

## **15A NCAC 10B .0106 WILDLIFE TAKEN FOR DEPREDATIONS**

(a) Depredation permits allow the taking of undesirable or excess wildlife resources as described in Subparagraphs (1) and (2) of this Paragraph. Only employees of the Wildlife Resources Commission and Wildlife Damage Control Agents may issue depredation permits. Each permit shall be written on a form supplied by the Commission. No permit is needed for the owner or lessee of a property to take wildlife while committing depredations on the property; however the manner of taking, disposition of dead wildlife, and reporting requirements as described in this Rule still apply. No permit shall be issued to take any endangered or threatened species of wildlife listed under 15A NCAC 10I, except alligators, by reason of depredations to property. Only the Executive Director may issue depredation permits for Special Concern species listed in 15A NCAC 10I .0105 and for alligators. An individual may take an endangered or threatened species in immediate defense of his own life or of the lives of others without a permit. Any endangered or threatened species that may constitute a demonstrable but non-immediate threat to human safety shall be reported to a federal or state wildlife enforcement officer, who, upon verification of the report, may take or remove the specimen as provided by 15A NCAC 10I .0102. Depredation permits for other species shall be issued under the following conditions:

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

(b) Wildlife Damage Control Agents: Upon completion of a training course designed for the purpose of reviewing and updating information on wildlife laws and safe, humane wildlife handling techniques, and demonstration of a knowledge of wildlife laws and safe, humane wildlife handling techniques, an individual with no record of wildlife law violations may apply to the Wildlife Resources Commission (Commission) to become a Wildlife Damage Control

Agent (WDCA). Those persons who demonstrate knowledge of wildlife laws and safe, humane wildlife handling techniques by a passing score of at least 85 percent on a written examination provided by a representative of the Wildlife Resources Commission, in cooperation with the training course provider, shall be approved. Those persons failing to obtain a passing score shall be given one chance for re-testing without re-taking the course. Those persons approved as agents by the Commission may then issue depredation permits for depredation as defined in Subparagraph (a)(1) of this Rule to landholders and be listed as a second party to provide the control service. WDCAs may not issue depredation permits for coyotes in the counties of Beaufort, Dare, Hyde, Tyrrell, Washington; big game animals; bats; or species listed as endangered, threatened, or special concern under 15A NCAC 10I .0103, .0104 and .0105 of this Chapter. WDCAs shall report to the Wildlife Resources Commission the number and disposition of animals taken, by county, annually. Records shall be available for inspection by a Wildlife Enforcement officer at any time during normal business hours. Wildlife Damage Control Agent status shall be revoked at any time by the Executive Director when there is evidence of violations of wildlife laws, failure to report, or inhumane treatment of animals by the WDCA. A WDCA may not charge for the permit, but may charge for his or her investigations and control services. In order to maintain a knowledge of current laws, rules, and techniques, each WDCA shall renew his or her agent status every three years by showing proof of having attended at least one training course provided for the purpose of reviewing and updating information on wildlife laws, and safe, humane wildlife handling techniques within the previous 12 ~~months~~ months or equivalent in continuing education credits.

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

(d) Manner of Taking:

- (1) Taking Without a Permit. Wildlife taken without a permit while committing depredations to property may, during the open season on the species, be taken by the landholder by any lawful method. During the closed season, such depredating wildlife may be taken without a permit only by the use of firearms or archery equipment as defined in 15A NCAC 10B .0116.
- (2) Taking With a Permit. Wildlife taken under a depredation permit may be taken only by the method or methods authorized by the permit. When trapping is authorized, in order to limit the taking to the intended purpose, the permit may specify a reasonable distance from the property sought to be protected, according to the particular circumstances, within which the traps shall be set. The Executive Director or agent may also state in a permit authorizing trapping whether or not bait may be used and the type of bait, if any, that is authorized. In addition to any trapping restrictions that may be contained in the permit, the method of trapping shall be in accordance with the requirements and restrictions imposed by G.S. 113-291.6 and other local laws passed by the General Assembly. No depredation permit shall authorize the use of poisons or pesticides in taking wildlife except in accordance with the provisions of the North Carolina Pesticide Law of 1971, the Structural Pest

Control Act of 1955, and G.S. 113, Article 22A. No depredation permit shall authorize the taking of wildlife by any method by any landholder upon the lands of another except when the individual is listed as a second party on a depredation permit.

- (3) Intentional Wounding. It is unlawful for any landholder, with or without a depredation permit, intentionally to wound a wild animal in a manner so as not to cause its immediate death as suddenly and humanely as the circumstances permit.

(e) Disposition of Wildlife Taken:

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

euthanasia must be euthanized within 12 hours of capture. Anyone in possession of live animals being transported for relocation or euthanasia under a depredation permit shall have the depredation permit in his or her possession.

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

*History Note: Authority G.S. 113-134; 113-273; 113-274; 113-291.4; 113-291.6; 113-300.1; 113-300.2; 113-307; 113-331; 113-333; 113-334(a); 113-337;*

*Eff. February 1, 1976;*

*Amended Eff. May 1, 2016; August 1, 2013; January 1, 2012; August 1 2010; July 1, 2010; May 1, 2008; August 1, 2002; July 1, 1997; July 1, 1995; January 1, 1995; January 1, 1992; August 1, 1990.*

*Temporary Amendment Eff. August 1, 2014 and shall remain in effect until amendments expire as specified in G.S. 150B-21.1(d) or the United States District Court for the Eastern District of North Carolina's court order number 2:13-CV-60-BOs signed on May 13, 2014 is rescinded, whichever date is earlier. The court order is available at [www.ncwildlife.org](http://www.ncwildlife.org);*

*Temporary Amendment Eff. February 27, 2015.*

**15A NCAC 10B .0107    BLACK BEAR**

It is unlawful to take or possess a female bear with a cub or cubs at its side, or to take or possess a cub bear. For the purpose of this Rule, a cub bear is defined as any bear weighing less than ~~75~~ 50 pounds.

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

*Eff. February 1, 1976;*

*Amended Eff. August 1, 2016; June 1, 2005; July 1, 1985.*

## **15A NCAC 10B .0118 SALE OF WILDLIFE**

- (a) The carcasses or pelts of bobcats, opossums, and raccoon that have been lawfully taken by any hunting method, upon compliance with applicable fur tagging requirements set forth in 15A NCAC 10B .0400, may be sold to licensed fur dealers. The sale of carcasses or pelts of bobcats, opossums, and raccoon killed accidentally or taken by hunting for control of depredations is permitted under the conditions set forth in 15A NCAC 10B .0106(e)(4) and 15A NCAC 10B .0127.
- (b) Except as otherwise provided in Paragraphs (a), (d), (e), and (f) of this Rule, the sale of game birds and game animals or parts thereof is prohibited, except that processed products other than those made from edible portions may be sold, provided that no label or advertisement identifies the product as a game bird, game animal, or part thereof; and provided further that the game bird or game animal was lawfully acquired and the product is not readily identifiable as a game bird, game animal, or part thereof.
- (c) The sale of edible portions or products of game birds and game animals is prohibited, except as may be otherwise provided by statute.
- (d) The pelt or feathers of deer, elk, fox, pheasant, quail, rabbit, or squirrel (fox and gray) may be bought or sold for the purpose of making fishing flies provided that the source of these animals can be documented as being legally obtained from out of state sources or from lawfully operated commercial breeding facilities. The buying and selling of migratory game birds shall be in accordance with 50 C.F.R. 20.91. 50 C.F.R. 20.91 is hereby incorporated by reference, shall include any later amendments and editions of the incorporated material, and may be accessed free of cost at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title50-vol9/pdf/CFR-2014-title50-vol9-sec20-91.pdf>.
- (e) The Executive Director or his designee may issue Trophy Wildlife Sale permits as authorized in G.S. 113-274 for the sale of lawfully taken and possessed individual dead wildlife specimens or their parts that are mounted, stuffed, or otherwise permanently preserved that may be sold under G.S. 113-291.3. A copy of the permit shall be retained with the specimen.
- (f) Antlers, antler velvet, and hides from cervids held under a captivity license as authorized in 15A NCAC 10H .0301 may be sold. Raw hides from any lawfully-taken white-tailed deer may be sold.

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

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

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

(b) On Sundays, hunting on private lands is allowed ~~under with~~ the following ~~conditions; restrictions:~~

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

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

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

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

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

Note: Where local laws govern hunting, or are in conflict with this Subchapter, the local law shall prevail.

*History Note:* Authority G.S. 103-2; 113-291.1(a); 113-134; 113-291.2; 113-291.3;

*Eff. February 1, 1976;*

*Amended Eff. May 1, 2016; August 1, 2012; July 10, 2010; July 1, 1996; July 1, 1987.*

**15A NCAC 10B .0202 BEAR**

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

- (1) Monday on or nearest October 15 to the Saturday before Thanksgiving and the third Monday after Thanksgiving to January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland counties.
- (2) Second Monday in November to January 1 in all of Bladen, Carteret, Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, and Sampson counties.
- (3) First Monday in December to the third Saturday thereafter in Brunswick, Columbus, and Robeson counties.
- (4) Second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving in all of Beaufort, Camden, Chowan, Craven, Dare, Edgecombe, Greene, Halifax, Hyde, Jones, Lenoir, Martin, Nash, Northampton, Pasquotank, Pitt, Tyrrell, Washington, Wayne, and Wilson counties.
- (5) Saturday preceding the second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving in Bertie, Currituck, Gates, Hertford, and Perquimans counties.
- (6) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A NCAC 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie, Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston, Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Warren, Wake, and Yadkin counties.

(b) Restrictions

- (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain, fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw components.
- (2) Bears shall not be taken with the use or aid of:
  - (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum, candy block, oils, spices, peanut butter, or grease;
  - (B) any extracts of substances identified in Part (A) of this Subparagraph;
  - (C) any substances modified by substances identified in Part (A) of this Subparagraph, including any extracts of those substances; or
  - (D) any bear bait attractant, including sprays, aerosols, scent balls, and scent powders.
- (3) Bears may be taken with the aid of bait from the first open Monday through the following Saturday only in the counties in Subparagraphs (a)(1) through (a)(5) of this Rule. In counties with a season split into two or more segments, this Subparagraph applies only to the first segment.
- (4) Bears shall not be taken while in the act of consuming bait.

- (5) Bears may be taken with the aid of bait during the entire open season in the counties identified in Subparagraph (a)(6) of this Rule.
- (6) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85, Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.
- (c) No Open Season. There is no open season in those parts of counties included in the following posted bear sanctuaries:
- Avery, Burke, and Caldwell counties--Daniel Boone bear sanctuary except by permit only
  - Beaufort, Bertie, and Washington counties--Bachelor Bay bear sanctuary
  - ~~Beaufort and Pamlico counties--Gum Swamp bear sanctuary~~
  - Bladen County--Suggs Mill Pond bear sanctuary
  - Brunswick County--Green Swamp bear sanctuary
  - Buncombe, Haywood, Henderson, and Transylvania counties--Pisgah bear sanctuary
  - Carteret, Craven, and Jones counties--Croatan bear sanctuary
  - Clay County--Fires Creek bear sanctuary
  - Columbus County--Columbus County bear sanctuary
  - Currituck County--North River bear sanctuary
  - Dare County--Bombing Range bear sanctuary except by permit only
  - Haywood County--Harmon Den bear sanctuary
  - Haywood County--Sherwood bear sanctuary
  - Hyde County--Gull Rock bear sanctuary
  - Hyde County--Pungo River bear sanctuary
  - Jackson County--Pantherstown-Bonas Defeat bear sanctuary
  - Macon County--Standing Indian bear sanctuary
  - Macon County--Wayah bear sanctuary
  - Madison County--Rich Mountain bear sanctuary
  - McDowell and Yancey counties--Mt. Mitchell bear sanctuary except by permit only
  - Mitchell and Yancey counties--Flat Top bear sanctuary
  - Wilkes County--Thurmond Chatham bear sanctuary
- (d) The daily bag limit is one, the possession limit is one, and the season limit is one.
- (e) Kill Reports. The carcass of each bear shall be reported as provided by 15A NCAC 10B .0113.

*History Note:* Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;  
 Eff. February 1, 1976;  
 Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;

*Temporary Amendment Eff. July 1, 1999;*  
*Amended Eff. July 1, 2000;*  
*Temporary Amendment Eff. July 1, 2002;*  
*Amendment Eff. August 1, 2002;*  
*Temporary Amendment Eff. September 1, 2003;*  
*Temporary Amendment Expired Eff. December 27, 2003;*  
*Amended Eff. August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010;*  
*May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.*

**15A NCAC 10B .0224 AMERICAN ALLIGATOR**

(a) The season for taking American alligators by hunting is September 1 to October 1.

(b) Hunting is by permit only.

(c) The bag limit is one per permit.

(d) American alligators may be taken by: catch pole, harpoon, gig, wooden peg, bang stick, archery equipment and artificial lights. Firearms shall only be used to dispatch American alligators that are restrained.

*History Note: Authority G.S. 113-134; 113-291; 113-291.2;*

*Eff. August 1, 2016*

**15A NCAC 10B .0225 ELK**

- (a) The season for taking elk by hunting is September 1 to October 1.
- (b) Hunting is by permit only.
- (c) The bag limit is one per permit.
- (d) Elk may be taken by any legal weapon.

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

**15A NCAC 101 .0103 ENDANGERED SPECIES LISTED**

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

- (1) Amphibians:  
None Listed At This Time.
- (2) Birds:
  - (A) Bachman's warbler (*Vermivora bachmanii*);
  - (B) Ivory-billed woodpecker (*Campephilus principalis*);
  - (C) Kirtland's warbler (*Dendroica kirtlandii*);
  - (D) Piping plover (*Charadrius melodus circumcinctus*);
  - (E) Red-cockaded woodpecker (*Picoides borealis*);
  - (F) Roseate tern (*Sterna dougallii dougallii*);
  - (G) Wood stork (*Mycteria americana*).
- (3) Crustacea: None Listed At This Time.
- (4) Fish:
  - (A) Cape Fear shiner (*Notropis mekistocholas*);
  - (B) Roanoke logperch (*Percina rex*);
  - (C) Shortnose sturgeon (*Acipenser brevirostrum*), when found in inland fishing ~~waters.~~ waters;
  - (D) Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), when found in inland fishing waters.
- (5) Mammals:
  - (A) Carolina northern flying squirrel (*Glaucomys sabrinus coloratus*);
  - ~~(B) Eastern cougar (*Puma concolor*);~~
  - ~~(C)~~(B) Gray bat (*Myotis grisescens*);
  - ~~(D)~~(C) Indiana bat (*Myotis sodalis*);
  - ~~(E)~~(D) Manatee (*Trichechus manatus*), when found in inland fishing waters;
  - ~~(F)~~(E) Virginia big-eared bat (*Corynorhinus townsendii virginianus*).
- (6) Mollusks:
  - (A) Appalachian elktoe (*Alasmidonta raveneliana*);
  - (B) Carolina heelsplitter (*Lasmigona decorata*);
  - (C) Dwarf wedge mussel (*Alasmidonta heterodon*);
  - (D) James spinymussel (*Pleurobema collina*);
  - (E) Little-wing pearlymussel (*Pegias fabula*);
  - (F) Tan riffleshell (*Epioblasma florentina walkeri*);
  - (G) Tar River spinymussel (*Elliptio steinstansana*).
- (7) Reptiles:
  - (A) Kemp's ridley seaturtle (*Lepidochelys kempii*);
  - (B) Atlantic hawksbill seaturtle (*Eretmochelys imbricata imbricata*);

(C) Leatherback sea turtle (*Dermochelys coriacea*).

(b) The following species of resident wildlife are designated as state-listed endangered species:

- (1) Amphibians: Green salamander (*Aneides aeneus*).
- (2) Birds:
  - (A) American peregrine falcon (*Falco peregrinus anatum*);
  - (B) Bewick's wren (*Thryomanes bewickii*).
- (3) Crustacea: Bennett's Mill cave water slater (*Caecidotea carolinensis*).
- (4) Fish:
  - (A) Blotchside logperch (*Percina burtoni*);
  - (B) Bridle shiner (*Notropis bifrenatus*);
  - (C) Dusky darter (*Percina sciera*);
  - (D) Orangefin madtom (*Noturus gilberti*);
  - (E) Paddlefish (*Polyodon spathula*);
  - (F) Robust redhorse (*Moxostoma robustum*);
  - (G) Rustyside sucker (*Thoburnia hamiltoni*);
  - (H) Stonecat (*Noturus flavus*).
- (5) Mammals: None Listed At This Time.
- (6) Mollusks:
  - (A) Atlantic pigtoe (*Fusconaia masoni*);
  - (B) Barrel floater (*Anodonta couperiana*);
  - (C) Brook floater (*Alasmidonta varicosa*);
  - (D) Carolina creekshell (*Villosa vaughaniana*);
  - (E) Fragile glyph (*Glyphyalinia clingmani*);
  - (F) Green floater (*Lasmigona subviridis*);
  - (G) Greenfield rams-horn (*Helisoma eucosmium*);
  - (H) Knotty elimia (*Elimia christyi*);
  - (I) Magnificent rams-horn (*Planorbella magnifica*);
  - (J) Neuse spike (*Elliptio judithae*);
  - (K) Purple wartyback (*Cyclonaias tuberculata*);
  - (L) Savannah lilliput (*Toxolasma pullus*);
  - (M) Slippershell mussel (*Alasmidonta viridis*);
  - (N) Tennessee clubshell (*Pleurobema oviforme*);
  - (O) Tennessee heelsplitter (*Lasmigona holstonia*);
  - (P) Tennessee pigtoe (*Fusconaia barnesiana*);
  - (Q) Yellow lampmussel (*Lampsilis cariosa*);
  - (R) Yellow lance (*Elliptio lanceolata*).
- (7) Reptiles:
  - (A) Eastern coral snake (*Micrurus fulvius fulvius*);

(B) Eastern diamondback rattlesnake (*Crotalus adamanteus*).

*History Note:* Authority G.S. 113-134; 113-291.2; 113-292; 113-333;  
Eff. June 11, 1977;  
Amended Eff. August 1, 2016; May 1, 2008; April 1, 2001; February 1, 1994; November 1, 1991;  
April 1, 1991; June 1, 1990.

**15A NCAC 101 .0104 THREATENED SPECIES LISTED**

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

- (1) Amphibians: None Listed At This Time.
- (2) Birds: ~~Piping plover (*Charadrius melodus melodus*)~~.
  - (A) Piping Plover (*Charadrius melodus melodus*)
  - (B) Red Knot (*Calidris canutus rufa*)
- (3) Crustacea: None Listed At This Time.
- (4) Fish:
  - (A) Spotfin chub (*Cyprinella monacha*); and
  - (B) Waccamaw silverside (*Menidia extensa*).
- (5) Mammals: Northern Long-eared Bat (*Myotis septentrionalis*)
- (6) Mollusks: Noonday globe (*Patera clarki nantahala*).
- (7) Reptiles:
  - (A) Bog turtle (*Glyptemys muhlenbergii*);
  - (B) American alligator (*Alligator mississippiensis*);
  - (C) Green sea turtle (*Chelonia mydas*); and
  - (D) Loggerhead sea turtle (*Caretta caretta*).

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

- (1) Amphibians:
  - (A) Carolina gopher frog (*Rana capito capito*);
  - (B) Eastern tiger salamander (*Ambystoma tigrinum tigrinum*);
  - (C) Junaluska salamander (*Eurycea junaluska*); and
  - (D) Wehrle's salamander (*Plethodon wehrlei*).
- (2) Birds:
  - (A) Bald eagle (*Haliaeetus leucocephalus*);
  - (B) Gull-billed tern (*Sterna nilotica aranea*); and
  - (C) Northern saw-whet owl (*Aegolius acadicus*).
- (3) Crustacea: None Listed At This Time.
- (4) Fish:
  - (A) American brook lamprey (*Lampetra appendix*);
  - (B) Banded sculpin (*Cottus carolinae*);
  - (C) Bigeye jumprock (*Scartomyzon ariommus*);
  - (D) Blackbanded darter (*Percina nigrofasciata*);
  - (E) Carolina madtom (*Noturus furiosus*);
  - (F) Carolina pygmy sunfish (*Elassoma boehlkei*);
  - (G) Carolina redbhorse (*Moxostoma* sp.) (Pee Dee River and its tributaries and Cape Fear River and its tributaries);

- (H) Least brook lamprey (*Lampetra aepyptera*);
  - (I) Logperch (*Percina caprodes*);
  - (J) Rosyface chub (*Hybopsis rubrifrons*);
  - (K) Sharphead darter (*Etheostoma acuticeps*);
  - (L) Sicklefin redhorse (*Moxostoma* sp.) (Hiwassee River and its tributaries and Little Tennessee River and its tributaries);
  - (M) Turquoise darter (*Etheostoma inscriptum*); and
  - (N) Waccamaw darter (*Etheostoma perlongum*).
- (5) Mammals:
- (A) Eastern woodrat (*Neotoma floridana floridana*);
  - (B) Rafinesque's big-eared bat (*Corynorhinus rafinesquii rafinesquii*); and
  - (C) Red wolf (*Canis rufus*).
- (6) Mollusks:
- (A) Alewife floater (*Anodonta implicata*);
  - (B) Big-tooth covert (*Fumonelix jonesiana*);
  - (C) Cape Fear threetooth (*Triodopsis soelneri*);
  - (D) Carolina fatmucket (*Lampsilis radiata conspicua*);
  - (E) Clingman covert (*Fumonelix wheatleyi clingmanicus*);
  - (F) Eastern lampmussel (*Lampsilis radiata radiata*);
  - (G) Eastern pondmussel (*Ligumia nasuta*);
  - (H) Engraved covert (*Fumonelix orestes*);
  - (I) Mountain creekshell (*Villosa vanuxemensis*);
  - (J) Roan supercoil (*Paravitrea varidens*);
  - (K) Roanoke slabshell (*Elliptio roanokensis*);
  - (L) Sculpted supercoil (*Paravitrea ternaria*);
  - (M) Seep mudalia (*Leptoxis dilatata*);
  - (N) Smoky Mountain covert (*Inflectarius ferrissi*);
  - (O) Squawfoot (*Strophitus undulatus*);
  - (P) Tidewater mucket (*Leptodea ochracea*);
  - (Q) Triangle floater (*Alasmidonta undulata*);
  - (R) Waccamaw ambersnail (*Catinella waccamawensis*);
  - (S) Waccamaw fatmucket (*Lampsilis fullerhati*);
  - (T) Waccamaw spike (*Elliptio waccamawensis*).
- (7) Reptiles: None Listed At This Time.

*History Note: Authority G.S. 113-134; 113-291.2; 113-292; 113-333; Eff. March 17, 1978;*

*Amended Eff. August 1, 2016; June 1, 2008; April 1, 2001; November 1, 1991; April 1, 1991;  
June 1, 1990; September 1, 1989;  
Temporary Amendment Eff. February 27, 2015.*

**15A NCAC 101 .0105 SPECIAL CONCERN SPECIES LISTED**

The following species of resident wildlife are designated as state-listed special concern species:

- (1) Amphibians:
  - (a) Crevice salamander (*Plethodon longicrus*);
  - (b) Dwarf salamander (*Eurycea quadridigitata*);
  - (c) Eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*);
  - (d) Four-toed salamander (*Hemidactylium scutatum*);
  - (e) Longtail salamander (*Eurycea longicauda longicauda*);
  - (f) Mole salamander (*Ambystoma talpoideum*);
  - (g) Mountain chorus frog (*Pseudacris brachyphona*);
  - (h) Mudpuppy (*Necturus maculosus*);
  - (i) Neuse River waterdog (*Necturus lewisi*);
  - (j) River frog (*Rana heckscheri*);
  - (k) Southern zigzag salamander (*Plethodon ventralis*);
  - (l) Weller's salamander (*Plethodon welleri*).
- (2) Birds:
  - (a) American oystercatcher (*Haematopus palliatus*);
  - (b) Bachman's sparrow (*Aimophila aestivalis*);
  - (c) Black-capped chickadee (*Poecile atricapillus*);
  - (d) Black rail (*Laterallus jamaicensis*);
  - (e) Black skimmer (*Rynchops niger*);
  - (f) Brown creeper (*Certhia americana nigrescens*);
  - (g) Cerulean warbler (*Dendroica cerulea*);
  - (h) Common tern (*Sterna hirundo*);
  - (i) Glossy ibis (*Plegadis falcinellus*);
  - (j) Golden-winged warbler (*Vermivora chrysoptera*);
  - (k) Henslow's sparrow (*Ammodramus henslowii*);
  - (l) Least bittern (*Ixobrychus exilis*);
  - (m) Least tern (*Sterna antillarum*);
  - (n) Little blue heron (*Egretta caerulea*);
  - (o) Loggerhead shrike (*Lanius ludovicianus*);
  - (p) Olive-sided flycatcher (*Contopus cooperi*);
  - (q) Painted bunting (*Passerina ciris*);
  - (r) Red crossbill (*Loxia curvirostra*);
  - (s) Snowy egret (*Egretta thula*);
  - (t) Tricolored heron (*Egretta tricolor*);
  - (u) Vesper sparrow (*Poocetes gramineus*);
  - (v) Wilson's plover (*Charadrius wilsonia*);

- (w) Yellow-bellied sapsucker (*Sphyrapicus varius appalachiensis*).
- (3) Crustacea:
- (a) Broad River spiny crayfish (*Cambarus spicatus*);
  - (b) Carolina skistodiaptomus (*Skistodiaptomus carolinensis*);
  - (c) Carolina well diacyclops (*Diacyclops jeanneli putei*);
  - (d) Chowanoke crayfish (*Orconectes virginienis*);
  - (e) Graceful clam shrimp (*Lynceus gracilicornis*);
  - (f) Greensboro burrowing crayfish (*Cambarus catagius*);
  - (g) Hiwassee headwaters crayfish (*Cambarus parrishi*);
  - (h) Little Tennessee River crayfish (*Cambarus georgiae*);
  - (i) North Carolina spiny crayfish (*Orconectes carolinensis*);
  - (j) Oconee stream crayfish (*Cambarus chaugaensis*);
  - (k) Waccamaw crayfish (*Procambarus braswelli*).
- (4) Fish:
- ~~(a)~~ Atlantic sturgeon (*Acipenser oxyrinchus*);
  - ~~(b)~~(a) Bluefin killifish (*Lucania goodei*);
  - ~~(c)~~(b) Blue Ridge sculpin (*Cottus caeruleomentum*);
  - ~~(d)~~(c) Blueside darter (*Etheostoma jessiae*);
  - ~~(e)~~(d) Broadtail madtom (*Noturus* sp.) (Lumber River and its tributaries and Cape Fear River and its tributaries);
  - ~~(f)~~(e) Carolina darter (*Etheostoma collis*);
  - ~~(g)~~(f) Cutlip minnow (*Exoglossum maxillingua*);
  - ~~(h)~~(g) Freshwater drum (*Aplodinotus grunniens*) (French Broad River);
  - ~~(i)~~(h) Highfin carpsucker (*Carpoides velifer*) (Cape Fear River and its tributaries);
  - ~~(j)~~(i) Kanawha minnow (*Phenacobius teretulus*);
  - ~~(k)~~(j) Lake sturgeon (*Acipenser fulvescens*);
  - ~~(l)~~(k) Least killifish (*Heterandria formosa*);
  - ~~(m)~~(l) Longhead darter (*Percina macrocephala*);
  - ~~(n)~~(m) Mooneye (*Hiodon tergisus*);
  - ~~(o)~~(n) Mountain madtom (*Noturus eleutherus*);
  - ~~(p)~~(o) Olive darter (*Percina squamata*);
  - ~~(q)~~(p) Pinewoods darter (*Etheostoma mariae*);
  - ~~(r)~~(q) River carpsucker (*Carpoides carpio*);
  - ~~(s)~~(r) Riverweed darter (*Etheostoma podostemone*);
  - ~~(t)~~(s) Sandhills chub (*Semotilus lumbee*);
  - ~~(u)~~(t) Sharpnose darter (*Percina oxyrhynchus*);

- ~~(v)~~(u) Smoky dace (*Clinostomus* sp.) (Little Tennessee River and tributaries);
- ~~(w)~~(v) Striped shiner (*Luxilus chrysocephalus*);
- ~~(x)~~(w) Tennessee snubnose darter (*Etheostoma simoterum*);
- ~~(y)~~(x) Thinlip chub (*Cyprinella zanema*) (Lumber River and its tributaries and Cape Fear River and its tributaries);
- ~~(z)~~(y) Waccamaw killifish (*Fundulus waccamensis*);
- ~~(aa)~~(z) Wounded darter (*Etheostoma vulneratum*);
- ~~(bb)~~(aa) Yellowfin shiner (*Notropis lutipinnis*) (Savannah River and its tributaries);

(5) Mammals:

- (a) Allegheny woodrat (*Neotoma magister*);
- (b) Buxton Woods white-footed mouse (*Peromyscus leucopus buxtoni*);
- (c) Coleman's oldfield mouse (*Peromyscus polionotus colemani*);
- (d) Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*);
- (e) Eastern small-footed bat (*Myotis leibii leibii*);
- ~~(f)~~ — Elk (~~*Cervus elaphus*~~);
- ~~(g)~~(f) Florida yellow bat (*Lasiurus intermedius floridanus*);
- ~~(h)~~(g) Pungo white-footed mouse (*Peromyscus leucopus easti*);
- ~~(i)~~(h) Southeastern bat (*Myotis austroriparius*);
- ~~(j)~~(i) Southern rock shrew (*Sorex dispar blitchi*);
- ~~(k)~~(j) Southern rock vole (*Microtus chrotorrhinus carolinensis*);
- ~~(l)~~(k) Southern water shrew (*Sorex palustris punctulatus*);
- ~~(m)~~(l) Star-nosed mole (*Condylura cristata parva*).

(6) Mollusks:

- (a) Appalachian gloss (*Zonitoides patuloides*);
- (b) Bidentate dome (*Ventridens coelaxis*);
- (c) Black mantleslug (*Pallifera hemphilli*);
- (d) Blackwater ancylid (*Ferrissia hendersoni*);
- (e) Blue-foot lancetooth (*Haplotrema kendeighi*);
- (f) Cape Fear spike (*Elliptio marsupiobesa*);
- (g) Dark glyph (*Glyphyalinia junaluskana*);
- (h) Dwarf proud globe (*Patera clarki clarki*);
- (i) Dwarf threetooth (*Triodopsis fulciden*);
- (j) Fringed coil (*Helicodiscus fimbriatus*);
- (k) Glossy supercoil (*Paravitrea placentula*);
- (l) Great Smoky slitmouth (*Stenotrema depilatum*);
- (m) High mountain supercoil (*Paravitrea andrewsae*);
- (n) Honey glyph (*Glyphyalinia vanattai*);

- (o) Lamellate supercoil (*Paravitrea lamellidens*);
  - (p) Mirey Ridge supercoil (*Paravitrea clappi*);
  - (q) Notched rainbow (*Villosa constricta*);
  - (r) Open supercoil (*Paravitrea umbilicaris*);
  - (s) Pink glyph (*Glyphyalinia pentadelphia*);
  - (t) Pod lance (*Elliptio folliculata*);
  - (u) Queen crater (*Appalachina chilhoweensis*);
  - (v) Rainbow (*Villosa iris*);
  - (w) Ramp Cove supercoil (*Paravitrea lacteodens*);
  - (x) Saw-tooth disc (*Discus bryanti*);
  - (y) Spike (*Elliptio dilatata*);
  - (z) Spiral coil (*Helicodiscus bonamicus*);
  - (aa) Velvet covert (*Inflectarius subpalliatu*);
  - (bb) Waccamaw amnicola (*Amnicola* sp.);
  - (cc) Waccamaw lampmussel (*Lampsilis crocata*);
  - (dd) Waccamaw siltsnail (*Cincinnati* sp.);
  - (ee) Wavy-rayed lampmussel (*Lampsilis fasciola*).
- (7) Reptiles:
- (a) Carolina pigmy rattlesnake (*Sistrurus miliarius miliarius*);
  - (b) Carolina watersnake (*Nerodia sipedon williamengelsi*);
  - (c) Diamondback terrapin (*Malaclemys terrapin*);
  - (d) Eastern smooth green snake (*Opheodrys vernalis vernalis*);
  - (e) Eastern spiny softshell (*Apalone spinifera spinifera*);
  - (f) Mimic glass lizard (*Ophisaurus mimicus*);
  - (g) Northern pine snake (*Pituophis melanoleucus melanoleucus*);
  - (h) Outer Banks kingsnake (*Lampropeltis getula sticticeps*);
  - (i) Southern hognose snake (*Heterodon simus*);
  - (j) Stripeneck musk turtle (*Sternotherus minor peltifer*);
  - (k) Timber rattlesnake (*Crotalus horridus*).

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

*Temporary Amendment Eff. February 27, 2015.*

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  - (i) (h) Highfin carpsucker (*Carpiodes velifer*) (Cape Fear River and its tributaries);
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  - (s) (r) Riverweed darter (*Etheostoma podostemone*);
  - (t) (s) Sandhills chub (*Semotilus lumbee*);
  - (u) (t) Sharpnose darter (*Percina oxyrhynchus*);

- (v) (u) Smoky dace (*Clinostomus* sp.) (Little Tennessee River and tributaries);
- (w) (v) Striped shiner (*Luxilus chrysocephalus*);
- (x) (w) Tennessee snubnose darter (*Etheostoma simoterum*);
- (y) (x) Thinlip chub (*Cyprinella zanema*) (Lumber River and its tributaries and Cape Fear River and its tributaries);
- (z) (y) Waccamaw killifish (*Fundulus waccamensis*);
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- ~~(f)~~ — Elk (~~*Cervus elaphus*~~);
- ~~(g)~~(f) Florida yellow bat (*Lasiurus intermedius floridanus*);
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- ~~(i)~~(h) Southeastern bat (*Myotis austroriparius*);
- ~~(j)~~(i) Southern rock shrew (*Sorex dispar blitchi*);
- ~~(k)~~(j) Southern rock vole (*Microtus chrotorrhinus carolinensis*);
- ~~(l)~~(k) Southern water shrew (*Sorex palustris punctulatus*);
- ~~(m)~~(l) Star-nosed mole (*Condylura cristata parva*).

(6) Mollusks:

- (a) Appalachian gloss (*Zonitoides patuloides*);
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  - (t) Pod lance (*Elliptio folliculata*);
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  - (z) Spiral coil (*Helicodiscus bonamicus*); (aa) Velvet covert (*Inflectarius subpalliatu*); (bb) Waccamaw amnicola (*Amnicola sp.*);
  - (cc) Waccamaw lampmussel (*Lampsilis crocata*); (dd) Waccamaw siltsnail (*Cincinnati sp.*);
  - (ee) Wavy-rayed lampmussel (*Lampsilis fasciola*).
- (7) Reptiles:
- (a) Carolina pigmy rattlesnake (*Sistrurus miliarius miliarius*);
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  - (c) Diamondback terrapin (*Malaclemys terrapin*);
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  - (f) Mimic glass lizard (*Ophisaurus mimicus*);
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*History Note:* Authority *G.S. 113-134; 113-291.2; 113-292; 113-333; Eff. September 1, 1989; Amended Eff. August 1, 2016; May 1, 2008; July 18, 2002; April 1, 2001; November 1, 1991; April 1, 1991; June 1, 1990.*