



ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

JOHN G. BATHERSON
Acting Director

FF-26-2021

PROCLAMATION

RE: FLOUNDER – COMMERCIAL FISHING OPERATIONS - ATLANTIC OCEAN

This proclamation opens the Atlantic Ocean commercial flounder season at 12:01 A.M., April 12, 2021 and establishes a 15,000-pound offload limit for the harvest period. Vessels can possess landing limits for other states, but it is unlawful to offload those fish in North Carolina. The fishery will close by proclamation once the annual North Carolina quota is reached or at 6:00 P.M., May 31, 2021, whichever occurs first.

John G. Batherson, Acting Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., April 12, 2021**, the following restrictions shall apply to the Atlantic Ocean commercial flounder fishery:

I. HARVEST PERIOD AND LIMITS

- A. During the period beginning at **12:01 A.M., April 12, 2021, and ending at 6:00 P.M., May 31, 2021**, it is unlawful for a commercial fishing operation, regardless of the number of people involved, **to offload more than 15,000 pounds of flounder taken from the Atlantic Ocean.**
- B. Vessels can possess landing limits for other states, but it is unlawful to offload those fish in North Carolina.
- C. The Atlantic Ocean flounder fishery will close by proclamation once the quota has been reached, or at 6:00 P.M., May 31, 2021, whichever occurs first.
- D. It is unlawful for a commercial fishing operation to possess flounder from the Atlantic Ocean Waters if taken by any method other than trawl and in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0503.

II. GENERAL INFORMATION

- A. This proclamation is issued under the authority of N.C.G.S. 113-134; 113- 170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0503 and .0512.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0101 (5)(e) fish shall be considered landed when the fish reach the shore or structure connected to the shore.
- D. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0503 (a) it is unlawful to possess flounder less than 14 inches total length taken from the Atlantic Ocean in a commercial fishing operation.

- E. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0503 (c) (1) it is unlawful to land more than 100 pounds per trip of flounder taken from the Atlantic Ocean unless the vessel has been issued a License to Land Flounder from the Atlantic Ocean. This is in addition to the normally required licenses.
- F. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0503 (c) (2) it is unlawful for a fish dealer to purchase or offload more than 100 pounds of flounder taken from the Atlantic Ocean by a vessel that has not first produced a valid License to Land Flounder from the Atlantic Ocean.
- G. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0113 it is unlawful for any licensee under Chapter 113, Subchapter IV of the General Statutes to refuse to allow the Fisheries Director or his agents to obtain biological data, harvest information, or other statistical data necessary or useful to the conservation and management of marine and estuarine resources from fish in the licensee's possession.
- H. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0503 (e)(2) it is unlawful for fish dealers to allow vessels holding a valid License to Land Flounder from the Atlantic Ocean to land more than 100 pounds of flounder without first obtaining an Atlantic Ocean Flounder Dealer Permit.
- I. The intent of this proclamation is to establish harvest periods and limits for the taking of flounder from the Atlantic Ocean to assure that the quota allocated to North Carolina in the joint Mid-Atlantic Fishery Management Council/Atlantic States Marine Fisheries Commission Summer Flounder, Scup and Black Sea Bass Fishery Management Plan is not exceeded. The summer flounder commercial fishery and management unit range is from Maine to North Carolina.
- J. Atlantic Ocean Flounder Dealer Permits are available at no cost from all Division of Marine Fisheries License Offices.
- K. Contact the 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.
- L. 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.
- M. **This proclamation opens the Atlantic Ocean commercial flounder season at 12:01 A.M., April 12, 2021 and establishes a 15,000-pound offload limit for the harvest period. Vessels can possess landing limits for other states, but it is unlawful to offload those fish in North Carolina. The fishery will close by proclamation once the annual North Carolina quota is reached or at 6:00 P.M., May 31, 2021, whichever occurs first.**

By: _____



John G. Batherson, Acting Director
DIVISION OF MARINE FISHERIES

April 6, 2021
11:10 A.M.