

Note from the Codifier: The OAH website includes notices and the text of proposed temporary rules as required by G.S. 150B-21.1(a1). Prior to the agency adopting the temporary rule, the agency must hold a public hearing no less than five days after the rule and notice have been published and must accept comments for at least 15 business days. For questions, you may contact the Office of Administrative Hearings at 984-236-1850 or email oah.postmaster@oah.nc.gov.

TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice is hereby given in accordance with G.S. 150B-21.1(a3) that the Wildlife Resources Commission intends to adopt the rules cited as 15A NCAC 10C .0325, .0326, .0409-.0430, .0701 and amend the rules cited as 15A NCAC 10C .0307, .0314, .0401, and .0402.

Codifier of Rules received for publication the following notice and proposed temporary rules on: June 10, 2022.

Public Hearing:

Date: June 27, 2022

Time: 2:00 p.m.

Location: Register Online here: https://ncwildlife-org.zoomgov.com/webinar/register/WN_wfgDnI7dSn6cXuzLQ9Z4pQ Webinar ID: 161 315 7586 Call in: 833 568 8864

Reason for Proposed Temporary Action: G.S. 150B-21.1 (7)d, 150B-21.1(a)(7)b, and 150B-21.3(b2). Temporary adoption of these rules is necessary to maintain regulations over inland fish. These rules were adopted by the Agency in April 2022 and were objected to. At this point, permanent rulemaking is contrary to public interest, as changes need to be in place for the upcoming 2022-2023 fishing seasons. To avoid confusing the regulated public and in order to maintain management over inland fish, the agency is adopting these rules under temporary procedures.

Comment Procedures: Comments from the public shall be directed to: Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email regulations@ncwildlife.org. The comment period begins June 13, 2022 and ends July 11, 2022.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10C - INLAND FISHING REGULATIONS

SECTION .0300 - GAME FISH

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

~~In inland fishing waters, Sea Trout (Spotted or Speckled), Flounder, and Red Drum (also known 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.~~

~~(a) The daily creel limit for flounder is one fish.~~

~~(b) The minimum size limit is 15 inches.~~

~~(c) The season for taking and possessing flounder is September 1 through September 30.~~

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0314 STRIPED BASS

(a) The daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is four fish in the aggregate, except in waters identified in Paragraphs ~~(b), (c), (f), (g), (h), (i), and (j)~~ (d) and (g) through (l) of this Rule.

(b) The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs ~~(b), (c), (d), (e), (f), (g), (h), (i), and (j)~~(d) through (l) of this Rule.

(c) There is no closed season, except for waters identified in Paragraphs ~~(g), (h), (i), (j), and (k)~~(i) through (m) of this Rule.

~~(b)~~(d) 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~~ striped bass and its hybrids is two in the aggregate and the minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on ~~Striped Bass~~ striped bass and its hybrids is four in the aggregate with no minimum size limit.

~~(e)~~(e) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for ~~Striped Bass~~ striped bass and its hybrids is 20 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.

~~(d)~~(f) In ~~Lake Norman~~, Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for ~~Striped Bass~~ striped bass and its hybrids is 16 inches.

~~(e)~~(g) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, but only two may be greater than 22 inches.

~~(f)~~(h) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to the South Carolina state line, the daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is three fish in the aggregate, and the minimum size limit is 18 inches.

~~(g)~~(i) 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)~~ and ~~(j)~~ through ~~(l)~~ of this Rule, the daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and possessing ~~Striped Bass~~ striped bass is closed from May 1 through September 30.

~~(h)(j)~~ In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in the ponds associated with Martin Marietta Park in Craven County, the season for taking and possessing ~~Striped Bass~~ striped bass is closed year-round.

~~(k)~~ In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in 15A NCAC 03R .0201 and identified in 15A NCAC 10C .011 which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing ~~Striped Bass~~ 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~~ striped bass and its hybrids is ~~two~~ one fish in the aggregate, and the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be possessed in the daily creel limit. ~~Only one fish larger than 27 inches may be possessed in the daily creel limit.~~

~~(l)~~ In designated inland and joint 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), the ~~Striped Bass~~ 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.

~~(m)~~ In accordance with G.S. 113-292, the Executive Director may, by proclamation, ~~suspend~~, suspend or extend the hook-and-line season for ~~Striped Bass~~ 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.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0325 SEA TROUT

(a) The daily creel limit for sea trout (spotted or speckled) is four fish.

(b) The minimum size limit is 14 inches.

(c) There is no closed season.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0326 RED DRUM

(a) The daily creel limit for red drum (also known as channel bass, red fish or puppy drum) is one fish.

(b) The minimum size limit is 18 inches and no fish over 27 inches may be possessed in the daily creel limit.

(c) There is no closed season.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

SECTION .0400 – JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS

15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES

(a) Except as permitted by the rules in this Section, ~~it is unlawful no person shall~~ no person shall ~~to~~ take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line, grabbling, or special device with a special device fishing ~~license~~, license, or inland fishing license.

(b) Nongame fishes may be taken from inland fishing waters by hook and line, grabbling, or special device with a special device fishing license at any time without restriction as to size limits or creel limits, except as ~~designated~~ specified in this Rule. Section.

(c) Special devices ~~may only be used to take nongame fishes~~ with a special device fishing license shall only be used in those counties and waters with open season designated in ~~Rule .0407 of this Section.~~ 15A NCAC 10C .0407.

(d) Archery equipment ~~may used with either a hunting license or inland fishing license~~ may only be used to take nongame fishes year-round in all inland fishing waters, except:

- (1) for the take of catfish on in the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and in all tributaries, tributaries, where only catfish can be taken;
- (2) in impounded waters located on the Sandhills Game Land; and
- (3) in public mountain trout waters.

(e) Set hooks, jug hooks, and trotlines may be used to take nongame fishes as designated in 15A NCAC 10C .0206.

(f) The season for taking nongame fishes by hook and line in designated public mountain trout waters is the same as the trout fishing season. Trout seasons are designated in 15A NCAC 10C .0316.

~~(g) Freshwater mussels, including the Asiatic clam (Corbicula fluminea), may be taken only from impounded waters, except mussels shall not be taken in:~~

- ~~(1) Lake Waccamaw in Columbus County; and~~
- ~~(2) University Lake in Orange County.~~

~~The daily possession limit for freshwater mussels is 200 in the aggregate, except there is no daily possession limit for the Asiatic clam (Corbicula fluminea).~~

~~(h) Blue crabs shall have a minimum carapace width of five inches (point to point) and it is unlawful to possess more than 50 crabs per person per day or to exceed 100 crabs per vessel per day.~~

~~(i) While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and blueback herring) that are greater than six inches in length, or possess such herring regardless of origin in:~~

- (1) Roanoke River downstream of Roanoke Rapids Dam;
- (2) Tar River downstream of Rocky Mount Mill Dam;
- (3) Neuse River downstream of Falls Lake Dam;
- (4) Cape Fear River downstream of Buckhorn Dam;
- (5) Pee Dee River downstream of Blewett Falls Dam;
- (6) Lumber River, including Drowning Creek;
- (7) all the tributaries to the rivers listed above; and
- (8) all other inland fishing waters east of I 95.

(j) ~~In waters that are stocked and managed for catfish and located on game lands, on Commission owned property, or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take channel or blue catfish by means other than hook and line; the daily creel limit for channel catfish is seven. Waters where this creel limit applies shall be posted on site with signs indicating the creel limit.~~

(k) ~~The daily creel limit for blue catfish greater than 32 inches is one fish in the following waters:~~

- (1) Lake Norman;
- (2) Mountain Island Lake;
- (3) Lake Wylie;
- (4) Badin Lake;
- (5) Lake Tillery;
- (6) John H. Kerr Reservoir (North Carolina portion);
- (7) Dan River (Downstream of the Union Street Dam in Danville, VA);
- (8) Lake Gaston (North Carolina portion); and
- (9) Roanoke Rapids Reservoir.

(l) ~~The daily creel limit is five catfish in aggregate on the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries.~~

(m) ~~The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing in inland fishing waters is 25, and the minimum size limit is 9 inches. Eels greater than 9 inches in length and with a minimum body depth greater than ½ inch may be cut for use as bait.~~

(n) ~~Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Mountain Island Reservoir, and Lake Wylie, except that one fish per day may be taken with archery equipment.~~

(o) ~~Grass carp shall not be taken or possessed on Lake Norman and the North Carolina portion of John H. Kerr Reservoir, except for scientific study by permit issued by the Wildlife Resources Commission.~~

(p) ~~In inland fishing waters, gray trout (weakfish) 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.~~

(q) ~~No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish specified in Paragraphs (h), (i), (k), (m), and (p) of this Rule having a size limit so as to render it impractical to measure its total original length, except as provided in Paragraph (m) of this Rule. No person while fishing shall change the appearance of any nongame fish specified in Paragraphs (g), (h), (j), (l), (m), (n), (o), and (p) of this Rule having a daily creel limit so as to obscure its identification or render it impractical to count the number of fish in possession, except as provided in Paragraph (m) of this Rule.~~

~~(r)~~ (g) ~~Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license may be sold, sold unless otherwise specified in this Section, with the following exceptions:~~

- (1) ~~alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties);~~
- (2) ~~blue crab; and~~
- (3) ~~bowfin.~~

(s) ~~Margined madtom and tadpole madtom shall not be taken or possessed from inland fishing waters.~~

Authority G.S. 113-134; 113-272; 113-292.

15A NCAC 10C .0402 TAKING NONGAME FISHES BY SPECIAL DEVICE FOR BAIT OR PERSONAL CONSUMPTION

(a) The use of equipment specified in this Rule requires a valid license that provides basic inland fishing privileges.

~~(a)~~ (b) It is unlawful to take nongame fish for bait or personal consumption in the inland waters of North Carolina using equipment other than:

- (1) a net of dip net design not greater than six feet across;
- (2) a seine of not greater than 12 feet in length (except in Lake Waccamaw in Columbus County where there is no length limitation) and with a bar mesh measure of not more than one-fourth inch;
- (3) a cast net;
- (4) a bow net for the seasons and waters in which the use of bow nets is authorized in 15A NCAC 10C .0407;
- (5) a dip net when used in conjunction with a licensed hand-crank electrofisher;
- (6) a gig (except in Public Mountain Trout Waters);
- (7) up to three traps for the seasons and waters in which the use of traps is authorized in 15A NCAC 10C .0407;
- (8) up to two eel pots;
- (9) a spear gun for the seasons and waters in which the use of a spear gun is authorized in 15A NCAC 10C .0407;

- (10) minnow traps not exceeding 12 inches in diameter and 24 inches in length, with funnel openings not exceeding one inch in diameter, from which all fish and animals are removed daily, and that are labeled with the user's Wildlife Resources Commission customer number or name and address;
 - (11) a hand-held line with a single bait attached;
 - (12) a single, multiple-bait line for taking crabs not to exceed 100 feet in length, marked on each end with a solid float no less than five inches in diameter, bearing legible and indelible identification of the user's name and address, and under the immediate control and attendance of the person using the device, with a limit of one line per person and no more than one line per vessel; or
 - (13) a collapsible crab trap with the largest open dimension not greater than 18 inches and that by design is collapsed at all times when in the water, except when it is being retrieved or lowered to the bottom, with a limit of one trap per person.
- ~~(b) The use of equipment under this Rule requires a valid license that provides basic inland fishing privileges.~~
- (c) It is unlawful to sell nongame fishes or aquatic animals taken under this Rule.
- (d) Game fishes taken shall be returned unharmed to the water, except for the following: white perch may be taken when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all impounded waters west of I-95 and in the Tar River Reservoir (Nash County).
- (1) American and hickory shad may be taken when captured with dip nets and bow nets from March 1 through April 30 subject to the size and creel limits specified in 15A NCAC 10C .0313.
 - (2) white perch may be taken when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all impounded waters west of I-95 and in the Tar River Reservoir (Nash County) subject to the size and creel limits specified in 15A NCAC 10C .0319.
- (e) No person shall take or possess during one day more than 200 nongame fish, in aggregate, for bait or personal ~~consumption~~ subject to the consumption, accounting for species specific size and creel limits identified in 15A NCAC 10C .0401. Section .0400 of this Subchapter.
- (f) Any fishes taken for bait purposes are included within the daily possession limit for that species.
- (g) It is unlawful to take nongame fish for bait from the following waters:
- (1) Public Mountain Trout Waters (except in impounded waters of power reservoirs and municipally-owned water supply reservoirs);
 - (2) Bear Creek in Chatham County;
 - (3) Deep River in Chatham, Lee, and Moore counties and downstream of Coleridge Dam in Randolph County;
 - (4) Fork Creek in Randolph County; and
 - (5) Rocky River in Chatham County.
- ~~(i) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish having a size limit identified in 15A NCAC 10C .0401 so as to render it impractical to measure its total original length, except as provided in 15A NCAC 10C .0401(m). No person while fishing shall change the appearance of any nongame fish having a daily creel limit identified in 15A NCAC 10C .0401 so as to obscure its identification or render it impractical to count the number of fish in possession, except as provided in 15A NCAC 10C .0401(m).~~

Authority G.S. 113-134; 113-272; 113-272.3; 113-292.

15A NCAC 10C .0409 TAKING AND POSSESSION OF NONGAME FISHES

- (a) Individuals shall only take up to the daily creel limit of those species of nongame fish having a specified creel limit.
- (b) Individuals shall only possess, on those waters being fished:
 - (1) the specified daily creel limit for the species;
 - (2) fish conforming to the size limit of the species; and
 - (3) the daily creel limit while fishing or afield.
- (c) Individuals shall only possess up to three days creel limit at any place.
- (d) No person, while fishing or afield, shall:
 - (1) remove the head or tail or otherwise change the appearance of any nongame fish specified in Section .0400 as having a size limit, so as to render it impractical to measure its total original length, except as provided in 15A NCAC 10C .0410.
 - (2) change the appearance of any nongame fish that has a species-specific daily creel limit in Section .0400, as to obscure its identification or render it impractical to count the number of fish in possession, except for American Eel as provided in 15A NCAC 10C .0410.

Authority G.S. 113-134; 113-292.

15A NCAC 10C .0410 AMERICAN EEL

- (a) The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing in inland fishing waters is 25.
- (b) The minimum size limit is nine inches.
- (c) There is no closed season.
- (d) Eels greater than nine inches in length and with a minimum body depth greater than ½ inch may be cut for use as bait.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0411 ATLANTIC CROAKER

- (a) The daily creel limit for Atlantic croaker is 50 fish.
- (b) There is no minimum size limit.
- (c) There is no closed season.
- (d) Atlantic croaker shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0412 BLACK DRUM

- (a) The daily creel limit for black drum is 10 fish.
- (b) The minimum size limit is 14 inches and no fish over 25 inches may be possessed in the daily creel limit.
- (c) There is no closed season.
- (d) Black drum shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0413 BLUE CRAB

- (a) Blue crabs shall have a minimum carapace width of five inches (point to point).
- (b) It is unlawful to possess more than 50 crabs per person per day, or to exceed 100 crabs per vessel per day.
- (c) There is no closed season.
- (d) Blue crabs shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0414 BLUEFISH

- (a) The daily creel limit for bluefish is three.
- (b) There is no size limit.
- (c) There is no closed season.
- (d) Bluefish shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0415 BOWFIN

- (a) There is no daily creel limit for bowfin.
- (b) There is no minimum size limit.
- (c) There is no closed season.
- (d) Bowfin shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0416 BLUE CATFISH, CHANNEL CATFISH, AND FLATHEAD CATFISH

- (a) There is no daily creel limit for blue, channel, and flathead catfish, except for waters identified in Paragraphs (e), (f), and (g) of this Rule.
- (b) There is no minimum size limit.
- (c) There is no closed season.
- (d) In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program, no person shall take channel or blue catfish by means other than hook and line.
- (e) In waters that are stocked and managed for catfish and located on game lands, on Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program, the daily creel limit for channel catfish is seven on waters posted with signs indicating the creel limit.
- (f) The daily creel limit for blue catfish greater than 32 inches is one fish in the following waters:
 - (1) Lake Norman;
 - (2) Mountain Island Lake;
 - (3) Lake Wylie;
 - (4) Badin Lake;
 - (5) Lake Tillery;
 - (6) John H. Kerr Reservoir (North Carolina portion);
 - (7) Dan River (Downstream of the Union Street Dam in Danville, VA);
 - (8) Lake Gaston (North Carolina portion); and
 - (9) Roanoke Rapids Reservoir.
- (g) The daily creel limit is five catfish in aggregate on the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0417 COBIA

- (a) The daily creel limit for cobia is one fish.
- (b) The minimum size limit is 36 inches.
- (c) The season for taking and possessing cobia is May 1 to December 31.
- (d) Cobia shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0418 FRESHWATER MUSSELS

- (a) Freshwater mussels, including the Asiatic clam (*Corbicula fluminea*), may only be taken from impounded waters, except mussels shall not be taken in:
- (1) Lake Waccamaw in Columbus County; and
 - (2) University Lake in Orange County.
- (b) The daily possession limit for freshwater mussels is 200 in the aggregate, except there is no daily possession limit for the Asiatic clam (*Corbicula fluminea*).
- (c) There is no minimum size limit.
- (d) There is no closed season.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0419 GRASS CARP

- (a) There is no daily creel limit for grass carp, except for waters identified in Paragraphs (d) and (e) of this Rule.
- (b) There is no minimum size limit.
- (c) There is no closed season.
- (d) Grass carp shall not be taken or possessed except that one fish per day may be taken with archery equipment on the following waters:
- (1) Lake James;
 - (2) Lookout Shoals Lake;
 - (3) Mountain Island Reservoir; and
 - (4) Lake Wylie.
- (e) Grass carp shall not be taken or possessed except for scientific study by permit issued by the Wildlife Resources Commission on the following waters:
- (1) Lake Gaston (S.L. 2009-261);
 - (2) Roanoke Rapids Reservoir (S.L. 2009-261);
 - (3) Lake Norman; and
 - (4) the North Carolina portion of John H. Kerr Reservoir.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0420 KING MACKEREL

- (a) The daily creel limit for king mackerel is three fish.
- (b) The minimum size limit is 24 inches.
- (c) There is no closed season.
- (d) King mackerel shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0421 MARGINED MADTOM AND TADPOLE MADTOM

Margined madtom and tadpole madtom shall not be taken or possessed.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0422 STRIPED MULLET AND WHITE MULLET

- (a) The daily creel limit for striped mullet and white mullet is 200 fish in aggregate.
- (b) There is no minimum size limit.
- (c) There is no closed season.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0423 ALEWIFE AND BLUEBACK HERRING

- (a) There is no daily creel limit for alewife or blueback herring (river herring), except for waters identified in Paragraph (e) of this Rule.
- (b) There is no minimum size limit, except for waters identified in Paragraph (d) of this Rule.
- (c) There is no closed season.
- (d) While boating on or fishing in the following inland fishing waters, no person shall take alewife and blueback herring that are greater than six inches in length, or possess such herring regardless of origin in:

- (1) Roanoke River downstream of Roanoke Rapids Dam;
- (2) Tar River downstream of Rocky Mount Mill Dam;
- (3) Neuse River downstream of Falls Lake Dam;
- (4) Cape Fear River downstream of Buckhorn Dam;
- (5) Pee Dee River downstream of Blewett Falls Dam;
- (6) Lumber River, including Drowning Creek;
- (7) all the tributaries to the rivers listed above; and
- (8) all other inland fishing waters east of I-95.

(e) It shall be unlawful to transport, possess, or release live alewife or blueback herring, in the waters of the Little Tennessee River in and upstream of Lake Santeetlah and Cedar Cliff Lake, including all the tributaries and impoundments thereof, and on adjacent shorelines, docks, access ramps, and bridge crossings.

(f) Alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties), may not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0424 SHARKS

Sharks shall not be taken or possessed.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0425 SHEEPSHEAD

(a) The daily creel limit for sheepshead is 10 fish.

(b) The minimum size limit is 10 inches.

(c) There is no closed season.

(d) Sheepshead shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0426 SPANISH MACKEREL

(a) The daily creel limit for Spanish mackerel is 15 fish.

(b) The minimum size limit is 12 inches.

(c) There is no closed season.

(d) Spanish mackerel shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0427 SPOT

(a) The daily creel limit for spot is 50 fish.

(b) There is no minimum size limit.

(c) There is no closed season.

(d) Spot shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0428 TARPON

Tarpon shall not be taken or possessed.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0429 WEAKFISH (GRAY TROUT)

(a) The daily creel limit for weakfish (gray trout) is one fish.

(b) The minimum size limit is 12 inches.

(c) There is no closed season.

(d) Weakfish shall not be sold.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

15A NCAC 10C .0430 OTHER FISHES

(a) For any nongame fish species not specifically listed in this Section, there is no daily creel limit.

(b) There is no size limit.

(c) There is no closed season.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

SECTION .0700 – GAME FISH IN COASTAL FISHING WATERS

15A NCAC 10C .0701 INLAND GAME FISHES DESIGNATED IN COASTAL FISHING WATERS

(a) For the purposes of this rule, only the following fishes are classified and designated as inland game fishes in coastal fishing waters:

- (1) Alabama bass, largemouth bass, redeye bass, smallmouth bass, and spotted bass;
- (2) black crappie and white crappie;
- (3) chain pickerel (jack), muskellunge, and redbreast pickerel;
- (4) kokanee salmon;
- (5) mountain trout, all species including but not limited to brook trout, brown trout, and rainbow trout;
- (6) Roanoke bass and rock bass (redeye);
- (7) sauger and walleye; and
- (8) sunfish, including bluegill (bream), flier, pumpkinseed, redbreast (robin), redear (shellcracker), warmouth, and all other species of the sunfish family (Centrarchidae) not specifically listed in this Rule.

(b) Inland game fishes shall not be taken by any method other than with hook and line, except that landing nets may be used to land fishes caught on hook and line.

(c) Size, creel limits, and seasons for inland game fishes in coastal fishing waters shall be the same as those in inland waters designated in Section .0300 of this Subchapter.

(d) Inland game fishes taken incidental to commercial fishing operations shall be immediately returned to the water unharmed.

(e) Inland game fishes taken from coastal fishing waters shall not be sold.

(f) Individuals shall only take up to the daily creel limit of those species of inland game fish having a specified creel limit.

(g) Individuals shall only possess, on those waters being fished:

- (1) the specified daily creel limit for the species;
- (2) fish conforming to the size limit for the species; and
- (3) the daily creel limit while fishing or afield.

(h) Individuals shall only possess up to three days creel limit at any place.

(i) No person, while fishing or afield, shall:

- (1) unnecessarily destroy any inland game fish taken from public fishing waters;
- (2) remove the head or tail or otherwise change the appearance of any game fish having a size limit so to render it impracticable to measure its total original length; or
- (3) change the appearance of any game fish having a daily creel limit so to obscure its identification or render it impracticable to count the number of fish in possession.

Authority G.S. 113-134; 113-135; 113-135.1; 113-292.