



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

STEPHEN W. MURPHEY
Director

PT-1-2021

PROCLAMATION

RE: DESIGNATION OF DIAMONDBACK TERRAPIN MANAGEMENT AREAS AND CRAB POT RESTRICTIONS

This proclamation establishes Diamondback Terrapin Management Areas in Masonboro Sound and the Lower Cape Fear River; and implements crab pot restrictions in the Diamondback Terrapin Management Areas from March 1 through October 31, in accordance with the May 2020 Revision to the N.C. Blue Crab Fishery Management Plan Amendment 3.

Stephen W. Murphey, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., Monday, March 1, 2021**, the following restrictions shall apply to the use of crab pots in the Diamondback Terrapin Management Areas described in this proclamation:

I. **Area Descriptions** ([See Attached Maps](#))

The following areas are designated as Diamondback Terrapin Management Areas:

- A. **Masonboro Island Area.** All area bounded by the line beginning at a point on the shoreline of the Masonboro Island Estuarine Research Reserve 34° 11.3562' N - 77° 49.6044' W; running southwesterly to a point 34° 9.1093' N - 77° 51.3153' W; running southwesterly to a point 34° 7.5596' N - 77° 51.9705' W; running southwesterly to a point 34° 6.8916' N - 77° 52.2254' W; running to a point near Carolina Beach Inlet 34° 4.8627' N - 77° 52.9036' W; following the shoreline in an easterly and northeasterly direction to a point 34° 5.0051' N, -77° 52.3316' W; running northeasterly to a point 34° 7.5335' N - 77° 51.0104' W; running northeasterly to a point 34° 10.9087' N - 77° 48.9692' W; running northwesterly back to the point of beginning 34° 11.3562' N - 77° 49.6044' W (Map 1).
- B. **Bald Head Island Area.** All area bounded by the line beginning at a point in the Cape Fear River at the Rock Wall at Fort Fisher 33° 57.5546' N - 77° 56.6864' W, following the Rock Wall and shoreline of Zeke's Island in a southerly direction to a point 33° 56.5150' N - 77° 56.8777' W; following the Rock Wall southwesterly to a point 33° 55.2821' N - 77° 58.0012' W, from the end of the Rock Wall following 100 yards off the shoreline of Shellbed Island in a southerly direction to the boundary of the Cape Fear River Inlet Crab Spawning Sanctuary and easterly along the Spawning Sanctuary boundary to a point 33° 54.8399' N - 77° 58.9115' W; following the shared boundary of the Cape Fear River Inlet Crab Spawning Sanctuary southerly to a point 33° 54.4025' N - 77° 59.0323' W; following the shared boundary of the Cape Fear River Inlet Crab Spawning Sanctuary to a point on Bald Head Island 33° 52.5046' N - 78° 0.1685' W; following the mean high water line of the northern edge of Bald Head Island in a southeasterly direction to a point 33° 51.0017' N - 77° 57.7037' W; following the mean high water line of the west side of the barrier island in a northeasterly direction to a point 33° 57.3719' N - 77° 55.6052' W; following the mean high water line in a northwesterly and westerly direction back to the point of beginning on the Rock Wall 33° 57.5546' N - 77° 56.6864' W (Map 2).


II. **Gear Restrictions** ([See Attached Flyer](#)):

For areas described in **Section I. A and B**, from **March 1 through October 31** it is unlawful to set or use crab pots without the **correct** use of Division of Marine Fisheries **Approved Terrapin Bycatch Reduction Devices** as established in the N.C. Blue Crab Fishery Management Plan Amendment 3.

- A. The following shall be considered as **Approved Terrapin Bycatch Reduction Devices**:
 - 1. Any shell height limiting excluders made from at least 10-gauge galvanized wire and hog rings with an internal opening no larger than **4 x 16 cm (1.6 x 6.3 in.)** height by width ([See Attached Flyer Figure A.](#));
 - 2. Any pre-made plastic shell height limiting excluder devices with an internal opening no larger than **4 x 16 cm (1.6 x 6.3 in.)** height by width ([See Attached Flyer Figure B.](#));
 - 3. or the pre-made plastic shell width limiting "SC design" measuring **5.1-6.4 x 7.5 cm (2-2.5 x 3.1 in)** ([See Attached Flyer Figure C.](#)).
- B. For **correct** use in crab pots, an Approved Terrapin Bycatch Reduction Device shall be securely affixed by at least each of the four corners of the device in each funnel opening of the pot, in a manner that restricts the maximum dimensions of any opening in the funnel.
- C. In accordance with the N.C. Blue Crab Fishery Management Plan Amendment 3, a separate terrapin excluder device would not be required in a crab pot fished within a Diamondback Terrapin Management Area if all funnel openings in that pot were modified to measure **no larger than the maximum internal opening of an Approved Terrapin Bycatch Reduction Device**, and the funnel openings are **made rigid** in a manner to maintain these dimensions.

III. **GENERAL INFORMATION:**

- A. This proclamation is issued under the authority N.C. General Statutes 113-134.; 113-182; 113-182.1; 113-221.1; 143B-289.52; and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103; 03J .0301; 03L .0201; 03L .0204.
- B. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103 it is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority.
- C. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03L .0204(b) the Fisheries Director may require the use of terrapin excluder devices in each funnel entrance in crab pots and impose the following restrictions concerning terrapin excluder devices: specify areas; specify time periods; and specify means and methods.
- D. In accordance with N.C. General Statute 113-221.1(c) all persons who may be affected by proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current proclamations.
- E. [Proclamation M-7-2020](#) defines the boundaries of the Cape Fear River Inlet Crab Spawning Sanctuary area and prohibits the use of crab pots between March 1 through October 31 in this area.
- F. The intent of this proclamation is to establish Diamondback Terrapin Management Areas with crab pot restrictions in accordance with management measures adopted the N.C Blue Crab Fishery Management Plan Amendment 3 and implemented in the May 2020 revision of the N.C. Blue Crab Fishery Management Plan Amendment 3.
- G. Contact N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557 252-726-7021 or 800-682-2632 for more information or visit the division website at www.ncmarinefisheries.net.
- H. **This proclamation establishes Diamondback Terrapin Management Areas in Masonboro Sound and the Lower Cape Fear River; and implements crab pot restrictions in the Diamondback Terrapin Management Areas from March 1 through October 31, in accordance with the May 2020 Revision to the N.C. Blue Crab Fishery Management Plan Amendment 3.**

By: 
Stephen W. Murphey, Director
DIVISION OF MARINE FISHERIES

January 26, 2021
10:44 A.M.