



ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

KATHY B. RAWLS  
*Director*

**FF-35-2024**

## **PROCLAMATION**

### **RE: FLOUNDER – RECREATIONAL – JOINT FISHING WATERS**

**This proclamation supersedes FF-31-2023 dated August 31, 2023. It sets the 2024 recreational flounder fishery season and size, creel, and gear limits in North Carolina Joint Fishing Waters ONLY (see [interactive map of Coastal, Joint, and Inland Fishing Waters](#)). The recreational flounder fishery in all other Coastal Fishing Waters remains closed.**

The Wildlife Resources Commission (“WRC”) adopted a temporary rule to allow the recreational harvest of flounder in Inland and Joint Fishing Waters on September 1, 2, 7, and 8, 2024. The Division of Marine Fisheries (“DMF”) previously announced that, pursuant to the quota management approved in Amendment 3 to the Southern Flounder Fishery Management Plan (“FMP”), there would be no 2024 recreational flounder season. The reductions in flounder harvest under Amendment 3 are necessary to end overfishing and rebuild an overfished stock. WRC’s season is purportedly based upon shifting up to 20% of the total quota from the commercial sector to the recreational sector. It is DMF’s position that WRC has no authority over the Marine Fisheries Commission’s (“MFC’s”) quota allocation. For these reasons, DMF opposed WRC’s approach in setting recreational limits in Joint Fishing Waters without the MFC’s concurrence, as well as WRC’s decision to allow recreational harvest with no quota available.

The DMF and MFC are bound by statute to prioritize the long-term viability of the species. WRC’s decision prioritizes access over conservation and further jeopardizes the rebuilding plan for flounder. DMF acknowledges, however, that the management measures brought forward by the two agencies cannot be reconciled by anglers or law enforcement. This creates confusion for anglers and an enforcement gap that would severely impede Marine Patrol efforts in Joint Fishing Waters during the abbreviated WRC season. Because of the short duration of the WRC season, and to help prevent user conflicts, ensure Marine Patrol can lawfully enforce harvest limits, and address harvest that affects local stock conditions, this proclamation aligns DMF enforcement with WRC regulations for flounder in Joint Fishing Waters. Marine Patrol officers will enforce size and creel limits in this proclamation, which are equivalent to those established by WRC in Joint Fishing Waters.

In issuing this proclamation, it is DMF’s position that:

- DMF does not endorse the flounder limits established by WRC, or the method by which the limits were derived.
- The harvest authorized by the WRC on September 1, 2, 7, and 8, is attributable to the recreational quota and does not affect the commercial quota.

- DMF's objections to WRC's establishment of flounder limits, as expressed in DMF's public comments dated July 2, 2024, and DMF's comments submitted to the Rules Review Commission dated July 30, 2024, are still representative of DMF's concerns today.
- This proclamation does not impact the Director of DMF's decision to issue or not issue any proclamation in response to future actions by WRC for flounder or other species.
- This proclamation does not allow any additional harvest beyond what WRC has authorized and does not authorize any recreational flounder harvest in Coastal Fishing Waters (other than Joint Fishing Waters), where the season remains closed.

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that effective **at 12:01 A.M., Sunday, September 1, 2024**, the following restrictions shall apply to the taking of flounder for recreational purposes in Joint Fishing Waters:

**I. SEASON**

It shall be unlawful to possess flounder for recreational purposes except from 12:01 A.M. on Sunday, September 1, 2024, until 11:59 P.M. on Monday, September 2, 2024, and 12:01 A.M. on Saturday, September 7, 2024, until 11:59 P.M. on Sunday, September 8, 2024, in Joint Fishing Waters ONLY.

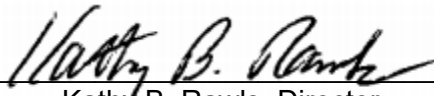
**II. SIZE, POSSESSION, AND GEAR LIMITS**

- A. It shall be unlawful to possess flounder less than 15 inches total length.
- B. It shall be unlawful to possess more than one (1) flounder per person per day.
- C. It shall be unlawful to possess more than one daily creel limit per person while engaged in fishing or aboard a vessel.
- D. It shall be unlawful to harvest flounder except by hook and line.
- E. It shall be unlawful to take flounder from Coastal Fishing Waters (other than Joint Fishing Waters), where the recreational flounder season remains closed.

**III. GENERAL INFORMATION:**

- A. This proclamation is issued under the authority of N.C.G. S. 113-134; 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 Commission Rule 15A NCAC 03H .0103.
- C. The intent of this proclamation is to reduce user conflicts and allow for enforcement by Marine Patrol in Joint Fishing Waters.
- D. In accordance with N.C. Wildlife Resources Commission Inland Fishing Regulations temporary rule 15A NCAC 10C .0307, the season for taking and possessing flounder is September 1 and 2, and September 7 and 8, and the daily creel limit for flounder is one fish with a minimum size limit of 15 inches in Inland Fishing Waters.
- E. 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.
- F. Contact N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557; 252-515-5500 or 800-682-2632 for more information or visit the division website at [www.ncmarinefisheries.net](http://www.ncmarinefisheries.net).
- G. **This proclamation supersedes FF-31-2023 dated August 31, 2023. It sets the 2024 recreational flounder fishery season and size, creel, and gear limits in**

**North Carolina Joint Fishing Waters ONLY. The recreational flounder fishery in all other Coastal Fishing Waters remains closed.**

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

August 27, 2024  
8:15 A.M.