SECTION .1000 - DUPONT STATE FOREST

02 NCAC 60B .1001 SCOPE
(a) This section coordinates the use of all North Carolina's State Forests and Educational State Forests into one combined set of rules. This is in keeping with the Division of Forest Resources mission to develop, protect and manage the multiple resources of North Carolina's forests through professional stewardship, enhancing the quality of life for our citizens while ensuring the continuity of these vital resources. Educational State Forests and other State Forests will each have a mission statement and will be sustainably managed under a State Forest Management Plan.
(b) All North Carolina Educational State Forests and State Forest rules are effective within and upon the properties defined as Educational State Forests and State Forests under the jurisdiction of the Department.


02 NCAC 60B .1002 DEFINITIONS OF TERMS
As used in this Rule the following terms have the following meanings:
(1) "Bike Trail" means any road or trail maintained for bicycles.
(2) "Bridle Trail" means any road or trail maintained for persons riding on horseback.
(3) "Department" means the NC Department of Environment and Natural Resources.
(4) "Division" means the NC Division of Forest Resources.
(5) "Educational State Forest" refers to any state forest property operated by the Division of Forest Resources for the purpose of educating schoolchildren and the public.
(6) "Forest Supervisor" means an employee of the Division of Forest Resources who is a forest supervisor and provides supervision to other DFR employees of the forest.
(7) "Group" means a number of individuals related by a common factor, having structured organization, defined leadership, and activities directed by a charter or written bylaws.
(8) "Hiking Trail" means any road or trail maintained for pedestrians.
(9) "Multi-use Trail" means any trail maintained for use by the following: horseback riding, bicycle or pedestrian.
(10) "Hunting" means the lawful hunting of game animals as defined by the N.C. Wildlife Resources Commission.
(11) "Motorized vehicle" means every vehicle which is self-propelled or which is pulled by a self-propelled vehicle (such as a camping trailer, fifth-wheel travel trailer, motor home, travel trailer, and truck camper). A self-propelled vehicle shall include, but is not limited to passenger automobiles, mopeds, off-road vehicles (ORV), golf carts, motorcycles, mini-bikes, all-terrain vehicles, Segways, and go-carts. This does not include motorized wheel chairs or other similar vehicles designed for and used by persons with disabilities. (G.S. 20-4.01)
(12) "Permit" means any written license issued by or under the authority of the Division or Department permitting the performance of a specified act or acts.
(13) "Permittee" means any person, corporation, company or association in possession of a valid permit.
(14) "Person" means any individual, firm, partnership, corporation, association, public or private institution, political subdivision, or government agency. (G.S. 113-60.22(4))
(15) "Public building" means a climate-controlled structure primarily for human habitation or use, and does not include barns, shelters or sheds.
(16) "Public nudity" means a person's intentional failure to cover with a fully opaque covering the person's genitals, pubic area, anal area, or female breasts below a point from the top of the areola while in a public place.
(17) "Rock climbing" means traversing a rock face that is steep enough to require the use of hands and feet to get up or down.
(18) "Secretary" means the Secretary of the Department.
"State Forest" means any land owned by the State of North Carolina, under the jurisdiction of the Division of Forest Resources, that is sustainably managed under a State Forest Management Plan approved by the Division Director for the purposes of education, demonstration, training, forest research, wildlife habitat, forest products and recreation as identified in the approved forest management plan.

"State Forest Management Plan" is a plan prepared by a forester of the N.C. Division of Forest Resources and approved by the Division Director. Such plan shall include management practices to ensure forest productivity and environmental protection of the land to be treated under the management plan.

"Swimming area" means any beach or water area designated by the Division as a swimming, wading and bathing area.


02 NCAC 60B .1003 PERMITS
(a) Any violation of the permit constitutes grounds for its revocation by the Department. In case of revocation the permit holder shall forfeit to the Department all money for the permit. Furthermore, the department shall consider the permit holder, together with his agents and employees who violated such terms, jointly and severally liable to the Department for all damages suffered in excess of money so forfeited. However, neither the forfeiture of such money, nor the recovery of such damages, nor both, relieves such person from statutory punishment for any violation of a provision of any State Forest, State recreational forest, or Educational State Forest rule.
(b) Applications for commercial use permits shall be made through the State Forest, Recreational State Forest, or Educational State Forest office during business hours, which may be found at http://www.ncesf.org/, and approved by the Forest Supervisor or his or her designee in advance of the act permitted. The commercial use permit application shall include the company or organization name, address, contact with title, phone number, fax number, email address, description of the activity or the event with the location to be permitted, access areas to be used, timeframe of the activity or event, estimated number of participants, liability insurance, and medical plan.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; Eff. November 1, 2009; Transferred from 15A NCAC 09C .1230 Eff. May 1, 2012; Readopted Eff. April 1, 2018.

02 NCAC 60B .1004 ROCK OR CLIFF CLIMBING AND REPELLING
A person shall not engage in rock climbing, cliff climbing, or rappelling within the boundaries of a state forest, State recreational forest, or Educational State Forest, except at designated areas and only after obtaining a permit.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; Eff. November 1, 2009; Transferred from 15A NCAC 09C .1231 Eff. May 1, 2012; Readopted Eff. April 1, 2018.

02 NCAC 60B .1005 BATHING OR SWIMMING
(a) A person shall not dive or jump from any waterfalls or rocks or overhangs into any body of water.
(b) A person shall not wade, bathe, or swim in any body of water in an Educational State Forest, except in designated swimming areas.
(c) A person may wade, bathe, or swim at his or her own risk in any body of water in any State Forest, except within 300 feet upstream of the top of a waterfall, and in other designated non-swimming areas.
(d) Public Nudity:
(1) Public nudity is prohibited in all State Forest, State Recreational Forest, and Educational State Forest lands or waters. This Rule does not apply to the enclosed portions of bathhouses, restrooms, tents, and recreational vehicles.
02 NCAC 60B .1006  HUNTING
(a) A person shall not hunt on any Educational State Forest lands without obtaining a permit and must obey all State hunting laws set forth in G.S. 113 and rules in effect.
(b) A person may hunt on a State Forest or State recreational forest that is in the Game Land program if the person obtains a Game Land permit from a NC Wildlife Resources Commission designated licensing agent and obeys all State hunting laws set forth in G.S. 113 and rules in effect for the applicable Game Land, pursuant to 15A NCAC 10D .0102 and .0103, which are incorporated by reference including subsequent amendments, and may be accessed free of charge at http://reports.oah.state.nc.us/ncac/title%2015a%20environmental%20quality/chapter%2010%20wildlife%20resources%20and%20water%20safety/subchapter%20d/subchapter%20d%20rules.html."

02 NCAC 60B .1007  FISHING
(a) A person may fish in any waters in State Forests or State recreational forests if the person obeys all State fishing laws as set forth in G.S. 113.
(b) A person may fish in any waters of any Educational State Forest if the person first obtains a permit from the Forest Supervisor's office and obeys all State fishing laws as set forth in G.S. 113.

02 NCAC 60B .1008  ANIMALS AT LARGE
(a) Except in designated areas, no person shall have any dog, cat, or other pet upon a State Forest, State Recreational Forest, or Educational State Forest unless the animal is on a leash and under the control of the owner or some other person. Hunting dogs used in accordance with NC Wildlife Commission Game Land Rules pertaining to State Forests pursuant to 15A NCAC 10D .0102 and .0103 shall be exempt from this Rule.
(b) No dog, cat, or other pet shall be allowed to enter any public building on State Forests, except assistance animals for persons with disabilities as set forth in G.S. 14-163.1.

02 NCAC 60B .1009  BOATING
(a) A person shall not operate a boat, canoe, kayak, or other watercraft in any waters on Educational State Forests without obtaining a permit.
(b) Boats, canoes, kayaks, or other watercraft may be operated on the waters of State Forests or State recreational forests, provided they are operated or propelled by means of oars, paddles, or electric trolling motors. Boats with gas motors attached are prohibited on any waters of State Forests and Educational State Forests except for use by rescue squads, diving teams, or similar organizations conducting training or emergency operations, or forest staff conducting maintenance operations.
02 NCAC 60B.1010  CAMPING
No person shall spend the night or maintain a camp in a State Forest, State recreational forest, or Educational State Forest, except under permit.

02 NCAC 60B.1011  SPORTS AND GAMES
No games or athletic contests shall be allowed in a State Forest, State recreational forest, or Educational State Forest, except in places as may be designated or under permit.

02 NCAC 60B.1012  HORSES
(a) In a State Forest, State recreational forest, or Educational State Forest, no person shall use, ride, or drive a horse except to, from, or along a designated bridle path, multi-use trail designated for horses or designated watering point.
(b) Each equestrian user shall remove from designated parking areas all residues (including manure) generated by his or her horse.
(c) When dismounted, horses shall be tied in such a manner as to prevent damage to trees and other plants.
(d) Horses shall cross rivers and streams using bridges or culverts if available.
(e) Horses shall not wade in lakes.
(f) Equestrian users shall possess valid Coggins papers for each horse and make them available for inspection upon request.

02 NCAC 60B.1013  BICYCLES
(a) In a State Forest, State recreational forest, or Educational State Forest, no person shall use or ride a bicycle except on a road or trail authorized for use by motor vehicles or designated as a bicycle or multi-use trail.
(b) When crossing rivers or streams, bicycle use shall be confined to bridges or culverts if available.

02 NCAC 60B.1014  SKATES, BLADES AND BOARDS
No person shall use or ride roller skates, in-line skates, roller blades, skate boards, or any similar device on any State Forest, State recreational forest, or Educational State Forest road or trail.
02 NCAC 60B .1015   EXPLOSIVES
No person shall carry or possess any explosives or explosive substances including fireworks upon State Forests, State recreational forests, or Educational State Forests. This does not apply to employees of the department when they engage in construction or maintenance activities.

History Note:  Authority G.S. 106-22; 106-870; 106-877; 106-887;  
Eff. November 1, 2009;  
Transferred from 15A NCAC .1241 Eff. May 1, 2012;  

02 NCAC 60B .1016   FIREARMS

02 NCAC 60B .1017   FIRES
(a) No person shall build or start a fire in any area of a State Forest, State recreational forest, or Educational State Forest, unless that area is designated for such purpose.
(b) Tree planters and logging crews may build warming fires if they obtain a permit and confine the fire to an area designated for such purpose.
(c) Fires ignited for forest management purposes under the provisions of a prescribed burning plan as defined in G.S. 106-966, approved by the Forest Supervisor or his or her designee, are exempt from this Rule.

History Note:  Authority G.S. 106-22; 106-870; 106-877; 106-887;  
Eff. November 1, 2009;  
Transferred from 15A NCAC 09C .1242 Eff. May 1, 2012;  

02 NCAC 60B .1018   DISORDERLY CONDUCT
(a) No person visiting on a State Forest, State recreational forest, or Educational State Forest shall disobey a lawful order of a Division employee, law enforcement officer, or any other Department official or endanger him or herself or endanger or disrupt others, as defined in G.S. 14-288.4.
(b) No person shall use, walk, or run on or along a road or trail that is designated closed for maintenance, tree removal or any other purpose, or enter an area that is designated "No Entry," "Do Not Enter," or "Authorized Personnel Only," except for Division employees or contractors working under the direction of a Division employee, volunteers or individuals or groups under permit, and at such places and for such periods as may be designated in order to protect public safety, peace, or natural resources.

History Note:  Authority G.S. 106-22; 106-870; 106-877; 106-887;  
Eff. November 1, 2009;  
Transferred from 15A NCAC 09C .1243 Eff. May 1, 2012;  

02 NCAC 60B .1019   INTOXICATING BEVERAGES AND DRUGS
No person shall use, or be under the influences of intoxicants, marijuana, or non-prescribed narcotic drugs as defined in G.S. 90-87, while on a State Forest, Recreational State Forest, or Educational State Forest. The public display or use of alcoholic beverages, marijuana or non-prescribed narcotic drugs is prohibited.

History Note:  Authority G.S. 106-22; 106-870; 106-877;  
Eff. November 1, 2009;  
Transferred from 15A NCAC 09C .1244 Eff. May 1, 2012;
02 NCAC 60B.1020 DAMAGE TO BUILDINGS, STRUCTURES AND SIGNS
No person shall injure, deface, disturb, destroy, or disfigure any State Forest, State recreational forest, or Educational State Forest building, structure, sign, fence, vehicle, machine, or any equipment.

History Note:
Authority G.S 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1247 Eff. May 1, 2012;

02 NCAC 60B.1021 COMMERCIAL ENTERPRISES
No person shall, while in or on a State Forest, or Educational State Forest, sell or offer for sale, hire or lease, any object or merchandise, property, privilege, service or any other thing, or engage in any business except under permit. Sales from which proceeds are used in support of the forest or sales conducted or contracted by the Department are exempt from this Rule.

History Note:
Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1248 Eff. May 1, 2012;

02 NCAC 60B.1022 NOISE REGULATIONS
The production or emission of noises over the level of 85 decibels, at a distance of 10 feet, on a State Forest, State recreational forest, or Educational State Forest is prohibited.

History Note:
Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. December 1, 2009;
Transferred from 15A NCAC 09C .1249 Eff. May 1, 2012;

02 NCAC 60B.1023 MEETINGS AND EXHIBITIONS
A person, except for Department employees in performance of official duties, shall not hold any meetings or exhibitions, perform any ceremony, or make any speech on a State Forest, State recreational forest, or Educational State Forest without a permit.

History Note:
Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1250 Eff. May 1, 2012;

02 NCAC 60B.1024 ALMS AND CONTRIBUTIONS
A person shall not solicit contributions for any purpose within a State Forest, State recreational forest, or Educational State Forest, unless permitted by the Division and such contributions are used to benefit the State Forest, State recreational forest, or Educational State Forest.

History Note:
Authority G.S. 106-22; 106-870; 106-877; 106-887;
Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1251 Eff. May 1, 2012;

02 NCAC 60B.1025 AVIATION
(a) Except as provided in Paragraphs (b) and (c) of this Rule, a person shall not voluntarily bring, land, or cause to descend or alight, ascend, or take off within or upon any State Forest, State recreational forest, or Educational State Forest area any airplane, flying machine, balloon, parachute, glider, hang glider, or other apparatus for aviation. "Voluntarily" for this Rule means anything other than a forced landing.
(b) In forest areas where aviation activities are part of the planned forest activities or military, law enforcement, or rescue training, a permit shall be required.
(c) Emergency aircraft such as air ambulances and aerial search helicopters, and Division aircraft are exempt from this Rule.


02 NCAC 60B .1026 EXPULSION
For violation of any rule in this Section, the Division shall withdraw the right of a person or persons to remain on a State Forest, State recreational forest, or Educational State Forest.


02 NCAC 60B .1027 MOTORIZED VEHICLES
(a) A person shall not drive a motorized vehicle in a State Forest, State recreational forest, or Educational State Forest within or, upon a safety zone, hiking trail, bridle trail, multi-use trail, fire trail, service road, or any part of the forest not designated for such purposes, except by permit.
(b) Motor bikes, mini-bikes, all terrain vehicles, and any other unlicensed motor vehicle are prohibited within the forest except by permit.
(c) A person shall not park a motorized vehicle in a manner that blocks forest roads or gates.
(d) Unless otherwise posted, the speed limit on graveled forest roads is 20 miles per hour, and on dirt roads is 10 miles per hour.
(e) Vehicles exempt from this Rule are: Department vehicles, authorized vendors, vehicles used in conjunction with forest and emergency operations, and vehicles of employees and resident family members.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; Eff. November 1, 2009; Transferred from 15A NCAC 09C .1254 Eff. May 1, 2012; Readopted Eff. April 1, 2018.

02 NCAC 60B .1028 FLOWERS, PLANTS, MINERALS, ETC.
(a) A person shall not remove, destroy, cut down, scar, mutilate, take, gather, or injure any tree, flower, artifact, fern, shrub, rock, or other plant or mineral in any State Forest, State recreational forest, or Educational State Forest area. Silvicultural activities performed in accordance with an approved State Forest Management Plan are exempt from this Rule.
(b) A person shall not collect plants, animals, minerals, or other artifacts from any State Forest, State recreational forest, or Educational State Forest area without first having obtained a permit.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; Eff. November 1, 2009; Transferred from 15A NCAC 09C .1255 Eff. May 1, 2012; Readopted Eff. April 1, 2018.

02 NCAC 60B .1029 TRASH AND DEBRIS
A person shall not deposit paper products, bottles, cans, or any other debris in a State Forest, State recreational forest, or Educational State Forest, except in receptacles designated for the materials. Where trash receptacles are not provided, persons shall pack their trash out of the forest.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; Eff. November 1, 2009;
02 NCAC 60B .1030 FEES AND CHARGES
(a) The following fee schedule shall apply at DuPont State Recreational Forest and the Community Building at Jordan Lake Educational State Forest:

(1) CAMPING.
   (A) Primitive, unimproved campsite with portable toilets and fresh water available, $9.00 per campsite, daily.
   (B) Primitive group tent camping, unimproved campsite with portable toilets, $1.00 per person, daily, with $9.00 minimum.
   (C) Improved group camping with water, restrooms and shower facilities available, $40.00 per day, and maximum capacity of 35 people.

(2) PICNIC SHELTER RENTALS.
   (A) Are by reservations only.
   (B) Rate: 1-2 tables, $25.00; 3-4 tables, $40.00; 5-8 tables, $60.00.

(3) CLASSROOM OR COMMUNITY BUILDING (DuPont State Recreational Forest and Jordan Lake Educational State Forest).
   (A) Fee may be waived for government agencies and natural resource related non-profit groups.
   (B) Rates: One half day, $75.00; Full day, $150.00.

(4) EQUESTRIAN FACILITIES.
   (A) Barn or paddocks (fee may be waived for volunteer work groups), $10.00 per horse, daily.
   (B) Use is limited to non-profit groups and area summer camps.

(5) PERMITS FOR SPECIAL EVENTS. Permits for use of the forest for events involving large groups or special privileges and requiring staff assistance: Rate: $1.00 per person plus the cost of staff time and equipment use involved in monitoring the permit.

(6) PERMITS FOR THE REMOVAL OF FIREWOOD, VEGETATIVE MATERIAL, ROCKS, ETC. Fees for these items are based on the value of the material as determined by local market conditions.

(b) Payment of the appropriate fee shall be a prerequisite for the use of the public service facility or convenience provided.
(c) Unless otherwise provided in this Rule, the number of persons camping at a particular site may be limited by the forest supervisor depending upon the size of the group and the size and nature of the campsite.
(d) Reservations must be canceled 30 days prior to the event in order to receive a refund. Permit fees are non-refundable.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; Eff. June 14, 2010;
Transferred from 15A NCAC 09C .1257 Eff. May 1, 2012;

02 NCAC 60B .1031 HOURS OF OPERATION
(a) Hours of operation may vary for individual forests. Hours of operation for each State Forest, State recreational forest, or Educational State Forest shall be posted at the forest entrance, the forest office, and on the Division’s web site.
(b) No person except forest employees and authorized persons shall be allowed within the forest between closing and opening hours except under permit.

History Note: Authority G.S. 106-22; 106-870; 106-877; 106-887; Eff. November 1, 2009;
Transferred from 15A NCAC 09C .1258 Eff. May 1, 2012;

02 NCAC 60B .1032 ENFORCEMENT
Departmental forest law enforcement officers, Forest Rangers, and sworn law enforcement may enforce the rules of this Section.