

## **CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY**

This Chapter 10 of Title 15A of the North Carolina Administrative Code (15A NCAC 10); WILDLIFE RESOURCES AND WATER SAFETY; has been transferred and recodified from Chapter 10 of Title 15 of the North Carolina Administrative Code (15 NCAC 10), effective November 1, 1989. The recodification was pursuant to G.S. 143B-279.1.

### **SUBCHAPTER 10A - WILDLIFE RESOURCES COMMISSION**

#### **SECTION .0100 - GENERAL**

- 15A NCAC 10A .0101    RESPONSIBILITIES**
- 15A NCAC 10A .0102    FUNCTIONS**
- 15A NCAC 10A .0103    FISCAL POLICY**
- 15A NCAC 10A .0104    REIMBURSEMENT OF WILDLIFE FUND**
- 15A NCAC 10A .0105    STEWARDSHIP OF REVENUES**
- 15A NCAC 10A .0106    MOTTO**

*History Note:*    Authority G.S. 75A-3; 113-306; 113-307.1; 143-239; 143-243; 143-250; 143-254.1; 143A-118; 143B-281;  
Eff. February 1, 1976;  
Repealed Eff. February 1, 1982.

#### **SECTION .0200 - ORGANIZATION AND PROCEDURE**

- 15A NCAC 10A .0201    ACTION BY COMMISSION**

*History Note:*    Authority G.S. 143-243;  
Eff. February 1, 1976;  
Repealed Eff. July 1, 1988.

- 15A NCAC 10A .0202    OFFICERS OF COMMISSION**
- 15A NCAC 10A .0203    MEETINGS OF COMMISSION**

*History Note:*    Authority G.S. 143-243;  
Eff. February 1, 1976;  
Amended Eff. April 15, 1979;  
Repealed Eff. February 1, 1982.

- 15A NCAC 10A .0204    COMMITTEES**

*History Note:*    Authority G.S. 75A-3(b); 143-243;  
Eff. February 1, 1976;  
Amended Eff. April 15, 1979;  
Repealed Eff. July 1, 1988.

- 15A NCAC 10A .0205    SEAL OF COMMISSION**
- 15A NCAC 10A .0206    EXECUTIVE DIRECTOR**
- 15A NCAC 10A .0207    ASSISTANT FOR ADMINISTRATION**
- 15A NCAC 10A .0208    ASSISTANT FOR FIELD OPERATIONS**

*History Note:*    Authority G.S. 143-243; 143-246;  
Eff. February 1, 1976;  
Repealed Eff. February 1, 1982.

- 15A NCAC 10A .0209    ENFORCEMENT JURISDICTION OF SPECIAL OFFICERS**

*History Note:* Authority G.S. 113-134; 113-138; 113-305;  
Eff. May 1, 1982;  
Repealed Eff. July 1, 1988.

#### **SECTION .0300 - ANNUAL REGULATIONS PROCEDURE**

##### **15A NCAC 10A .0301 NECESSITY FOR ANNUAL REGULATIONS** **15A NCAC 10A .0302 POLICY CONSIDERATIONS**

*History Note:* Authority G.S. 113-131; 113-132; 113-273; 113-291.2; 113-291.7; 113-301.1; 113-307; 143-239;  
150B-12;  
Eff. February 1, 1976;  
Repealed Eff. July 1, 1988.

##### **15A NCAC 10A .0303 PROCEDURE FOR ADOPTION**

*History Note:* Authority G.S. 143-243; 143B-18; 150B-12;  
Eff. February 1, 1976;  
Repealed Eff. February 1, 1982.

#### **SECTION .0400 – PETITIONS FOR RULE**

##### **15A NCAC 10A .0401 FORM AND CONTENTS OF PETITION**

(a) A written petition requesting rulemaking shall be sent to the Executive Director of the Wildlife Resources Commission at 1701 Mail Service Center, Raleigh, NC 27699-1700 for U.S. Postal Service delivery or 1751 Varsity Drive, Raleigh, NC 27606-2576 for other delivery services or in person and must contain:

- (1) the name and address of the petitioner;
- (2) the name and address of the person, group, or organization, if any, on behalf of which the petition is made, together with the representative capacity of the petitioner;
- (3) the citation to the rule sought to be amended or repealed;
- (4) suggested language for the rule sought to be adopted or amended and a statement of its desired effect; and
- (5) the signature of the petitioner.

(b) In addition to the information required by Paragraph (a) of this Rule, the petition may contain expression of reasons in support or arguments in favor of the regulatory action proposed, and tables, charts, maps, publications, photographs, or other supporting materials that the petitioner deems pertinent to the proposal by way of exhibits or attachments.

*History Note:* Authority G.S. 150B-20;  
Eff. February 1, 1976;  
Amended Eff. July 1, 2018; July 1, 1993; April 15, 1979;  
Readopted Eff. November 1, 2023.

##### **15A NCAC 10A .0402 ACTION ON PETITION**

(a) Upon receipt, the Executive Director, or his or her designee, shall stamp the petition with the date of receipt which shall constitute the date of submission. The petition shall then be referred to the Commission for its consideration.

(b) Within three business days of receipt, the proposed text and statement of effect of the petition shall be forwarded to the Office of Administrative Hearings as required by G.S. 150B-20.

(c) Within 120 days following submission of the petition requesting rulemaking, the Commission shall:

- (1) deny the petition in writing, stating the reason or reasons for such denial; or
- (2) initiate rulemaking proceedings in accordance with G.S. 150B-20.

(d) The Commission shall notify the person who submitted the petition of the action taken. Denial of a petition requesting rulemaking shall be sent to the petitioner at the address therein indicated by registered mail, "return receipt requested."

*History Note:* Authority G.S. 150B-20;  
Eff. February 1, 1976;

*Amended Eff. July 1, 1993;*  
*Readopted Eff. November 1, 2023.*

## **SECTION .0500 - DECLARATORY RULINGS**

### **15A NCAC 10A .0501 WHEN ISSUED**

In accordance with G.S. 150B-4 and the procedures set forth in Rule .0503 of this Section, the Wildlife Resources Commission shall issue a declaratory ruling when a written request signed and verified under oath by or on behalf of a person or group of persons aggrieved, shows on its face:

- (1) that there is a controversy as to the validity of a rule; or that there is a controversy as to the applicability of a rule of the Commission, or of a specific statute administered or enforced by the Commission, to an existing factual situation; or that there is a conflict or inconsistency regarding the interpretation of a specific law or rule adopted by the Commission;
- (2) that the relevant facts and circumstances necessary to the ruling are definitively stated and are conceded by all parties to be a true and existing fact or circumstance for all purposes;
- (3) that the parties who will be directly or indirectly affected by the ruling, other than the Commission and its agents and employees, have joined in the request and in the verification of the facts therein set forth; and
- (4) that the ruling will be final and determinative of the controversy and binding on the parties affected thereby, subject only to reversal or modification by a court on direct judicial review as provided by law.

*History Note: Authority G.S. 150B-4;*  
*Eff. February 1 1976;*  
*Readopted Eff. May 1, 2024.*

### **15A NCAC 10A .0502 WHEN NOT ISSUED**

The Wildlife Resources Commission shall not issue a declaratory ruling upon a request which does not comply with the requirements of Rules .0501 and .0503 of this Section, or that is the request of a person or group not aggrieved, or when it is or becomes apparent from a source:

- (1) that no controversy exists, either among the respective parties or between the parties and the Commission, as to the applicability of a specific rule of the Commission, or of a specific statute administered or enforced by the Commission, to an existing factual situation;
- (2) that the question to be ruled upon is academic, hypothetical, moot, speculative, or lacking in specificity;
- (3) that a relevant fact or circumstance necessary to the ruling is controverted, unverified, indefinite as to time or place, or omitted from the request for ruling;
- (4) that the proposed ruling will substantially affect a person, other than an agent or employee of the Commission, who is not a party to the request;
- (5) that a case or proceeding involving the substance of the requested ruling is pending before a court or another agency;
- (6) that the requested ruling would not be final and binding on the parties affected thereby, subject only to direct judicial review as provided by law;
- (7) that the request for ruling challenges the validity of a statute administered or enforced by the Commission;
- (8) that the requested ruling would require an interpretation of a statute not administered or enforced by the Commission or of a rule, order, or ordinance of some other governmental agency;
- (9) that the Commission is without power or authority to issue the requested ruling; or
- (10) that the request is not made in good faith.

*History Note: Authority G.S. 150B-4;*  
*Eff. February 1 1976;*  
*Readopted Eff. May 1, 2024.*

### **15A NCAC 10A .0503 PROCEDURE**

(a) A request for a declaratory ruling shall be in writing and sent to the Executive Director of the Wildlife Resources Commission at 1701 Mail Service Center, Raleigh, NC 27699-1700 for U.S. Postal Service delivery, or 1751 Varsity Drive, Raleigh, NC 27606-2576 for other delivery services or in person. The request shall contain:

- (1) names and addresses of persons requesting the ruling;

- (2) designation of the person or persons authorized to receive the ruling or communication relative thereto, if different from those requesting;
  - (3) statement of the material facts and circumstances sufficient to show the existence and nature of the controversy and the relation of the parties with respect thereto;
  - (4) identification of the specific rule or statute involved;
  - (5) the specific question to be ruled upon;
  - (6) a statement that the substance of the request is not pending for decision before a court or another agency of government;
  - (7) signature of the persons making the request or of one or more authorized representatives of such persons, indicating the capacity of such representation; and
  - (8) verification by, or on behalf of, the persons making the request.
- (b) The verification of a request for a declaratory ruling shall be executed before an official authorized to administer oaths.
- (c) The request for a declaratory ruling shall be marked or stamped with the date of receipt, and the Commission shall respond to the request as required by G.S. 150B-4(a1).
- (d) The Commission's response to a request for a declaratory ruling is a written communication, addressed to the persons requesting the ruling or to the person or persons authorized in the request to receive the ruling or communications relative thereto, containing the following:
- (1) reference to the request for declaratory ruling;
  - (2) reference to authority for the ruling;
  - (3) names and addresses of the persons affected by the ruling, unless it is general in effect and is so indicated;
  - (4) recital of the material facts on which the ruling is based, or reference to the facts as stated in the request;
  - (5) the ruling;
  - (6) date of issue; and
  - (7) signature of Executive Director.
- (e) A declaratory ruling issued by the Commission or the Executive Director and the communication denying such a ruling shall be sent by registered mail, return receipt requested, to the persons requesting the ruling, or to persons designated in the request to receive the ruling or communications relative thereto.

*History Note:* Authority G.S. 150B-4;  
 Eff. February 1, 1976;  
 Amended Eff. April 15, 1979;  
 Readopted Eff. May 1, 2024.

**SECTION .0600 - LAW ENFORCEMENT PERSONNEL: DISABILITY AND RETIREMENT**

- 15A NCAC 10A .0601 POLICY**
- 15A NCAC 10A .0602 DEFINITIONS**
- 15A NCAC 10A .0603 TENURE**
- 15A NCAC 10A .0604 RETIREMENT AGE**
- 15A NCAC 10A .0605 MEDICAL EVALUATION OFFICER**
- 15A NCAC 10A .0606 DUTIES OF MEDICAL EVALUATION OFFICER**
- 15A NCAC 10A .0607 MEDICAL EXAMINATIONS**
- 15A NCAC 10A .0608 FITNESS REQUIREMENTS**
- 15A NCAC 10A .0609 FITNESS CLASSIFICATIONS**
- 15A NCAC 10A .0610 PHYSICAL AND EMOTIONAL DISABILITY**
- 15A NCAC 10A .0611 APPEALS**
- 15A NCAC 10A .0612 CONFIDENTIALITY OF MEDICAL INFORMATION**

*History Note:* Authority G.S. 8-53; 113-128(9); 126-16; 126-24; 126-34; 126-35; 126-36; 126-36.1; 126-39; 126-53; 143-243; 143-246; 143B-281;  
 Eff. December 21, 1978;  
 Amended Eff. June 17, 1979;  
 Repealed Eff. June 21, 1981.

**SECTION .0700 - SECONDARY EMPLOYMENT**

<b>15A NCAC 10A .0701</b>	<b>POLICY</b>
<b>15A NCAC 10A .0702</b>	<b>DEFINITIONS</b>
<b>15A NCAC 10A .0703</b>	<b>EMPLOYEE RESPONSIBILITY</b>
<b>15A NCAC 10A .0704</b>	<b>AGENCY RESPONSIBILITY</b>
<b>15A NCAC 10A .0705</b>	<b>APPEAL</b>
<b>15A NCAC 10A .0706</b>	<b>PENALTIES</b>

*History Note:* Authority G.S. 126-24; 126-35; 143-243; 143-246; 143B-281;  
 Eff. February 7, 1979;  
 Repealed Eff. June 21, 1981.

#### **SECTION .0800 - WORK PLANNING AND PERFORMANCE REVIEW**

<b>15A NCAC 10A .0801</b>	<b>POLICY</b>
<b>15A NCAC 10A .0802</b>	<b>WORK PLANNING</b>
<b>15A NCAC 10A .0803</b>	<b>PERFORMANCE REVIEW</b>

*History Note:* Authority G.S. 113-91(2); 126-7; 126-22; 126-24; 143-243; 143-246; 143B-281;  
 Eff. March 9, 1979;  
 Amended Eff. January 6, 1980;  
 Repealed Eff. June 21, 1981.

#### **SECTION .0900 - EMPLOYMENT AND PROMOTIONS**

<b>15A NCAC 10A .0901</b>	<b>POLICY</b>
<b>15A NCAC 10A .0902</b>	<b>PROBATIONARY APPOINTMENT</b>
<b>15A NCAC 10A .0903</b>	<b>WILDLIFE ENFORCEMENT OFFICERS</b>
<b>15A NCAC 10A .0904</b>	<b>PERFORMANCE EVALUATION</b>
<b>15A NCAC 10A .0905</b>	<b>DISMISSAL DURING PROBATIONARY PERIOD</b>
<b>15A NCAC 10A .0906</b>	<b>PERSONNEL ACTION AT CONCLUSION OF PROBATION</b>
<b>15A NCAC 10A .0907</b>	<b>EMPLOYEE PROMOTIONS</b>

*History Note:* Authority G.S. 17A-7; 113-91(2); 126-4; 126-5; 126-24; 126-35; 143-243; 143-246; 143A-281; 1 NCAC  
 8C .0404; 1 NCAC 8D .0202;  
 Eff. June 17, 1979;  
 Repealed Eff. June 21, 1981.

#### **SECTION .1000 - WARNING TICKETS**

##### **15A NCAC 10A .1001 WARNING TICKETS**

Warning Tickets Prohibited. Wildlife Enforcement Officers shall not issue warning tickets for the following offenses and classes of offenses:

- (1) second offense of the same charge;
- (2) exceeding bag or creel limits;
- (3) unlawful taking of fish or wildlife by use of drugs, poison, explosives, or electricity;
- (4) hunting, fishing, or trapping in closed season;
- (5) unlawful taking of deer or fox;
- (6) unlawful taking or possession of bear or wild turkey;
- (7) unlawful purchase or sale of wildlife, except when possession of a Trophy Wildlife Sale Permit would otherwise make purchase or sale lawful; and
- (8) taking wildlife with the aid of or from a motor vehicle or boat under power or while in motion.

*History Note:* Authority G.S. 113-140;

*Eff. April 1, 1991;*  
*Amended Eff. May 1, 2007; May 1, 2004; November 2, 1992; November 1, 1991;*  
*Readopted Eff. August 1, 2019.*

## **SECTION .1100 - WAIVER**

### **15A NCAC 10A .1101 WAIVER**

*History Note: Authority G.S. 113-134; 113-274; 150B-19(6);*  
*Temporary Adoption Eff. May 21, 2003;*  
*Temporary Adoption Expired March 12, 2004;*  
*Eff. November 1, 2004;*  
*Amended Eff. August 1, 2006;*  
*Repealed Eff. November 1, 2023.*

### **15 NCAC 10A .1102 EMERGENCY CLOSURES AND WAIVERS**

- (a) The Commission may prohibit or restrict public access to and use of Wildlife Resources Commission property if the Commission finds that the closure is necessary to protect public health, public safety, or wildlife resources. Closures exercised under this Paragraph shall only be exercised for the duration of the threat.
- (b) The Commission may waive any rule in this Chapter or portion thereof, that is not statutorily required, upon declaration of a national emergency, disaster, or state of emergency, by a federal, state, or local governmental authority impacting North Carolina. Waivers exercised under this Paragraph shall only be exercised for the duration of the declaration.
- (c) The Commission may delegate emergency closure and waiver authority to the Executive Director.
- (d) The following factors shall be considered in determining whether to restrict or prohibit public access or use, or waive requirements of rule:
- (1) need for the closure or waiver;
  - (2) degree of benefit to the public, if applicable;
  - (3) degree of benefit to the resource, if applicable;
  - (4) degree of disruption to the Commission; and
  - (5) cost to the Commission.
- (e) All closures and waivers shall be posted on the Commission website at [www.ncwildlife.org](http://www.ncwildlife.org).
- (f) It is unlawful to use, enter, or remain on Wildlife Resources Commission Property that is closed pursuant to this Rule.

*History Note: Authority G.S. 113-134; 113-264; 113-306(c);*  
*Eff. August 1, 2021.*

## **SECTION .1200 - EMERGENCY POWERS**

### **15A NCAC 10A .1201 EMERGENCY POWERS**

- (a) Upon determination by the Commission that a wildlife disease threatens irreparable injury to wildlife or to the public, the Executive Director shall develop an emergency response plan in consultation with the Commission, Governor's office and the State Veterinarian prescribing one or more of the following actions:
- (1) shorten or lengthen harvest seasons;
  - (2) prohibit transport of wildlife resources or parts thereof;
  - (3) prohibit possession of wildlife resources;
  - (4) confiscate wildlife resources;
  - (5) revoke licenses or permits;
  - (6) expand or restrict daily bag limits, daily creel limits, and possession limits;
  - (7) establish mandatory wildlife check stations;
  - (8) restrict public access to game lands;
  - (9) require prepayment of outside testing costs by persons who desire disease testing of their harvested wildlife resource when such testing is not essential to the objectives of the plan;
  - (10) prohibit supplemental feeding or baiting of wildlife;
  - (11) prohibit other activities that aid in the transmission or movement of the disease as determined by the best available science regarding the disease threat;

- (12) implement other activities necessary to reduce infection opportunities; and
  - (13) implement other requirements necessary to assist in the detection and isolation of the disease.
- (b) The Commission shall inform the public of the implementation of emergency powers and actions in the response plan through press releases, postings on the Wildlife Commission website and social media, emails to representatives of sportsmen's groups or other constituents likely to be directly affected, and employee outreach.

*History Note: Authority G.S. 113-134; 113-306(f);  
Eff. March 1, 2011;  
Readopted Eff. November 1, 2023.*

## **SECTION .1300 – WILDLIFE POACHER REWARD FUND**

### **15A NCAC 10A .1301 FUNDING SOURCES**

*History Note: Authority G.S. 15A-1343; 113-134; 113-294;  
Eff. May 1, 2014;  
Repealed Eff. May 1, 2024.*

### **15A NCAC 10A .1302 OFFENSES AND REWARD AMOUNTS**

- (a) Rewards shall be paid for conviction of persons who have committed Class 1 or Class 2 misdemeanors specified in G.S. 113-262, G.S. 113-294 and G.S. 113-337, Class 1 misdemeanors involving wildlife resources specified in G.S. 113-264(b), and Class 3 misdemeanors involving fisheries resources specified in Rules 15A NCAC 10C .0302(a), .0304, .0401, .0402, and .0409 of this Chapter.
- (b) The reward amount shall be equivalent to the amount of the fine, replacement costs, or restitution assessed by the court, whichever is greatest, not to exceed one thousand dollars (\$1,000). If no fine, replacement cost, or restitution is assessed, including in cases that result in a prayer for judgment, the reward shall be one hundred dollars (\$100.00).

*History Note: Authority G.S. 113-134; 113-264; 113-294; 113-294.1; 113-337;  
Eff. May 1, 2014;  
Readopted Eff. May 1, 2024.*

### **15A NCAC 10A .1303 ELIGIBILITY**

- (a) Rewards shall be paid to individuals who provide information resulting in the arrest and conviction of persons who commit the offenses specified in Rule .1302(a) of this Section. If more than one individual provides information resulting in the arrest of a person for the same offense, the Commission shall pay the individuals equal amounts not to exceed the amount specified in Rule .1302(b) of this Section.
- (b) Rewards shall be paid after the final disposition of a case resulting in a conviction, as defined in G.S. 113-171(a), or a prayer for judgment.
- (c) The following individuals are not eligible to receive reward money:
- (1) a current Wildlife Resources Commission employee or members of his or her immediate family;
  - (2) current Wildlife Resources Commissioners;
  - (3) a sworn law enforcement officer;
  - (4) the perpetrator of the crime for which the information has been given and an accomplice or accessory to that crime; and
  - (5) an individual who refuses to provide the Commission with his or her name and contact information.

*History Note: Authority G.S. 113-134; 113-171; 113-294.1;  
Eff. May 1, 2014;  
Readopted Eff. May 1, 2024.*

## **SECTION .1400 – INTERSTATE WILDLIFE VIOLATOR COMPACT (WVC)**

### **15A NCAC 10A .1401 GENERAL PROVISIONS**

- (a) Purpose. The purpose of this section is to establish the rules necessary to implement G.S. 113 Article 22B, the Interstate Wildlife Violator Compact (hereinafter referred to as WVC).

(b) Applicability. The rules in this Section shall apply to any person possessing a license, privilege or right to hunt, fish, trap, possess, or transport wildlife in the State of North Carolina. Violations under this Section apply to only hunting, fishing and trapping. The rules shall not apply to any offenses committed in North Carolina or any other WVC state prior to August 1, 2017.

(c) Definitions. The definitions in G.S. 113-300.6 Article II shall apply throughout this Subchapter and to all forms prescribed pursuant to this Subchapter, unless otherwise indicated.

*History Note:* Authority G.S. 113-134; 113-300.7;  
Eff. August 1, 2017.

#### **15A NCAC 10A .1402 WILDLIFE VIOLATOR COMPACT MANUAL**

The Wildlife Violator Compact Operations Manual, which is incorporated by reference, including subsequent amendments and editions, may be found free of charge, at <http://www.ncwildlife.org>, and G.S. 113-300.6 hereby establish the administrative and procedural guidelines for participation in the WVC.

*History Note:* Authority G.S. 113-134; 113-300.7;  
Eff. August 1, 2017.

#### **15A NCAC 10A .1403 WILDLIFE VIOLATOR COMPACT CONDITIONS FOR NON-RESIDENTS**

(a) Non-residents of North Carolina who are residents of a WVC member state at the time of a misdemeanor hunting, fishing, or trapping violation occurring in North Carolina, may be released on personal recognizance when the violation consists of a written citation requiring a violator to resolve the violation directly with the court, either in person, by mail, or through an attorney.

(b) All identified offenses set forth in G.S. 113 are subject to the provisions of the WVC.

(c) Upon failure to comply with the terms of a citation for violation of North Carolina hunting, fishing, or trapping laws, the Wildlife Resources Commission shall send notice of failure to comply, by certified mail, return receipt requested, to the violator's last known address, and report the failure to comply to the home state to start suspension procedures in accordance with the Wildlife Violator Compact Manual.

(d) License privileges shall only be restored when the citation is resolved through the North Carolina Court System.

(e) Upon resolving the citation, the non-resident shall notify the Wildlife Resources Commission so that hunting, fishing or trapping privileges can be restored.

*History Note:* Authority G.S. 113-134; 113-300.7;  
Eff. August 1, 2017.

#### **15A NCAC 10A .1404 WILDLIFE VIOLATOR COMPACT CONDITIONS FOR RESIDENTS**

(a) North Carolina residents committing hunting, fishing, or trapping violations in another WVC member state, who upon release on personal recognizance from the issuing state, failed to resolve the violation, shall have their hunting, fishing, or trapping privileges suspended in North Carolina.

(b) If the Wildlife Resources Commission receives notice of an unresolved violation, a Notice of Suspension shall be prepared and sent to the violator:

- (1) the notice shall have a delayed effective date of at least 14 business days, to allow the violator to contact the court in the issuing state and resolve the case;
- (2) the notice shall be delivered personally or by letter sent by certified mail, return receipt requested, to the last known address of the licensee or permit holder;
- (3) the notice of suspension shall inform the violator of the facts supporting the suspension and procedures to be followed in resolving the matter with the court in the issuing state; and
- (4) the notice shall provide the procedure for appealing the suspension.

(c) Any suspensions received by the Wildlife Resources Commission shall remain in effect until such time as the North Carolina resident resolves the violation in the issuing state.

(d) When a North Carolina resident resolves a violation with the court in the issuing state, it is the responsibility of the resident to present documents to the Wildlife Resources Commission that acknowledge compliance. Upon receipt of documentation set forth in Paragraph (e) of this Rule, an acknowledgement of compliance shall be issued directly to that person by the Wildlife Resources Commission.

(e) The following shall be sufficient evidence of compliance in response to a notice of suspension for non-compliance:

- (1) copy of the court judgment; or
  - (2) a copy of a Notice of Compliance from the issuing state.
- (f) The Wildlife Resources Commission shall reinstate the license if the acknowledgement of compliance is presented after the effective date of the suspension.
- (g) Residents receiving a Notice of Suspension from the Wildlife Resources Commission under the WVC provisions for failure to resolve a citation issued in another WVC member state may file a petition with the Office of Administrative Hearings, within 60 days from the date of delivery by certified mail to the residents last known address, pursuant to G.S. 150B-23.
- (h) The issuing state shall be notified if the suspension order is overturned by the Office of Administrative Hearings.

*History Note:* Authority G.S. 113-134; 113-300.7;  
Eff. August 1, 2017.

#### **15A NCAC 10A .1405 RECIPROCAL RECOGNITION OF SUSPENSIONS**

- (a) When the Wildlife Resources Commission receives notice of suspension of a North Carolina resident's hunting, fishing, or trapping privileges or licenses by a WVC member state that are the result of a conviction or an accumulation of convictions of wildlife violations in one or more states that participate in the WVC, the agency shall determine whether the violation, or accumulation of violations, leading to the suspension could have led to the suspension of rights, privileges, or licenses under G.S. 113. If it is determined that the resident's privileges or licenses would have been suspended under G.S. 113, the resident's licenses, rights, and privileges to hunt, fish, or trap in North Carolina shall be suspended pursuant to Article 22B of G.S. 113 for the same period as imposed by the WVC member state where the violation occurred.
- (b) North Carolina shall communicate suspension information to other member states, using the WVC database. Information may include the following:
- (1) name;
  - (2) date of birth;
  - (3) last known address;
  - (4) violation(s) and convictions upon which the suspension is based;
  - (5) scope of the suspension (i.e., fishing, hunting, trapping, all privileges or rights); and
  - (6) effective dates of the suspension and term of the suspension.
- (c) In the event documentation of a violation and subsequent license suspension is needed by a member state for license suspension hearings or other purposes, the Wildlife Resources Commission may provide certified copies of the citation or other charging instrument, any arrest or investigation reports, suspension orders, and the disposition of the matter.

*History Note:* Authority G.S. 113-134; 113-300.7;  
Eff. August 1, 2017.

#### **15A NCAC 10A .1406 APPEALS**

A final agency decision made by the Wildlife Resources Commission to suspend any North Carolina hunting, fishing or trapping license pursuant to the WVC shall be appealable to the Office of Administrative Hearings pursuant to G.S. 150B-23. Notice of the right to appeal shall be included in the correspondence notifying the licensee of the final agency decision.

*History Note:* Authority G.S. 113-134; 113-300.7;  
Eff. August 1, 2017.

### **SECTION .1500 - EVIDENCE**

#### **15A NCAC 10A .1501 SUMMARY DISPOSITION**

The Executive Director or his or her designee may determine the summary disposition of fish or wildlife seized by the Commission. Summary disposition shall be determined in accordance with G.S. 113-137(d), on a case-by-case basis, taking into consideration factors that may include public health and safety, conservation objectives of the Commission, and the health or genetic integrity of native wildlife resources. Summary disposition may include release, relocation, or euthanasia.

*History Note:* Authority G.S. 113-137;  
Eff. August 1, 2019.

**15A NCAC 10A .1502 REPLACEMENT COSTS OF WILDLIFE**

(a) For the purpose of this Rule, "replacement cost" means the monetary amount to replace a specimen of wildlife that has been taken, injured, removed, harmfully altered, damaged, or destroyed. As specified in G.S. 113-267, this term shall be broadly construed to include indirect costs of replacement if direct stocking or replacement is not feasible, including the costs of habitat improvement or restoration, the establishment of sanctuaries, and any other recognized conservation technique.

(b) The following factors shall be considered when determining replacement costs:

- (1) whether the species has a season for take;
- (2) whether the species is classified as endangered, threatened, or special concern;
- (3) the relative frequency of species occurrence in the State;
- (4) the extent of existing suitable habitat for the species within the State;
- (5) the unique habitat requirements of the species;
- (6) the cost of acquiring, by purchase or long-term lease, lands and waters for habitat development;
- (7) the cost of improving and maintaining suitable habitat for the species on lands and waters owned or acquired by the Commission;
- (8) the cost of live-trapping the species in areas of adequate populations and transplanting them to areas of suitable habitat with low populations;
- (9) the availability of replacement specimens and the cost of acquisition for restocking species in the wild;
- (10) the cost of propagating and rearing the species in captivity or a hatchery and the cost of transporting them to an area with suitable habitat;
- (11) the ratio between the natural life expectancy of the species and the period of its probable survival in the wild when having been reared in captivity;
- (12) the consumer price index; and
- (13) any other factor that gives value to the species.

(c) Based on the factors in Paragraph (b) of this Rule, the following scheduled amounts shall represent the estimated replacement cost of an individual wildlife specimen. Replacement costs are per individual for wildlife species and per inch for fish species unless otherwise noted:

Species	Replacement Cost
<b>Birds</b>	
Crow	4.00
Dove	13.00
Duck	
American black duck	125.00
Canvasback	125.00
Gadwall	125.00
Long-tailed duck	125.00
White-winged scoter	125.00
All other ducks	41.00
Goose (includes Brant and Snow)	125.00
Grouse	125.00
Pheasant	37.00
Quail	125.00
Rail	
Clapper, king, and Virginia	125.00
Coot, Gallinule, Moorhen, and Sora	37.00
Snipe	26.00
Swan, tundra	1078.00
Woodcock	125.00
<b>Big Game</b>	
Bear, black	2232.00
Deer	602.00
Turkey, wild	525.00
<b>Small Game</b>	

Beaver	104.00	
Bobcat	647.00	
Fox		88.00
Mink	75.00	
Muskrat	19.00	
Opossum	6.00	
Otter	647.00	
Rabbit	13.00	
Raccoon	58.00	
Skunk	19.00	
Squirrel, fox	54.00	
Squirrel, gray and red	17.00	
Weasel	11.00	
Reptiles		
Kingsnake, scarlet	100.00	
Milksnake, coastal plain	200.00	
Milksnake, eastern	100.00	
Snake, eastern hognose	100.00	
Turtle, eastern box	150.00	
Turtle, spotted	150.00	
Elk		
Elk	2500.00	
Any other species with no open season	54.00	
Endangered Species		
Endangered Species	4960.00	
Threatened Species	4313.00	
Special Concern Species	3000.00	
Fish Species		
Bass		
Alabama Bass	0.80	
Hybrid (Bodie) Bass	1.27	
Largemouth Bass	0.80	
Redeye Bass	0.80	
Smallmouth Bass	2.34	
Spotted Bass	0.80	
Striped Bass	1.27	
White	0.25	
Bullhead		
Black Bullhead	1.72/fish	
Brown Bullhead	1.72/fish	
Flat Bullhead	1.72/fish	
Snail Bullhead	1.72/fish	
Yellow Bullhead	1.72/fish	
Catfish		
Blue Catfish	0.61	
Channel Catfish	0.61	
Flathead Catfish	0.61	
White Catfish	0.61	
Crappie	0.48	
Kokanee Salmon	0.71	
Muskellunge	9.99	
Pickerel		
Chain Pickerel	0.99	

	Redfin Pickerel	0.99
Sauger		0.92
Shad		
	American Shad	1.40/fish
	Hickory Shad	1.40/fish
Sunfish		
	Bluegill Sunfish	2.65/fish
	Flier Sunfish	2.65/fish
	Green Sunfish	2.65/fish
	Pumpkinseed Sunfish	2.65/fish
	Redbreast (Robin)	2.65/fish
	Redear (Shellracer)	2.65/fish
	Roanoke Bass	2.65/fish
	Rock Bass Sunfish	2.65/fish
	Warmouth Sunfish	2.65/fish
Trout		
	Brook Trout	0.71
	Brown Trout	0.71
	Rainbow Trout	0.71
Walleye		0.92
White Perch		0.25
Yellow Perch		0.92
	All other game fish	0.76/fish
	All other nongame fish	1.87/fish
Endangered, Threatened, Special Concern		
	Mussels	50.54/mussel
	Crayfish	50.00/crayfish
	Finfish	157.54/fish

(d) The following factors shall be considered when determining the costs of an investigation conducted pursuant to G.S. 143-215.3(a)(7) or by court order for the purpose of determining the cost of replacement of wildlife:

- (1) the time expended by the employee conducting or involved in 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;
- (2) the total compensation cost of service to the state for each employee involved, including annual salary, total insurance, and the state's contribution to social security taxes and to the applicable retirement system;
- (3) subsistence costs for the investigating personnel, including meals, reasonable gratuities, and lodging, when required;
- (4) the cost of all necessary transportation;
- (5) the use or rental equipment or vehicles, when required;
- (6) the cost of cleaning, repairing, or replacing any clothing damaged, soiled, or contaminated by conducting the investigation; and
- (7) any other expense directly related to and necessitated by the investigation.

(e) 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 or her total annual working hours 2087 hours reduced by holidays, annual leave entitlement, and earned sick leave. Other costs shall be assessed as follows:

- (1) the actual cost of meals, reasonable gratuities, and lodging away from home, not to exceed the current maximum per diem for state employees at the time of the investigation;
- (2) total mileage by motor vehicle multiplied by:
  - (A) the then current rate per mile for travel by state-owned vehicle; or
  - (B) the then current rate per mile for travel by privately owned vehicle, if applicable;
- (3) ten dollars (\$10.00) per hour for boat and motor use;
- (4) uniform and clothing cleaning and repair cost; and

- (5) any other expense directly related to and necessitated by the investigation.

*History Note: Authority G.S. 113-134; 113-267; 143-215.3;  
Eff. December 22, 2022.*

## **SECTION .1600 - WILDLIFE RESOURCES COMMISSION FEES**

### **15A NCAC 10A .1601 LICENSE FEES**

- (a) License fees established by the Commission in this Rule shall be subject to the requirements of G.S. 113-270.1B(e).
- (b) The following fees shall apply to combination hunting and inland fishing licenses issued by the Commission, as set forth in G.S. 113-270.1C:
- (1) Resident Annual Combination Hunting and Inland Fishing License - \$44.00.
  - (2) Resident Disabled Veteran Lifetime Combination Hunting and Inland Fishing License - \$15.00.
  - (3) Resident Totally Disabled Lifetime Combination Hunting and Inland Fishing License - \$15.00.
- (c) The following fees shall apply to sportsman licenses issued by the Commission, as set forth in G.S. 113-270.1D:
- (1) Annual Sportsman License - \$66.00.
  - (2) Infant Lifetime Sportsman License - \$261.00.
  - (3) Youth Lifetime Sportsman License - \$456.00.
  - (4) Adult Resident Lifetime Sportsman License - \$652.00.
  - (5) Nonresident Lifetime Sportsman License - \$1,563.00.
  - (6) Age 70 Resident Lifetime Sportsman License - \$20.00.
  - (7) Resident Disabled Veteran Lifetime Sportsman License - \$131.00.
  - (8) Resident Totally Disabled Lifetime Sportsman License - \$131.00.
- (d) The following fees shall apply to hunting licenses issued by the Commission, as set forth in G.S. 113-270.2:
- (1) Resident State Hunting License - \$32.00.
  - (2) Lifetime Resident Comprehensive Hunting License - \$326.00.
  - (3) Controlled Hunting Preserve Hunting License - \$28.00.
  - (4) Resident Annual Comprehensive Hunting License - \$49.00.
  - (5) Nonresident State Hunting Licenses:
    - (A) Season License - \$124.00.
    - (B) Ten-Day License - \$99.00.
  - (6) Falconry Hunting License - \$32.00.
- (e) The following fees shall apply to special activity licenses issued by the Commission, as set forth in G.S. 113-270.3:
- (1) Resident Big Game Hunting License - \$18.00.
  - (2) Nonresident Bear Hunting License - \$294.00.
  - (3) Bear Management Stamp - \$15.00.
  - (4) Nonresident Big Game Hunting License:
    - (A) Season License - \$124.00.
    - (B) Ten-Day License - \$99.00.
  - (5) Bonus Antlerless Deer License - \$15.00.
  - (6) Game Land License - \$20.00.
  - (7) Falconry License - \$15.00.
  - (8) Migratory Waterfowl Hunting License - \$18.00.
  - (9) Resident American Alligator License - \$308.00.
  - (10) Nonresident American Alligator License - \$615.00.
  - (11) Resident Elk License - \$615.00.
  - (12) Nonresident Elk License - \$1,229.00.
- (f) The following fees shall apply to hunting and fishing guide licenses issued by the Commission, as set forth in G.S. 113-270.4:
- (1) Resident Hunting and Fishing Guide License - \$20.00.
  - (2) Nonresident Hunting and Fishing Guide License - \$196.00.
- (g) The following fees shall apply to trapping licenses issued by the Commission, as set forth in G.S. 113-270.5:
- (1) Resident State Trapping License - \$40.00.
  - (2) Resident Lifetime Trapping License - \$370.00.
  - (3) Nonresident State Trapping License - \$164.00.

(h) The following fees shall apply to hook-and-line licenses in inland and joint fishing waters issued by the Commission, as set forth in G.S. 113-271:

- (1) Resident State Inland Fishing License - \$32.00.
- (2) Lifetime Resident Comprehensive Inland Fishing License - \$326.00.
- (3) Nonresident State Inland Fishing License - \$56.00.
- (4) Short-Term Inland Fishing License:
  - (A) Resident 10-day Inland Fishing License - \$12.00.
  - (B) Nonresident 10-day Inland Fishing License - \$29.00.
- (5) Age 70 Resident Lifetime Inland Fishing License - \$20.00.
- (6) Resident Disabled Veteran Lifetime Inland Fishing License - \$15.00.
- (7) Resident Totally Disabled Lifetime Inland Fishing License - \$15.00.
- (8) Special Landholder and Guest Fishing License - \$131.00.
- (9) Mountain Heritage Trout Waters Three-Day Fishing License - \$11.00.

(i) The following shall apply to special device licenses issued by the Commission, as set forth in G.S. 113-272.2:

- (1) Resident Special Device License - \$99.00.
- (2) Nonresident Special Device License - \$652.00.

(j) The non-refundable fee for a collection license issued by the Commission, as set forth in G.S. 113-272.4 shall be \$13.00.

(k) The following non-refundable fees shall apply to captivity licenses issued by the Commission, as set forth in G.S. 113-272.5:

- (1) Captivity License for Holding - \$63.00.
- (2) Captivity License for Rehabilitation - \$13.00.

(l) The following non-refundable fees shall apply to dealer licenses issued by the Commission as set forth in G.S. 113-273:

- (1) Resident Fur-dealer License - \$32.00.
- (2) Nonresident Fur-dealer License - \$63.00.
- (3) Fur-dealer Station License - \$125.00.
- (4) Controlled Hunting Preserve Operator License - \$124.00.
- (5) Controlled Hunting Preserve Rabbit Operator License - \$32.00.
- (6) Game Bird Propagation License - \$13.00.
- (7) Furbearer Propagation License - \$35.00.
- (8) Taxidermy License - \$63.00.
- (9) Taxidermy Cervid Certification - \$7.00.
- (10) Wildlife Control Agent License - \$63.00.
- (11) Wildlife Control Technician Certification - \$32.00.
- (12) Alligator Control Agent Certification - \$32.00.

(m) The following non-refundable fees shall apply to permits issued by the Commission, as set forth in G.S. 113-274:

- (1) Possession Permit - \$13.00.
- (2) Exportation or Importation Permit - \$13.00.
- (3) Trophy Wildlife Sale Permit - \$13.00.
- (4) Endangered Species Permit - \$13.00.
- (5) Field Trial Permit - \$13.00.

(n) Unified hunting and fishing licenses issued by the Commission, as set forth in G.S. 113-351:

- (1) Annual Resident Unified Sportsman/Coastal Recreational Fishing License - \$85.00.
- (2) Annual Resident Unified Inland/Coastal Recreational Fishing License - \$51.00.
- (3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses:
  - (A) Infant Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$359.00.
  - (B) Youth Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$587.00.
  - (C) Resident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$880.00.
  - (D) Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$2,019.00.
  - (E) Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$40.00.
  - (F) Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$144.00.
  - (G) Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$144.00.
- (4) Resident Lifetime Unified Inland/Coastal Recreational Fishing License - \$587.00.

(o) The following fees shall apply to Coastal Recreational Fishing Licenses issued by the Commission, as set forth in G.S. 113-174.2:

- (1) Annual Resident Coastal Recreational Fishing License - \$20.00.
- (2) Annual Nonresident Coastal Recreational Fishing License - \$40.00.
- (3) Ten-Day Resident Coastal Recreational Fishing License - \$9.00.
- (4) Ten-Day Nonresident Coastal Recreational Fishing License - \$15.00.
- (5) Infant Lifetime Coastal Recreational Fishing License - \$131.00.
- (6) Youth Lifetime Coastal Recreational Fishing License - \$196.00.
- (7) Resident Adult Lifetime Coastal Recreational Fishing License - \$326.00.
- (8) Nonresident Adult Lifetime Coastal Recreational Fishing License - \$652.00.
- (9) Resident Age 70 Lifetime Coastal Recreational Fishing License - \$20.00.
- (10) Resident Disabled Veteran Coastal Recreational Fishing License - \$15.00.
- (11) Resident Totally Disabled Coastal Recreational Fishing License - \$15.00.

*History Note:* Authority G.S. 113-270.1B(e);  
Temporary Adoption Eff. January 1, 2020;  
Eff. July 1, 2020;  
Amended Eff. July 1, 2026; July 1, 2024; May 1, 2022.