



ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

KATHY B. RAWLS  
*Director*

**FF-58-2023**

## **PROCLAMATION**

### **RE: FLOUNDER – COMMERCIAL FISHING OPERATIONS - ATLANTIC OCEAN**

**This proclamation supersedes Proclamation FF-53-2023(REVISED), dated October 31, 2023, and adds section I. F. (call in requirement for dealers offloading flounder) and section I. E. (daily landing limits). It maintains the opening of the Atlantic Ocean commercial flounder season and the 35,000-pound trip limit for vessels employing trawls. Properly licensed vessel Captains 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.**

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., November 10, 2023**, the following restrictions shall apply to the Atlantic Ocean commercial flounder fishery:

#### **I. HARVEST PERIOD AND LIMITS**

- A. It is unlawful for persons participating in a commercial fishing operation, regardless of the number of people involved, **to offload more than 35,000 pounds of flounder per trip taken from the Atlantic Ocean.**
- B. The Atlantic Ocean flounder fishery will close by proclamation once the quota has been reached.
- C. It is unlawful for persons participating in 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.
- D. Properly licensed vessel Captains employing trawls can possess landing limits for other states, but it is unlawful to offload those fish in North Carolina.
- E. It is unlawful to land from a vessel more than 100 pounds of flounder taken from the Atlantic Ocean more than once in any consecutive 5-day period.
- F. It is unlawful for a fish dealer to fail to contact the North Carolina Division of Marine Fisheries (252-808-8138) prior to a vessel offloading greater than 100 pounds of flounder taken from the Atlantic Ocean. The fish dealer shall provide the name of the vessel, the vessel captain, an estimate of the amount in pounds of flounder on board the vessel, and the anticipated or approximate offloading time.

#### **II. TRANSPORTATION EXEMPTION**

Commercial trawl operations shall be exempt from the transportation requirement set out in 15A NCAC 03I .0120 when transporting flounder in Internal Coastal and Joint Fishing Waters. Commercial trawl operations are not exempt when in possession of flounder and fishing in a closed area.

#### **III. 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 Rule 15A NCAC 03M .0503 and .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 Commission Rule 15A NCAC 03H .0103.

- C. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0101 (5)(f) 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 whose owner or the responsible party that has not first procured 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 their 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](http://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 supersedes Proclamation FF-53-2023(REVISED), dated October 31, 2023, and adds section I. F. (call in requirement for dealers offloading flounder) and section I. E. (daily landing limits). It maintains the opening of the Atlantic Ocean commercial flounder season and the 35,000-pound trip limit for vessels employing trawls. Properly licensed vessel Captains 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.**

By: \_\_\_\_\_

*Kathy B. Rawls*  
Kathy B. Rawls, Director  
DIVISION OF MARINE FISHERIES

November 8, 2023  
1:45 P.M.