



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

SF-3-2023

PROCLAMATION

RE: BAY SCALLOP HAND HARVEST RESTRICTIONS FROM PUBLIC BOTTOM

This proclamation opens the season to the commercial and recreational harvest of bay scallops by hand methods from public bottom in Core Sound only from 7:30 A.M. Monday, January 30, 2023 through 4:00 P.M. Friday, March 31, 2023.

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that the commercial and recreational harvest of bay scallops **WILL OPEN** effective **7:30 A.M. Monday, January 30, 2023** and **WILL CLOSE** effective **4:00 P.M. Friday, March 31, 2023** and the following restrictions will apply:

I. AREA RESTRICTIONS

A. Core Sound

An area in Core Sound east and north of a line beginning in Marshallberg at a point 34° 43.1500' N - 76° 31.2000' W; running southeasterly to Beacon "42A" off Marshallberg; running southwesterly to Beacon "6"; running southwesterly to Beacon "35" at the entrance to Barden Inlet Channel; running southerly along Bardens Inlet Channel to Core Banks at a point 34° 38.1000' N - 76° 30.9000' W, and bounded in the north by a line beginning at a point 34° 59.7942' N - 76° 14.6514' W on Camp Point; running easterly to a point 34° 58.7853' N - 76° 09.8922' W on Core Banks. **The remainder of the State's internal coastal waters will remain closed to commercial and recreational harvest of bay scallops.**

II. HARVEST RESTRICTIONS

A. MEANS AND METHODS

1. Scallops may be taken by hand, with hand rakes, hand tongs, dip nets and scoops from public bottom.
2. Scallops may be taken from **7:30 A.M. to 4:00 P.M.** on harvest days.
3. It is unlawful to transfer scallops from the catching vessel to any other vessel or transport scallops by any vessel other than the vessel from which they are harvested.
4. It is unlawful to possess commercial and recreational limits of scallops aboard the same vessel.
5. It is unlawful to use or possess a dredge onboard while taking scallops by hand methods from public bottom.

B. HARVEST DAYS

Scallop harvest will be allowed **Monday, Tuesday, Wednesday, and Thursday of each week** except as provided in Section II.D. below.

C. COMMERCIAL HARVEST LIMITS

It is unlawful for persons holding a Standard Commercial Fishing License with an endorsement to sell shellfish or a Shellfish License to take or possess more than ten (10) U.S. standard bushels of scallops per day and shall not exceed a total of twenty (20) U.S. standard bushels of scallops per

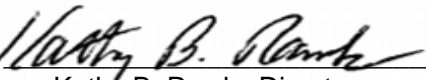
vessel per day in any combined commercial fishing operation from public bottom, regardless of the number of commercial license holders onboard the vessel.

D. RECREATIONAL HARVEST LIMITS

It is unlawful for unlicensed persons taking scallops for personal consumption to take or possess more than one half (1/2) bushel of scallops per person per day not to exceed one (1) bushel per vessel per day from public bottom for recreational purposes seven days a week (see A.4. above).

III. GENERAL INFORMATION

- A. This proclamation is issued under the authority of N.C. General Statutes 113-134; 113-170.4; 113-170.5; 113-182; 113-182.1; 113-221.1; 143B-289.52 and NC Marine Fisheries Commission Rules 15A NCAC 03H .0103, 03K .0105, K .0501, and .0502.
- 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 their delegated authority.
- C. 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.
- D. N.C. Marine Fisheries Commission Rule 15A NCAC 03K .0508 exempts permitted aquaculture operations from harvest limit restrictions.
- E. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03K .0507 it is unlawful for lease or franchise holders or their designees to take or possess scallops from public bottom while possessing aboard a vessel scallops taken from shellfish leases or franchises.
- F. The intent of this proclamation is to open the season to the harvest of bay scallops taken by hand, with hand rakes, hand tongs, dip nets and scoops from public bottom, and reflects harvest limits by license type in accordance with the provisions in Amendment 2 of the Bay Scallop Fishery Management Plan.
- 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 <https://deq.nc.gov/about/divisions/marine-fisheries>
- H. **This proclamation opens the season to the commercial and recreational harvest by hand methods for bay scallops from public bottom in Core Sound only from 7:30 A.M. Monday, January 30, 2023 through 4:00 P.M. Friday, March 31, 2023.**

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

January 27, 2023
2:45 P.M.