Aegolius acadicus*).

- 1 (3) Crustacea: ~~None Listed At This Time.~~
- 2 (A) Broad River spiny crayfish (Cambarus spicatus);
- 3 (B) French Broad crayfish (Cambarus reburus);
- 4 (C) Pamlico crayfish (Procambarus medialis);
- 5 (D) Sandhills crayfish (Procambarus pearsei); and
- 6 (E) South Mountains crayfish (Cambarus franklini).
- 7 (4) Fish:
- 8 (A) Bigeye jumprock (Moxostoma ariommum);
- 9 (B) Carolina madtom (Noturus furiosus);
- 10 (C) Carolina pygmy sunfish (Elassoma boehlkei);
- 11 (D) Carolina redhorse (Moxostoma ~~sp.~~ sp.); ~~(Pee Dee River and its tributaries and Cape Fear~~
- 12 ~~River and its tributaries);~~
- 13 (E) Least brook lamprey (Lampetra aepyptera);
- 14 (F) Logperch (Percina caprodes);
- 15 (G) Mimic shiner (Notropis volucellus);
- 16 (H) Rosyface chub (Hybopsis rubrifrons);
- 17 (I) Sharphead darter (Etheostoma acuticeps);
- 18 (J) Sicklefin redhorse (Moxostoma ~~sp.~~ sp.); ~~(Hiwassee River and its tributaries and Little~~
- 19 ~~Tennessee River and its tributaries);~~
- 20 (K) Turquoise darter (Etheostoma inscriptum); and
- 21 (L) Waccamaw darter (Etheostoma perlongum).
- 22 (5) Mammals:
- 23 (A) Eastern woodrat (Neotoma floridana floridana);
- 24 (B) Rafinesque's big-eared bat (Corynorhinus rafinesquii rafinesquii); and
- 25 (C) Red wolf (Canis rufus).
- 26 (6) Mollusks:
- 27 (A) Alewife floater (~~Anodonta~~ Utterbackiana implicata);
- 28 (B) Big-tooth covert (Fumonelix jonesiana);
- 29 (C) Cape Fear threetooth (Triodopsis soelneri);
- 30 ~~(D) Carolina fatmucket (Lampsilis radiata conspicua);~~
- 31 ~~(E)(D)~~ Eastern lampmussel (Lampsilis radiata ~~radiata~~);
- 32 ~~(F)(E)~~ Eastern pondmussel (Ligumia nasuta);
- 33 ~~(G)(F)~~ Engraved covert (Fumonelix orestes);
- 34 ~~(H)(G)~~ Mountain creekshell (Villosa vanuxemensis);
- 35 ~~(I)(H)~~ Notched rainbow (Villosa constricta);
- 36 ~~(J)(I)~~ Rainbow (Villosa iris);
- 37 ~~(K)(J)~~ Roan supercoil (Paravitrea varidens);

- 1 ~~(L)~~(K) Sculpted supercoil (*Paravitrea ternaria*);
- 2 ~~(M)~~(L) Smoky Mountain covert (*Inflectarius ferrissi*);
- 3 ~~(N)~~(M) ~~Squawfoot Creeper~~ (*Strophitus undulatus*);
- 4 ~~(O)~~(N) Tidewater mucket (*Leptodea ochracea*);
- 5 ~~(P)~~(O) Triangle floater (*Alasmidonta undulata*); and
- 6 ~~(Q)~~(P) Waccamaw ambersnail (*Catinella ~~waccamawensis~~-waccamawensis*).
- 7 ~~(R)~~ ~~Waccamaw fatmucket~~ (*Lampsilis fullerkeri*); and
- 8 ~~(S)~~ ~~Waccamaw spike~~ (*Elliptio waccamawensis*).

9 (7) Reptiles:

- 10 (A) Northern pine snake (*Pituophis melanoleucus melanoleucus*); and
- 11 (B) Southern hognose snake (*Heterodon simus*).

12

13 *History Note:* *Authority G.S. 113-134; 113-291.2; 113-292; 113-333;*
 14 *Eff. March 17, 1978;*
 15 *Amended Eff. June 1, 2008; April 1, 2001; November 1, 1991; April 1, 1991; June 1, 1990;*
 16 *September 1, 1989;*
 17 *Temporary Amendment Eff. February 27, 2015;*
 18 *Amended Eff. September 1, 2021; October 1, 2017; July 1, 2016; August 1, 2016;*
 19 *Readopted Eff. September 1, 2021.*

1 15A NCAC 10I .0105 is readopted with changes as published in 35:22 NCR 2438-2440 as follows:

2

3 **15A NCAC 10I .0105 SPECIAL CONCERN SPECIES LISTED**

4 The following species of resident wildlife shall be designated as ~~state-listed~~ **State-listed** special concern species:

5 (1) Amphibians:

- 6 (a) Crevice salamander (*Plethodon longicus*);
- 7 (b) Dwarf salamander (*Eurycea quadridigitata*);
- 8 (c) Dwarf black-bellied salamander (*Desmognathus folkertsi*);
- 9 (d) Eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*);
- 10 (e) Four-toed salamander (*Hemidactylium scutatum*);
- 11 (f) Gray treefrog (*Hyla versicolor*);
- 12 ~~(g) Longtail salamander (*Eurycea longicauda longicauda*);~~
- 13 ~~(h)(g)~~ Mole salamander (*Ambystoma talpoideum*);
- 14 ~~(i)(h)~~ Mountain chorus frog (*Pseudacris brachyphona*);
- 15 ~~(j)(i)~~ Mudpuppy (*Necturus maculosus*);
- 16 ~~(k)(j)~~ Neuse River waterdog (*Necturus lewisi*);
- 17 ~~(k)~~ Southern chorus frog (*Pseudacris nigrita*);
- 18 (l) Southern zigzag salamander (*Plethodon ventralis*); and
- 19 (m) Weller's salamander (*Plethodon welleri*).

20 (2) Birds:

- 21 (a) American oystercatcher (*Haematopus palliatus*);
- 22 (b) Bachman's sparrow (*Peucaea aestivalis*);
- 23 (c) Barn owl (*Tyto alba*);
- 24 (d) Black-capped chickadee (*Poecile atricapillus*);
- 25 ~~(e) Black rail (*Laterallus jamaicensis*);~~
- 26 ~~(f)(e)~~ Black skimmer (*Rynchops niger*);
- 27 ~~(g)(f)~~ Brown creeper (*Certhia americana nigrescens*);
- 28 ~~(h)(g)~~ Cerulean warbler (*Setophaga cerulea*);
- 29 ~~(i)(h)~~ Glossy ibis (*Plegadis falcinellus*);
- 30 ~~(j)(i)~~ Golden-winged warbler (*Vermivora chrysoptera*);
- 31 ~~(k)(j)~~ Least bittern (*Ixobrychus exilis*);
- 32 ~~(l)(k)~~ Least tern (*Sternula antillarum*);
- 33 ~~(m)(l)~~ Little blue heron (*Egretta caerulea*);
- 34 ~~(n)(m)~~ Loggerhead shrike (*Lanius ludovicianus*);
- 35 ~~(o)(n)~~ Painted bunting (*Passerina ciris*);
- 36 ~~(p)(o)~~ Red crossbill (*Loxia curvirostra*);
- 37 ~~(q)(p)~~ Snowy egret (*Egretta thula*);

- 1 ~~(+)(q)~~ Tricolored heron (*Egretta tricolor*);
- 2 ~~(+)(r)~~ Vesper sparrow (*Poocetes gramineus*); and
- 3 ~~(+)(s)~~ Wilson's plover (*Charadrius wilsonia*).
- 4 (3) Crustacea:
- 5 ~~(a)~~ ~~Broad River spiny crayfish (*Cambarus spicatus*);~~
- 6 ~~(b)(a)~~ Carolina skistodiaptomus (*Skistodiaptomus carolinensis*);
- 7 ~~(e)(b)~~ Carolina well diacyclops (*Diacyclops jeanneli putei*);
- 8 ~~(d)(c)~~ Chowanoke crayfish (~~*Oreoneetes*~~ *Faxonius virginiensis*);
- 9 ~~(e)(d)~~ Graceful clam shrimp (*Lynceus gracilicornis*);
- 10 ~~(f)(c)~~ Greensboro burrowing crayfish (*Cambarus catagius*);
- 11 ~~(g)(f)~~ Hiwassee headwaters crayfish (*Cambarus parrishi*);
- 12 ~~(h)(g)~~ Little Tennessee River crayfish (*Cambarus georgiae*);
- 13 ~~(i)(h)~~ North Carolina spiny crayfish (~~*Oreoneetes*~~ *Faxonius carolinensis*); and
- 14 ~~(j)(i)~~ Oconee stream crayfish (*Cambarus chaugaensis*). and
- 15 ~~(k)~~ ~~Waccamaw crayfish (*Procambarus braswelli*).~~
- 16 (4) Fish:
- 17 (a) American brook lamprey (*Lethenteron appendix*);
- 18 (b) “Atlantic” Highfin carpsucker (*Carpoides sp. cf. velifer*);
- 19 ~~(b)(c)~~ Banded sculpin (*Cottus carolinae*);
- 20 ~~(e)~~ ~~Blackbanded darter (*Percina nigrofasciata*);~~
- 21 (d) ~~Bluefin killifish (*Lucania goodei*);~~
- 22 ~~(e)(d)~~ Blue Ridge sculpin (*Cottus caeruleomentum*);
- 23 ~~(f)(c)~~ Blueside darter (*Etheostoma jessiae*);
- 24 ~~(g)(f)~~ Broadtail madtom (*Noturus sp.- sp.*); ~~(Lumber River and its tributaries and Cape Fear River~~
- 25 ~~and its tributaries);~~
- 26 ~~(h)(g)~~ Carolina darter (*Etheostoma collis*);
- 27 ~~(i)(h)~~ Cutlip minnow (*Exoglossum maxillingua*);
- 28 ~~(j)(i)~~ Freshwater drum (*Aplodinotus grunniens grunniens*); ~~(French Broad River);~~
- 29 (k) ~~Highfin carpsucker (*Carpoides velifer*)(Cape Fear River and its tributaries);~~
- 30 ~~(h)(j)~~ Kanawha minnow (*Phenacobius teretulus*);
- 31 ~~(m) (k)~~ Lake sturgeon (*Acipenser fulvescens*);
- 32 ~~(n) (l)~~ Least killifish (*Heterandria formosa*);
- 33 ~~(e)~~ ~~Longhead darter (*Percina macrocephala*);~~
- 34 ~~(p)(m)~~ Mooneye (*Hiodon tergisus*);
- 35 ~~(q)(n)~~ Mountain madtom (*Noturus eleutherus*);
- 36 ~~(+)(o)~~ Ohio lamprey (*Ichthyomyzon bdellium*);
- 37 ~~(+)(p)~~ Olive darter (*Percina squamata*);

- 1 ~~(t)~~(q) Pinewoods darter (*Etheostoma mariae*);
- 2 ~~(u)~~(r) River carpsucker (*Carpiodes carpio*);
- 3 ~~(v)~~(s) Sandhills chub (*Semotilus lumbee*);
- 4 (t) Sickle darter (*Percina williamsi*);
- 5 ~~(w)~~(u) Smoky dace (*Clinostomus sp.*) sp.; ~~(Little Tennessee River and tributaries);~~
- 6 ~~(x)~~(v) Striped shiner (*Luxilus chrysocephalus*);
- 7 ~~(y)~~(w) ~~Tennessee snubnose~~ Snubnose darter (*Etheostoma simoterum*);
- 8 ~~(z)~~(x) ~~Thinlip “Thinlip” chub (*Cyprinella zanema*)~~(Lumber River and its tributaries and Cape
9 ~~Fear River and its tributaries); (*Cyprinella sp. cf. zanema*);~~
- 10 ~~(aa)~~(y) Waccamaw killifish (*Fundulus waccamensis*);
- 11 (z) Westfall’s Darter (*Percina westfalli*);
- 12 ~~(bb)~~(aa) Wounded darter (*Etheostoma vulneratum*); and
- 13 ~~(cc)~~(bb) Yellowfin shiner (*Notropis lutipinnis*) lutipinnis; ~~(Savannah River and its tributaries).~~
- 14 (5) Mammals:
- 15 (a) Allegheny woodrat (*Neotoma magister*);
- 16 (b) Buxton Woods white-footed mouse (*Peromyscus leucopus buxtoni*);
- 17 (c) Coleman's oldfield mouse (*Peromyscus polionotus colemani*);
- 18 (d) Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*);
- 19 (e) Eastern small-footed bat (*Myotis leibii leibii*);
- 20 (f) Florida yellow bat (*Lasiurus intermedius floridanus*);
- 21 (g) Pungo white-footed mouse (*Peromyscus leucopus easti*);
- 22 (h) Southeastern bat (*Myotis austroriparius*);
- 23 (i) Southern rock vole (*Microtus chrotorrhinus carolinensis*); and
- 24 (j) Star-nosed mole (*Condylura cristata parva*).
- 25 (6) Mollusks:
- 26 (a) Appalachian gloss (*Zonitoides patuloides*);
- 27 (b) Bidentate dome (*Ventridens coelaxis*);
- 28 (c) Black mantleslug (*Pallifera hemphilli*);
- 29 (d) Blackwater ancylid (*Ferrissia hendersoni*);
- 30 (e) Blue-foot lancetooth (*Haplotrema kendeighi*);
- 31 (f) Cape Fear spike (*Elliptio marsupiobesa*);
- 32 (g) Clingman covert (*Fumonelix wheatleyi clingmanicus*);
- 33 (h) Dark glyph (*Glyphyalinia junaluskana*);
- 34 (i) Dwarf proud globe (*Patera clarki clarki*);
- 35 (j) Dwarf threetooth (*Triodopsis fulciden*);
- 36 (k) Fringed coil (*Helicodiscus fimbriatus*);
- 37 (l) Glossy supercoil (*Paravitrea placentula*);

- 1 (m) Great Smoky slitmouth (*Stenotrema depilatum*);
- 2 (n) High mountain supercoil (*Paravitrea andrewsae*);
- 3 (o) Honey glyph (*Glyphyalinia vanattai*);
- 4 (p) Lamellate supercoil (*Paravitrea lamellidens*);
- 5 (q) Mirey Ridge supercoil (*Paravitrea clappi*);
- 6 (r) Open supercoil (*Paravitrea umbilicaris*);
- 7 (s) Pink glyph (*Glyphyalinia pentadelphia*);
- 8 (t) Pod lance (*Elliptio folliculata*);
- 9 (u) Queen crater (*Appalachina chilhoweensis*);
- 10 (v) Ramp Cove supercoil (*Paravitrea lacteodens*);
- 11 (w) Ridged lioplax (*Lioplax subcarinata*);
- 12 (x) Roanoke slabshell (*Elliptio roanokensis*);
- 13 (y) Saw-tooth disc (*Discus bryanti*);
- 14 (z) Seep mudalia (*Leptoxis dilatata*);
- 15 (aa) Spike ~~(*Elliptio*)~~ (*Eurynia dilatata*);
- 16 (bb) Spiral coil (*Helicodiscus bonamicus*);
- 17 (cc) Velvet covert (*Inflectarius subpalliatu*);
- 18 (dd) Waccamaw amnicola (*Amnicola* sp.);
- 19 (ee) Waccamaw siltsnail (*Cincinnatia* sp.); and
- 20 (ff) Wavy-rayed lampmussel (*Lampsilis fasciola*).
- 21 (7) Reptiles:
- 22 (a) Carolina pigmy rattlesnake (*Sistrurus miliarius miliarius*);
- 23 (b) Carolina swamp snake (*Seminatrix pygaea paludis*);
- 24 (c) Carolina watersnake (*Nerodia sipedon williamengelsi*);
- 25 (d) Cumberland slider (*Trachemys scripta troostii*);
- 26 (e) Diamondback terrapin (*Malaclemys terrapin*);
- 27 (f) Eastern chicken turtle (*Deirochelys reticularia reticularia*);
- 28 (g) Eastern coachwhip (*Coluber (=Masticophis) flagellum flagellum*);
- 29 (h) Eastern slender glass lizard (*Ophisaurus attenuates longicaudus*);
- 30 (~~g~~) ~~Eastern smooth green snake (*Ophedryx vernalis vernalis*);~~
- 31 (~~h~~) (i) Eastern spiny softshell (*Apalone spinifera spinifera*);
- 32 (i) ~~Mimic glass lizard (*Ophisaurus mimicus*);~~
- 33 (j) Northern map turtle (*Graptemys geographica*);
- 34 (j)(k) Outer Banks kingsnake (*Lampropeltis getula sticticeps*);
- 35 (~~k~~)(l) Stripeneck musk turtle (*Sternotherus minor peltifer*); and
- 36 (~~l~~)(m) Timber rattlesnake (*Crotalus horridus*).
- 37

1 *History Note: Authority G.S. 113-134; 113-291.2; 113-292; 113-333;*
2 *Eff. September 1, 1989;*
3 *Amended Eff. September 1, 2021; October 1, 2017; August 1, 2016; May 1, 2008; July 18, 2002;*
4 *April 1, 2001; November 1, 1991; April 1, 1991; June 1, 1990;*
5 *Readopted Eff. September 1, 2021.*