

**North Carolina Wildlife Resources Commission
1751 Varsity Drive
Raleigh North Carolina 27606**

April 2, 2013

Fiscal Analysis Review of

Proposed Wildlife Resources Commission (WRC) Inland Fisheries Rules Adoptions and
Amendments

Inland Fisheries

15A NCAC 10C .0305
15A NCAC 10C .0306
15A NCAC 10C .0307
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15A NCAC 10C .0318
15A NCAC 10C .0319
15A NCAC 10C .0320

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Impact: State government: No
Local government: No
Substantial impact: No

Authority: G.S. § 113-134

This is a series of 16 proposed rule changes that the Wildlife Resources Commission (WRC) proposes to take to public hearing contingent on the approval of the full Commission at its meeting on May 17, 2013. The purpose of these proposed rules changes is set forth below, and the full text of all proposed changes is included in the appendix to this document. For reasons which are outlined below, WRC believes that these rule changes do not meet the criteria requiring a fiscal note pursuant to G.S. § 150B-21.4.

PROPOSED RULE CHANGES SUMMARIES

Background

The wildlife resources of the State belong to the people of the State as a whole, including the enjoyment of these resources. (G.S. § 113-131(a)) WRC is tasked with the conservation of wildlife resources of the State (G.S. § 143-239). This mission responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources. (G.S. § 113-131.1(a)) The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes. (G.S. § 113-134)

Inland Fisheries Rule for Amendment

15A NCAC 10C.0305 As amended, this rule would set forth the seasons, size and creel limits for Black Bass only. All other game fish would be regulated through newly adopted rules, 15A NCAC 10C .0306-.0320. In essence, this rule will break the existing rule 15A NCAC 10C.0305 into sixteen different rules, with each rule addressing a single species.

As currently written, the Rule contains too much information about too many different species of game fish and the organization of the Rule is confusing. Thus the Commission feels that this Rule does not meet the criteria of “clear and unambiguous.” The Commission proposes to adopt a rule for each game fish (considering saltwater fish collectively) in the same manner as the Commission regulates game animals.

The Commission is not proposing any substantive changes in the new rules. There are no changes to seasons, creel limits, size limits and exceptions. The purpose is exclusively to write clear and succinct rules to regulate game fish. The new striped bass rule – 15A NCAC 10C .0314 – includes Lake Matamuskeet in paragraph (f) as a waterbody where the daily creel limit is 3 fish in aggregate and the size limit is 18 inches. This addition corrects an oversight in the current rule; these limits have been written into the WRC Regulations Digest for many years, and the public has been abiding by them at Lake Matamuskeet. As a result, there would be no impact from the addition, especially since striped bass is only a remnant population in the Lake, and the Lake is not targeted by striped bass anglers.

The new trout rule – 15A NCAC 10C .0316 – is mostly made up of language that currently exists in 15A NCAC 10C .0305. Paragraphs (c), (d) and (e) in the new rule include restrictions that already exist in 15A NCAC 10C .0205(a)(4), (5) and (7), respectively. By adopting the new rule, the WRC intends to place all trout seasons, size and creel limits in one rule and make regulation more consistent. None of the seasons, size and creel limits will change, however, so there is no impact. Also, the Catawba River from Muddy Creek to the City of Morganton is a Special Regulation Trout Water, as designated in the current 15A NCAC 10C .0205 rule, and the limits are therefore included in paragraph (e) of the proposed trout rule and were not kept together with limits for Linville River, which are now in paragraph (g) of the proposed trout rule.

Thus it is the Commission’s opinion that the amended 15A NCAC 10C .0305 and the newly adopted rules 15A NCAC 10C .0306-.0320 do not have any fiscal impact.

Inland Fisheries Rule for Adoption

15A NCAC 10C .0306 As adopted, this Rule will set forth the seasons, size and creel limits for Crappie.

15A NCAC 10C .0307 As adopted, this Rule will set forth the seasons, size and creel limits for saltwater fishes when in Inland Waters.

15A NCAC 10C .0308 As adopted, this Rule will set forth the seasons, size and creel limits for Kokanee Salmon.

15A NCAC 10C .0309 As adopted, this Rule will set forth the seasons, size and creel limits for Muskellunge.

15A NCAC 10C .0310 As adopted, this Rule will set forth the seasons, size and creel limits for Pickerel.

15A NCAC 10C .0311 As adopted, this Rule will set forth the seasons, size and creel limits for Roanoke and Rock Bass.

15A NCAC 10C .0312 As adopted, this Rule will set forth the seasons, size and creel limits for Sauger.

15A NCAC 10C .0313 As adopted, this Rule will set forth the seasons, size and creel limits for Shad

15A NCAC 10C .0314 As adopted, this Rule will set forth the seasons, size and creel limits for Striped Bass.

15A NCAC 10C .0315 As adopted, this Rule will set forth the seasons, size and creel limits for Sunfish.

15A NCAC 10C .0316 As adopted, this Rule will set forth the seasons, size and creel limits for Trout.

15A NCAC 10C .0317 As adopted, this Rule will set forth the seasons, size and creel limits for Walleye.

15A NCAC 10C .0318 As adopted, this Rule will set forth the seasons, size and creel limits for White Bass.

15A NCAC 10C .0319 As adopted, this Rule will set forth the seasons, size and creel limits for White Perch.

15A NCAC 10C .0320 As adopted, this Rule will set forth the seasons, size and creel limits for Yellow Perch.

STATE IMPACT ANALYSIS: The agency has concluded that there will be no significant cost to the State for any of the above rules since each of the above rules represents a non-substantial modification to an existing rule or the adoption of a new rule with the same regulatory impact as in the current rule 15A NCAC 10C .0305. None of the changes will result in different criteria for enforcement actions. None are anticipated to result in an increase or decrease in enforcement activity or require additional enforcement hours.

LOCAL IMPACT ANALYSIS: Local governments are not involved in the enforcement of WRC rules and should incur no costs as a result of these rules.

SUBSTANTIAL ECONOMIC IMPACT ANALYSIS: WRC has concluded that there will be no substantial economic impact to the public as a result of the adoption of any of these proposed changes. The same regulations as they pertain to the public's use of game fish that are currently in effect will apply as are set forth in the current rule. However, by breaking the rule out into a simpler format, those members of the regulated community who rely on the rules for guidance will be able to better understand the requirements.

APPENDIX

15A NCAC 10C .0305 BLACK BASS OPEN SEASONS: CREEL AND SIZE LIMITS

(a) The daily creel limit for Largemouth, Smallmouth and Spotted Bass — collectively known as Black Bass — is five fish, except in waters identified in paragraphs (b) and (c) of this Rule. There is no minimum size limit for these fish, but only two of them may be less than 14 inches except in waters identified in paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) of this Rule. There is no closed season, except for waters identified in paragraph (k) of this Rule.

Generally. Subject to the exceptions listed in Paragraph (b) of this Rule, the open seasons and creel and size limits are as indicated in the following table:

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

(c) In Lake Santeetlah in Graham County, there is no daily creel limit for Black Bass less than 14 inches. The daily creel limit for Black Bass greater than 14 inches is five fish.

(d) The minimum size limit for Black Bass is 14 inches, with no exceptions in:

- (1) Lake Raleigh in Wake County;
- (2) Lake Mattamuskeet and associated canals in Hyde County;
- (3) Pungo Lake in Washington and Hyde counties;
- (4) New Lake in Hyde County;
- (5) and the Currituck, Roanoke, Croatan and Albemarle sounds and all their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Chowan River, Yeopim River, Pasquotank River, Perquimans River, North River, Northwest River, Scuppernong River and Alligator River (including the Alligator/Pungo Canal east of the NC Hwy 264/45 bridge).

(e) In Cane Creek Lake in Union County, and Buckhorn Reservoir in Wilson and Nash counties the minimum size limit for Largemouth Bass is 16 inches, with no exceptions.

(f) In Lake Phelps the minimum size limit is 14 inches, with no exceptions, and no fish between 16 and 20 inches may be possessed.

(g) In Shearon Harris Reservoir, there is no minimum size limit for Black Bass, but only two Black Bass less than 14 inches and no Black Bass between 16 and 20 inches may be possessed.

(h) In Randleman Reservoir, there is no minimum size limit for Largemouth Bass, but only two Largemouth Bass less than 14 inches and only one Largemouth Bass greater than 20 inches may be possessed.

(i) In Lake Thom-A-Lex in Davidson County, the minimum size limit for all Black Bass is 18 inches with no exceptions.

(j) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is no minimum size limit for Black Bass, but no fish between 14 and 20 inches in length may be possessed and only one Black Bass greater than 20 inches may be possessed.

(k) In Sutton Lake, the minimum size limit for Black Bass is 14 inches with no exceptions and no Black Bass may be possessed from December 1 through March 31.

(1) For purposes of this Rule, creel limits apply to Largemouth, Smallmouth and Spotted Bass in aggregate unless otherwise specified.

GAME FISHES	DAILY CREEEL LIMITS	MINIMUM SIZE LIMITS	OPEN SEASON
Mountain Trout:			
Wild Trout	4	7 in.	ALL YEAR
Waters			(exc. (3))
Hatchery Sup	7	None	All year, except
ported Trout	(exc. (3))	(exc. (3))	March 1 to 7:00 a.m.
Waters and			on first Saturday
undesignated			in April
waters			(exc. (3))
Muskellunge	1	42 in.	ALL YEAR
Pickerel: Chain	None	None	ALL YEAR
and Redfin			
Walleye	8	None	ALL YEAR
		(exc. (7)&(20))	(exc. (7)&(20))
Sauger	8	15 in.	ALL YEAR
Black Bass:			
Largemouth	5	14 in. (2 fish may be less than 14 in.)	ALL YEAR
Smallmouth	(excs. (16),(19)&(21))	(exes.(6),(8),(16),(19)&(21)) (exc.(13))	
and Spotted			
Roanoke and Rock Bass	None	None	ALL YEAR
	(exc. (18))	(exc. (18))	
White Bass	25	None	ALL YEAR
Sea Trout (Spotted or Speckled)	(exc. (15))	(exc. (15))	(exc. (15))
Flounder	(exc. (15))	(exc. (15))	(exc. (15))
Red drum (channel bass, red fish, puppy drum)	(exc. (15))	(exc. (15))	(exc. (15))
Striped Bass	8 aggregate	16 in. (2 fish may be less than 16 in.)	ALL YEAR
and their hybrids			

(Morone Hybrids)	(exes. (1),(2), (4),(5)&(10))	(exes. (1),(2), (4),(5),(10)&(11))	
		(4),(5)&(10))	
Shad: (American and hickory)	10 aggregate (exc. (17))	None (exc. (14))	ALL YEAR
Kokanee Salmon	7	None	ALL YEAR
Crappie and sunfish	None (exes. (9)&(12))	None (exc. (9))	ALL YEAR

(b) Exceptions

- (1) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the creel limit on striped bass and Morone hybrids is two in the aggregate and the minimum size limit is 24 inches from October 1 through May 31. From June 1 through September 30 the daily creel limit on striped bass and Morone hybrids is four in aggregate with no minimum size limit.
- (2) In the Cape Fear River upstream of Buckhorn Dam and the Deep and Haw rivers to the first impoundment and in B. Everett Jordan Reservoir, Lake Rhodhiss, Lake Hickory, and Lookout Shoals Reservoir, the creel limit on striped bass and Morone hybrids is four in the aggregate and the minimum size limit is 20 inches. In Lake Gaston and Roanoke Rapids Reservoir the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum size limit of 20 inches from October 1 through May 31 and no minimum size limit from June 1 through September 30. In Lake Norman the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum size limit of 16 inches from October 1 through May 31 and no minimum size limit from June 1 through September 30.
- (3) In designated public mountain trout waters the season for taking all species of fish is the same as the trout fishing season. There is no closed season on taking trout from Linville River within Linville Gorge Wilderness Area (including tributaries), Catawba River from Muddy Creek to the City of Morganton water intake dam, and the impounded waters of power reservoirs and municipally owned water supply reservoirs open to the public for fishing.
- (4) In the inland fishing waters of Neuse, Pungo and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95, subject to the exceptions listed in this Paragraph, the daily creel limit for striped bass and their hybrids is two fish in aggregate. The minimum length limit is 18 inches and no striped bass or striped bass hybrids between the lengths of 22 inches and 27 inches may be possessed. In these waters, the season for taking and possessing striped bass is closed from May 1 through September 30. In the inland fishing waters of the Cape Fear River and its tributaries, the season for taking and possessing striped bass is closed year round. In the Pee Dee River and its tributaries from the South Carolina line upstream to Blewett Falls Dam, the

~~season for taking and possessing striped bass and their hybrids is open year round, the daily creel limit is three fish in aggregate and the minimum length limit is 18 inches.~~

- (5) ~~In the inland and joint fishing waters [as identified in 15A NCAC 10C .0107(1)(e)] of the Roanoke River Striped Bass Management Area, which includes the Roanoke, Cashie, Middle and Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and their hybrids is March 1 through April 30 from the joint coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season the daily creel limit for striped bass and their hybrids is two fish in aggregate, the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be retained in the daily creel limit. Only one fish larger than 27 inches may be retained in the daily creel limit.~~
- (6) ~~The minimum size limit for all species of black bass is 14 inches, with no exception in:~~
- (A) ~~Lake Raleigh in Wake County;~~
 - (B) ~~Sutton Lake in New Hanover County;~~
 - (C) ~~Lake Mattamuskeet and associated canals in Hyde County;~~
 - (D) ~~Pungo Lake in Washington and Hyde counties;~~
 - (E) ~~New Lake in Hyde County;~~
 - (F) ~~and the Currituck, Roanoke, Croatan and Albemarle sounds and all their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Chowan River, Yeopim River, Pasquotank River, Perquimans River, North River, Northwest River, Scuppernong River and Alligator River (including the Alligator/Pungo Canal east of the NC Hwy 264/45 bridge).~~

~~In Cane Creek Lake in Union County, and Buckhorn Reservoir in Wilson and Nash counties the minimum size limit for largemouth bass is 16 inches, with no exception. In Lake Phelps and Shearon Harris Reservoir no black bass between 16 and 20 inches shall be possessed. In Randleman Reservoir only one largemouth bass greater than 20 inches may be possessed.~~

- (7) ~~A minimum size limit of 15 inches applies to walleye taken from Lake James and its tributaries, and the daily creel limit for walleye is four fish in Linville River upstream from the NC 126 bridge above Lake James.~~
- (8) ~~The minimum size limit for all black bass, with no exception, is 18 inches in Lake Thom A Lex in Davidson County.~~
- (9) ~~A daily creel limit of 20 fish and a minimum size limit of 10 inches apply to crappie in B. Everett Jordan Reservoir and in the Roanoke River and its tributaries downstream of Roanoke Rapids dam and in the Cashie, Middle, and Eastmost rivers and their tributaries. A daily creel limit of 20 fish and a minimum size limit of eight inches apply to crappie in all the following waters and to the tributaries of the waters specified in Parts A, H, I, J, K L, M, N and O of this Subparagraph:~~
- (A) ~~all public waters west of Interstate 77,~~
 - (B) ~~South Yadkin River downstream of Cooleemee Dam,~~

- (C) ~~Yadkin Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery, and Blewett Falls Lake,~~
- (D) ~~Lake Norman,~~
- (E) ~~Lake Hyco,~~
- (F) ~~Lake Ramseur,~~
- (G) ~~Cane Creek Lake,~~
- (H) ~~Tar River downstream of Tar River Reservoir Dam,~~
- (I) ~~Neuse River downstream of Falls Lake Dam,~~
- (J) ~~Haw River downstream of Jordan Lake Dam,~~
- (K) ~~Deep River downstream of Lockville Dam,~~
- (L) ~~Cape Fear River,~~
- (M) ~~Waccamaw River downstream of Lake Waccamaw Dam,~~
- (N) ~~Lumber River including Drowning Creek,~~
- (O) ~~all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and Roanoke River and tributaries below Roanoke Rapids dam, as listed above.~~
- ~~In Buckhorn Reservoir in Wilson and Nash counties a daily creel limit of 20 fish applies to crappie.~~
- (10) ~~In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and their tributaries), striped bass fishing season, size limits and creel limits are the same as those established by rules or proclamations of the Marine Fisheries Commission in adjacent joint or coastal fishing waters.~~
- (11) ~~The Executive Director may, by proclamation, suspend or extend the hook and line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.~~
- (12) ~~In Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and in all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, the daily creel limit for sunfish is 30 in aggregate, no more than 12 of which shall be redbreast sunfish.~~
- (13) ~~In Sutton Lake, no largemouth bass shall be possessed from December 1 through March 31.~~
- (14) ~~The season for taking American and hickory shad with bow nets is March 1 through April 30.~~

- (15) In inland fishing waters, sea trout (spotted or speckled), flounder, and red drum recreational seasons, size limits and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.
- (16) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia), the daily creel limit for black bass is five fish, except no black bass between 14 and 20 inches in length shall be possessed and only one black bass greater than 20 inches may be possessed in the daily creel limit
- (17) In the inland waters of Roanoke River, Neuse River, and their tributaries, the daily creel limit for American and hickory shad is 10 in aggregate, only one of which may be an American shad. In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American shad may be possessed.
- (18) In all public fishing waters east of Interstate 77, the minimum length for Roanoke and rock bass is 8 inches and the daily creel limit is two fish in aggregate.
- (19) In Lake Cammack in Alamance County and Lake Holt in Granville County the daily creel limit for largemouth bass is 10 fish and no more than two fish greater than 14 inches may be possessed.
- (20) In John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Lake, the minimum size limit for walleye is 18 inches and the daily creel limit is five fish.
- (21) In Lake Santeetlah in Graham County, there is no daily creel limit for black bass less than 14 inches and no more than five black bass greater than 14 inches may be possessed.

History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Eff. February 1, 1976;
Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;
Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;
Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;
Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;
Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;
Temporary Amendment Eff. November 1, 1998;
Amended Eff. April 1, 1999;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2001;

Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent amendment effective July 1, 2002 and approved by RRC in May 2001];

Amended Eff. August 1, 2002 (approved by RRC in April 2002);

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, 2012; March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.

Amended Eff. August 1, 2013

Amended Eff. November 1, 2013

15A NCAC 10C .0306 CRAPPIE

(a) There is no daily creel limit for Crappie, except for waters identified in paragraphs (b), (c), and (d) of this Rule. There is no minimum size limit for these fish, except for waters identified in paragraphs (d) and (e). There is no closed season.

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

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

- (1) B. Everett Jordan Reservoir,
- (2) Roanoke River and its tributaries downstream of Roanoke Rapids dam,
- (3) Cashie River and its tributaries,
- (4) Middle River and its tributaries, and
- (5) Eastmost River and its tributaries.

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

- (1) South Yadkin River downstream of Cooleemee Dam;
- (2) Yadkin River downstream from Idols Dam;
- (3) Pee Dee River from Blewett Falls Dam to the South Carolina state line;
- (4) High Rock Lake;
- (5) Tuckertown Lake;
- (6) Badin Lake;
- (7) Falls Lake (Stanly and Montgomery counties);
- (8) Lake Tillery;
- (9) Blewett Falls Lake;
- (10) Lake Norman;
- (11) Lake Hyco;
- (12) Lake Ramseur;
- (13) Cane Creek Lake;
- (14) Tar River downstream of Tar River Reservoir Dam;
- (15) Neuse River downstream of Falls Lake Dam;
- (16) Haw River downstream of Jordan Lake Dam;
- (17) Deep River downstream of Lockville Dam;
- (18) Cape Fear River;
- (19) Waccamaw River downstream of Lake Waccamaw Dam;
- (20) Lumber River including Drowning Creek;
- (21) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and waters listed in paragraph (c) of this Rule; and
- (22) all public waters west of Interstate 77.

For waters in subparagraphs (14) through (22), the restrictions apply to all tributaries.

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

Eff. November 1, 2013

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

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

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

Eff. November 1, 2013

15A NCAC 10C .0308 KOKANEE SALMON

The daily creel limit for Kokanee Salmon is seven fish. There is no minimum size limit for these fish. There is no closed season for Kokanee Salmon.

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

Eff. November 1, 2013

15A NCAC 10C .0309 MUSKELLUNGE

The daily creel limit for Muskellunge is one fish. The minimum size limit for this fish is 42 inches. There is no closed season for Muskellunge.

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

Eff. November 1, 2013

15A NCAC 10C .0310 PICKEREL

There is no daily creel limit and no minimum size limit for Pickerel (Chain and Redfin). There is no closed season for Pickerel.

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

Eff. November 1, 2013

15A NCAC 10C .0311 ROANOKE AND ROCK BASS

- (a) There is no daily creel limit and no minimum size limit for Roanoke and Rock Bass, except for waters identified in paragraph (b) of this Rule. There is no closed season for Roanoke and Rock Bass.
- (b) In all public fishing waters east of Interstate 77, the daily creel limit for Roanoke and Rock Bass is two fish in aggregate and the minimum size for these fish is 8 inches.

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

Eff. November 1, 2013

15A NCAC 10C .0312 SAUGER

The daily creel limit for Sauger is eight fish. The minimum size limit for these fish is 15 inches. There is no closed season for Sauger.

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

Eff. November 1, 2013

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

(a) The daily creel limit for American and Hickory Shad in aggregate is 10 fish, except for waters identified in paragraphs (b), (c) and (d) of this Rule. There is no minimum size limit for these fish. There is no closed season, except for waters identified in paragraph (e) of this rule.

(b) In the inland waters of Roanoke River, Neuse River, and their tributaries, the daily creel limit for American and Hickory Shad is 10 in aggregate, only one of which may be an American Shad.

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

(d) In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American Shad may be possessed.

(e) The season for taking American and Hickory Shad with bow nets is March 1 through April 30.

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

Eff. November 1, 2013

15A NCAC 10C .0314 STRIPED BASS

- (a) The daily creel limit for Striped Bass and its hybrids is eight fish in aggregate, except in waters identified in paragraphs (b), (c), (d), (e), (f), (g), (h), (i) and (j) of this Rule. There is no minimum size limit for these fish, but only two of them may be less than 16 inches, except in waters identified in paragraphs (b), (c), (d), (e), (f), (g), (h), (i) and (j) of this Rule. There is no closed season, except for waters identified in paragraphs (g), (h), (i), (j) and (k) of this Rule.
- (b) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the daily creel limit on Striped Bass and its hybrids is two in aggregate and the minimum size limit is 24 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on Striped Bass and its hybrids is four in aggregate with no minimum size limit.
- (c) In the Cape Fear River upstream of Buckhorn Dam; the Deep River to the first impoundment; the Haw River to the first impoundment; B. Everett Jordan Reservoir; Lake Rhodhiss; Lake Hickory; and Lookout Shoals Reservoir, the daily creel limit on Striped Bass and its hybrids is four in aggregate and the minimum size limit is 20 inches.
- (d) In Lake Gaston and Roanoke Rapids Reservoir, the daily creel limit on Striped Bass and its hybrids is four in aggregate. The minimum size limit for these fish is 20 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.
- (e) In Lake Norman the daily creel limit on Striped Bass and its hybrids is four in aggregate. The minimum size limit for these fish is 16 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.
- (f) In Lake Matamuskeet and in the Pee Dee River and its tributaries downstream the Blewett Falls Dam to the South Carolina state line, the daily creel limit is three fish in aggregate and the minimum size limit is 18 inches.
- (g) In the inland fishing waters of Neuse, Pungo and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95 not specified in paragraphs (f), (h), (i) and (j) of this Rule, the daily creel limit for Striped Bass and its hybrids is two fish in aggregate. The minimum size limit is 18 inches and no Striped Bass or hybrids between the lengths of 22 inches and 27 inches may be possessed. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through September 30.
- (h) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam, the season for taking and possessing Striped Bass is closed year-round.
- (i) In the inland and joint fishing waters [as identified in 15A NCAC 10C .0107(1)(e)] of the Roanoke River Striped Bass Management Area, which includes the Roanoke, Cashie, Middle and Eastmost rivers and their tributaries, the open season for taking and possessing Striped Bass and its hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season the daily creel limit for Striped Bass and its hybrids is two fish in aggregate, the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be retained in the daily creel limit. Only one fish larger than 27 inches may be retained in the daily creel limit.

(j) In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and their tributaries), Striped Bass fishing season, size limits and creel limits are the same as those established by Rules or proclamations of the Marine Fisheries Commission in adjacent joint or coastal fishing waters.

(k) The Executive Director may, by proclamation, suspend or extend the hook-and-line season for Striped Bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

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

Eff. November 1, 2013

15A NCAC 10C .0315 SUNFISH

(a) For purposes of this Rule, Sunfish include bluegill, redbreast, redear, pumpkinseed, warmouth, flier and all other species of the sunfish family (Centrarchidae) not specified in 15A NCAC 10C .0305, 15A NCAC 10C .0306 and 15A NCAC 10C .0311.

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

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

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

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

Eff. November 1, 2013

15A NCAC 10C .0316 TROUT

- (a) The daily creel limit for trout in Hatchery-Supported Trout Waters is seven fish. There is no minimum size limit for these fish. The open season is from 7 a.m. on the first Saturday in April until March 1, except for waters designated in paragraphs (d) and (g) of this Rule.
- (b) The daily creel limit for trout in Wild Trout Waters and Wild Trout/Natural Bait Trout Waters is four fish. The minimum size limit for these fish is seven inches. There is no closed season.
- (c) No trout may be harvested from Catch and Release/Artificial Lures Only Trout Waters or Catch and Release/Artificial Flies Only Trout Waters. Trout may not be possessed while fishing these waters.
- (d) The daily creel limit for trout in Delayed Harvest Trout Waters is seven fish. There is no minimum size limit for these fish. The Youth-only Delayed Harvest Trout Water Season is from 6 a.m. on the first Saturday in June until 12 p.m. that same day. During this season only individuals under the age of 16 may fish. From 12 p.m. on the first Saturday in June until September 30, the Delayed Harvest Trout Waters Season is open for all anglers. From October 1 to one-half hour after sunset on the Friday before the first Saturday in June, trout may not be harvested or possessed while fishing these waters. Delayed Harvest Trout Waters are closed to all fishing from one-half hour after sunset on the Friday before the first Saturday in June to 6 a.m. on the first Saturday in June.
- (e) The daily creel limit for trout in Special Regulation Trout Waters is seven fish. There is no minimum size limit for these fish, but only one may be greater than 14 inches. There is no closed season.
- (f) The daily creel limit for trout in undesignated trout waters is seven fish. There is no minimum size limit for these fish. Trout may not be possessed while fishing these waters from March 1 until 7 a.m. on the first Saturday in April, except waters designated in paragraph (g) of this Rule.
- (g) There is no closed season on taking trout from Linville River within Linville Gorge Wilderness Area and the impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing.
- (h) In designated Public Mountain Trout Waters the season for taking all species of fish is the same as the trout fishing season.
- (i) All trout water designations and manners of take are set forth in 15A NCAC 10C .0205.

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

Eff. November 1, 2013

15A NCAC 10C .0317 WALLEYE

(a) The daily creel limit for Walleye is eight fish except for waters identified in paragraphs (b) and (d) of this Rule.

There is no minimum size limit for these fish except for waters identified in paragraphs (c) and (d) of this Rule.

There is no closed season.

(b) In Linville River upstream upstream from the NC 126 bridge, the daily creel limit for Walleye is four fish.

(c) In Lake James and its tributaries, except the Linville River upstream from the N.C. 126 bridge, the minimum size limit for walleye is 15 inches.

(d) In John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Lake, the daily creel limit is five fish and the minimum size limit for Walleye is 18 inches.

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

Eff. November 1, 2013

15A NCAC 10C .0318 WHITE BASS

The daily creel limit for White Bass is 25 fish. There is no minimum size limit for these fish. There is no closed season for White Bass.

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

Eff. November 1, 2013

15A NCAC 10C .0319 WHITE PERCH

There is no daily creel limit and no minimum limit size for White Perch. There is no closed season for White Perch.

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

Eff. November 1, 2013

15A NCAC 10C .0320 YELLOW PERCH

There is no daily creel limit and no minimum size limit for Yellow Perch. There is no closed season for Yellow Perch.

*History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Eff. November 1, 2013*