



ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

KATHY B. RAWLS  
*Director*

FF-46-2022

## PROCLAMATION

### RE: FLOUNDER – COMMERCIAL PURPOSES- INTERNAL COASTAL WATERS AND ATLANTIC OCEAN WATERS (GEAR AND AREA SPECIFIC) – CLOSE MOBILE GEAR NORTHERN AND SOUTHERN MANAGEMENT AREAS AND ESTABLISH A 1,000-POUND DAILY TRIP LIMIT FOR POUND NET NORTHERN AREA

This proclamation supersedes Proclamation FF-40-2022, dated July 8, 2022. It closes the commercial flounder season for the Southern Management Area Wednesday, September 21, 2022, and the Mobile Gear Northern Area Thursday, September 22, 2022, and maintains the season, size, and gear restrictions for the Pound Net Northern, Central, and Southern Management Areas. This proclamation also establishes a 1,000-pound daily trip limit for the commercial pound net fishery in the Pound Net Northern Management Area beginning September 22, 2022. If the division determines quota is available for additional harvest days further proclamations will be released. This action is being taken to comply with the requirements of Amendment 3 to the N.C. Southern Flounder Fishery Management Plan and maintain harvest within the total allowable landings (TAL).

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that effective **at 5:00 P.M. Wednesday September 21, 2022**, the following restrictions will apply to the taking of flounder for **commercial purposes in Internal Coastal Waters and Atlantic Ocean Waters (Section III. ONLY):**

- I. **MOBILE GEAR DEFINITION, SEASON AND MANAGEMENT AREA DESCRIPTIONS (See [Maps](#))**
  - A. **Definition:** Mobile gears are inclusive of all gears that may land estuarine flounder with the exception of pound nets.
  - B. **Mobile Gear Northern Management Area:** encompasses all Internal Coastal Waters from the North Carolina/Virginia border south to the B-D ITP boundary line in Core Sound 34° 48.2700' N latitude which runs approximately from the Club House on Core Banks westerly to a point on the shore at Davis near Marker "1".
    1. **Effective 5:00 P.M. Thursday, September 22, 2022, it shall be unlawful to take flounder by mobile gears from the Internal Coastal Waters of the Mobile Gear Northern Management Area.**
    2. **Effective 5:00 P.M. on Thursday, September 22, 2022, it shall be unlawful for dealers to purchase flounder taken by mobile gears from Internal Coastal Waters of the Mobile Gear Northern Management Area.**
  - C. **Mobile Gear Southern Management Area:** encompasses all Internal Coastal Waters from the line described above in I. B. south to the North Carolina/South Carolina border.
    1. **Effective 5:00 P.M. Wednesday, September 21, 2022, it shall be unlawful to take flounder by mobile gears from the Internal Coastal Waters of the Mobile Gear Southern Management Area.**

2. **Effective 5:00 P.M. Wednesday, September 21, 2022, it shall be unlawful for dealers to purchase flounder taken by mobile gears from Internal Coastal Waters of the Mobile Gear Southern Management Area.**

II. **POUND NET SEASON OPENING DATES, MANAGEMENT AREA DESCRIPTIONS, AND LIMITS (See Maps)**

- A. **Pound Net Northern Management Area:** encompasses all Internal Coastal Waters from the North Carolina/Virginia border south to a line extending across the 35° 46.3000'N latitude which runs approximately from the north end of Pea Island (old Coast Guard station) westerly to a point on the mainland Dare County shore at Point Peter Canal; this area includes Albemarle, Currituck, Roanoke, and Croatan sounds and their associated rivers or waters.
  1. **The flounder harvest period for the Pound Net Northern Management Area opened September 15, 2022.**
  2. **Effective at 5:00 P.M. on Thursday, September 22, 2022, it shall be unlawful for persons participating in a commercial fishing operation employing pound nets in Internal Coastal Waters of the Pound Net Northern Area to possess or land more than 1,000-pounds of flounder per day.**
  3. **Effective at 5:00 P.M. on Thursday, September 22, 2022, it shall be unlawful dealers to purchase more than 1,000-pounds of flounder a day from a person participating in a commercial fishing operation employing pound nets in Internal Coastal Waters of the Pound Net Northern Area.**
  4. **The harvest period will close by proclamation to maintain harvest within the landings sub-allocation for the Pound Net Northern Management Area when the TAL is approached.**
- B. **Pound Net Central Management Area:** encompasses all Internal Coastal Waters from the line described in II. A. south to a line starting at a point on Portsmouth Island 35° 0.0765' N – 76° 7.4123' W running westerly to Cedar Island Ferry following the shoreline to a point at Cedar Island Ferry landing 35° 1.1349' N – 76° 18.7599' W following Highway 12 to the intersection of Highway 70 to the Core Creek bridge; this area includes Pamlico Sound and the Tar-Pamlico, Neuse, Pungo, and Bay rivers and their tributaries.
  1. **The flounder harvest period for the Pound Net Central Management Area will open at 12:01 A.M., Saturday, October 1, 2022.**
  2. **The harvest period will close by proclamation to maintain harvest within the landings sub-allocation for the Pound Net Central Management Area when the TAL is approached.**
- C. **Pound Net Southern Management Area:** encompasses all Internal Coastal Waters from the line described above in II. B. south to the North Carolina/South Carolina border.
  1. **The flounder harvest period for the Pound Net Southern Management Area will open at 12:01 A.M., Saturday, October 1, 2022.**
  2. **The harvest period will close by proclamation to maintain harvest within the landings sub-allocation for the Pound Net Southern Management Area when the TAL is approached.**

III. **Atlantic Ocean Waters**

It is unlawful to possess flounder taken in a commercial fishing operation from the Atlantic Ocean if taken by any other method than trawl and in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0503.

IV. **MINIMUM SIZE LIMIT**

It is unlawful to possess flounder less than 15 inches total length in Internal Coastal Waters.

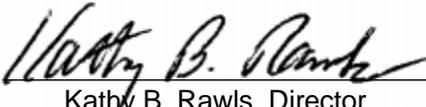
V. **GEAR RESTRICTIONS**

- A. It is unlawful to possess flounder taken from anchored large mesh gill nets with a stretched mesh length less than 6 inches.
- B. For the purpose of this proclamation an anchored large mesh gill net is any gill net in Internal Coastal Waters with a stretched mesh length of 4 inches through 6 ½ inches that is anchored by any means at either one or both ends of the net.
- C. It is unlawful to use any puncturing devices, such as fish picks, gigs, or spears to retrieve or cull flounder taken from pound nets.

VI. **GENERAL INFORMATION**

- A. This proclamation is issued under the authority of N.C.G.S. 113-134; 113-134.1; 113-170.4; 113-170.5; 113-182; 113.182.1; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103, 03M .0503 and 03M .0512.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under their delegated authority pursuant to N.C. Marine Fisheries Rule 15A NCAC 03H .0103.
- C. The intent of this proclamation is to manage the commercial flounder fishery in accordance with Amendment 3 to the N.C. Southern Flounder Fishery Management Plan. Amendment 3 implements a total allowable landings (TAL) of 372,646 pounds for the 2022 commercial fishery that is divided into different sub-allocations based on gear category and management area combinations. For mobile gears, the northern TAL is 123,879 lb. and the southern TAL is 62,309 lb. For the pound nets, the northern TAL is 39,700 lb., the central TAL is 121,756 lb., and the southern TAL is 25,002 lb.
- D. **In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0505 (a)(3) it is unlawful to fail to render a flounder pound net set inoperable during the closed flounder season.**
- E. See additional regulations on flounder from the Atlantic Ocean in N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0503.
- F. For additional restrictions on gill nets please refer to M-type gill net proclamations issued for specific management areas.
- G. In accordance with M-34-2015, it is unlawful to use flounder pound net sets without four unobstructed escape panels in each pound. The escape panels shall be fastened to the bottom and corner ropes on each wall on the side and back of the pound opposite the heart. The escape panels shall be a minimum mesh size 5 ¾ inches, hung on the diamond, and shall be at least six meshes high and eight meshes long.
- H. **Proclamation M-14-2022, dated July 8, 2022, establishes the requirement for any fish dealer to possess, purchase, sell or offer for sale flounder taken from Internal Coastal Waters during open seasons they must possess an Estuarine Flounder Dealer Permit.**
- I. 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.
- J. 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](http://www.ncmarinefisheries.net).
- K. **This proclamation supersedes Proclamation FF-40-2022, dated July 8, 2022. It closes the commercial flounder season for the Southern Management Area Wednesday, September 21, 2022, and the Mobile Gear Northern Area Thursday, September 22, 2022, and maintains the season, size, and gear restrictions for the Pound Net Northern, Central, and Southern Management Areas. This**

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By:   
Kathy B. Rawls, Director  
DIVISION OF MARINE FISHERIES

September 21, 2022  
1:00 P.M.