

RULE SUSPENSIONS



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

STEPHEN W. MURPHEY
Director

April 27, 2020

MEMORANDUM

TO: N.C. Marine Fisheries Commission
FROM: Kathy Rawls, Fisheries Management Section Chief
SUBJECT: Temporary Rule Suspension

Issue

In accordance with the North Carolina Division of Marine Fisheries Resource Management Policy Number 2014-2, Temporary Rule Suspension, the North Carolina Marine Fisheries Commission will vote on any new rule suspensions that have occurred since the last meeting of the commission.

Overview

The following rule suspensions occurred since the November 2019 meeting, and in accordance with policy are subject to approval by the MFC and are noted as action items on the meeting agenda:

NCMFC RULE 15A NCAC 03M .0511 Bluefish

Suspension of this rule is for an indefinite period of time. Suspension of this rule allows the division to reduce bluefish creel limits in compliance with the requirements of the Mid-Atlantic Fishery Management Council/Atlantic States Marine Fisheries Commission Bluefish Fishery Management Plan to reduce recreational harvest of bluefish. This suspension was implemented in Proclamation FF-1-2020.

NCMFC Rule 15A NCAC 03J .0103 (h) Gill Nets, Seines, Identification, Restrictions

Suspension of portion of this rule is for an indefinite period of time. Suspension of this rule allows the division to implement year around small mesh gill net attendance requirements in certain areas of the Tar, Pamlico and Neuse River systems. This action was taken as part of a department initiative to review existing small mesh gill net rules to limit yardage and address attendance requirements in certain “hot spot” areas of the state. This suspension was implemented in Proclamation M-4-2020.

NCMFC Rule 15A NCAC 03R .0110 (4)(5) Crab Spawning Sanctuaries

Suspension of portions of this rule is for an indefinite period of time. Suspension of this rule allows the division to revise the boundaries for the Drum Inlet and Barden Inlet crab spawning sanctuaries in accordance with Amendment 3 to the N.C. Blue Crab Fishery Management Plan. This suspension was implemented in Proclamation M-7-2020.

NCMFC Rules 15A NCAC 03L .0201 (a)(b) Crab Harvest Restrictions, 03L .0203 (a) Crab Dredging and 03J .0301 (g)(h) Pots

Suspension of portions of these rules is for an indefinite period of time. Suspension of these rules allows the division to implement requirements for the blue crab fishery in accordance with Amendment 3 to the N.C. Blue Crab Fishery Management Plan. These suspensions were implemented in Proclamation M-8-2020.

In accordance with policy, the division will report current rule suspensions previously approved by the commission as non-action, items. The current rule suspensions previously approved by the commission are as follows:

NCMFC Rule 15A NCAC 03L .0103 (a)(1) Prohibited Nets, Mesh Lengths and Areas

Continued suspension of portions of this rule is for an indefinite period of time. This allows the division to adjust trawl net minimum mesh size requirements in accordance with the May 2018 Revision to Amendment 1 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in proclamation SH-3-2019.

NCMFC 15A NCAC 03M .0516 Cobia

Continued suspension of this rule is for an indefinite period of time. This allows the division to manage the commercial and recreational cobia fisheries in accordance with management actions taken by the commission and in accordance with the Atlantic States Marine Fisheries Commission's Interstate Cobia Fishery Management Plan. This suspension was continued in Proclamation FF-15-2020.

NCMFC Rule 15A NCAC 03J .0501 Definitions and Standards for Pound Nets and Pound Net Sets

Continued suspension of portions of this rule is for an indefinite period of time. This allows the division to increase the minimum mesh size of escape panels for flounder pound nets in accordance with Amendment 2 of the North Carolina Southern Flounder Fishery Management Plan. This suspension was implemented in Proclamation M-34-2015.

NCMFC Rule 15A NCAC 03M .0519 Shad & 03Q .0107 Special Regulations: Joint Waters

Continued suspension of portions of these rules is for an indefinite period of time. This allows the division to change the season and creel limit for American shad under the management framework of the North Carolina American Shad Sustainable Fishery Plan. These suspensions were continued in Proclamation FF-55-2019.

Action Needed

The commission is scheduled to vote on approval of the continued suspension of rule (or portions) of 15A NCAC 03M .0511, 03J .0103 (h), 03R .0110 (4)(5), 03L .0201 (a)(b), 03L .0203 (a), 03J .0301 (g)(h).