15A NCAC 10A .1502 is proposed for adoption as follows:

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;

(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 |
|---|---|
| Birds | |
| 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 |
| Big Game | |
| Bear, black | 2232.00 |
| Deer | 602.00 |
| Turkey, wild | 525.00 |
| | |
| Small Game | |
| 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 | 2500.00 |
| Any other species with no open season | 54.00 |
| | |
| 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(s) 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.*