



ROY COOPER
Governor

MARY PENNY KELLEY
Secretary

KATHY B. RAWLS
Director

FF-44-2024

PROCLAMATION

RE: FLOUNDER – COMMERCIAL - INTERNAL COASTAL AND JOINT FISHING WATERS AND ATLANTIC OCEAN WATERS (GEAR AND AREA SPECIFIC) – ESTABLISHES A 250-POUND TRIP LIMIT AND CLOSURE DATE FOR POUND NET NORTHERN AND SOUTHERN MANAGEMENT AREAS, MAINTAINS THE TRIP LIMIT FOR THE POUND NET CENTRAL MANAGEMENT AREA AND MAINTAINS THE MOBILE GEAR CLOSURE FOR THE NORTHERN AND SOUTHERN MANAGEMENT AREAS

This proclamation supersedes proclamation FF-43-2024, dated October 7, 2024. This proclamation establishes a 250-pound trip limit for the Pound Net Northern and Southern Management Areas on October 10, 2024, and closes the Pound Net Northern and Southern Management Areas on October 12, 2024. This proclamation maintains the Mobile Gear closure for the Northern and Southern Management Areas and maintains the commercial flounder seasons for Internal Coastal and Joint Fishing Waters for the Pound Net Central Management Area. If the Division determines quota is available for additional harvest days for the gear management areas, 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 **12:01 A.M., Thursday, October 10, 2024**, the following restrictions will apply to the taking of flounder for **commercial purposes in Internal Coastal and Joint Fishing Waters and Atlantic Ocean Waters (Section III. ONLY)**:

- I. **MOBILE GEAR DEFINITION, SEASON OPENING DATES, 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 and Joint Fishing Waters from the North Carolina/Virginia border south to a line in Core Sound at 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. **It shall be unlawful to take flounder from any mobile gear from the Internal Coastal and Joint Fishing Waters of the Mobile Gear Northern Management Area. The Mobile Gear Northern Management Area closed effective 11:59 A.M. Wednesday, October 9, 2024.**
 2. **It shall be unlawful for dealers to purchase flounder taken by mobile gears from Internal Coastal and Joint Fishing Waters of the Mobile Gear Northern Management Area effective 5:00 P.M. Wednesday, October 9, 2024.**
 - C. **Mobile Gear Southern Management Area:** encompasses all Internal Coastal and Joint Fishing Waters from the line described above in I. B. south to the North Carolina/South Carolina border.

1. It shall be unlawful to take flounder from any mobile gear from the Internal Coastal and Joint Fishing Waters of the Mobile Gear Southern Management Area. The Mobile Gear Southern Management Area closed effective 11:59 A.M. Tuesday, October 8, 2024.
2. It shall be unlawful for dealers to purchase flounder taken by mobile gears from Internal Coastal and Joint Fishing Waters of the Mobile Gear Southern Management Area effective 5:00 P.M. Tuesday, October 8, 2024.

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

- A. **Pound Net Northern Management Area:** encompasses all Internal Coastal and Joint Fishing 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 at 12:01 A.M., Sunday, September 15, 2024.
 2. Effective at 12:01 A.M., Thursday, October 10, 2024, it shall be unlawful for a SCFL/RSCFL holder participating in a commercial fishing operation employing pound nets in Internal Coastal and Joint Fishing Waters of the Pound Net Northern Management Area to take, possess, or land more than 250-pounds of flounder per day unless fishing with two or more SCFL/RSCFL holders on board.
 3. Effective at 12:01 A.M., Thursday, October 10, 2024, it shall be unlawful for persons participating in a commercial fishing operation consisting of more than one SCFL/RSCFL holder to take, possess, or land more than 500 pounds of flounder per day.
 4. Effective at 12:01 A.M., Thursday, October 10, 2024, it shall be unlawful for dealers to purchase more than 250-pounds of flounder per day from a person participating in a commercial fishing operation employing pound nets in Internal Coastal and Joint Fishing Waters of the Pound Net Northern Management Area.
 5. Effective at 2:00 P.M., Saturday, October 12, 2024, it shall be unlawful to take flounder by pound nets from the Internal Coastal and Joint Fishing Waters of the Pound Net Northern Management Area.
 6. Effective at 2:00 P.M., Saturday, October 12, 2024, it shall be unlawful to fail to render Flounder Pound Net sets inoperable, by dropping a corner to each holding pen or dropping tunnels, during the closed flounder season in the Pound Net Northern Management Area in accordance with 15A NCAC 03J .0505 (a)(3).
 7. Effective at 6:00 P.M., Saturday, October 12, 2024, it shall be unlawful for dealers to purchase flounder taken by pound nets from the Internal Coastal and Joint fishing Waters of the Pound Net Northern Management Area.
- B. **Pound Net Central Management Area:** encompasses all Internal Coastal and Joint Fishing 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° 01.1349' 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 opened at 12:01 A.M., Tuesday, October 1, 2024.**
2. **Effective October 1, 2024, it shall be unlawful for a SCFL/RSCFL holder participating in a commercial fishing operation employing pound nets in Internal Coastal and Joint Fishing Waters of the Pound Net Central Management Area to take, possess, or land more than 1,500-pounds of flounder per day unless fishing with two or more SCFL/RSCFL holders on board.**
 3. **Effective October 1, 2024, it shall be unlawful for persons participating in a commercial fishing operation consisting of more than one SCFL/RSCFL holder to take, possess, or land more than 3,000 pounds of flounder per day.**
 4. **Effective October 1, 2024, it shall be unlawful for dealers to purchase more than 1,500-pounds of flounder per day from a person participating in a commercial fishing operation employing pound nets in Internal Coastal and Joint Fishing Waters of the Pound Net Central Management Area.**
 5. **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 and Joint Fishing 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 opened at 12:01 A.M., Tuesday, October 1, 2024.**
 2. **Effective at 12:01 A.M., Thursday, October 10, 2024, it shall be unlawful for a SCFL/RSCFL holder participating in a commercial fishing operation employing pound nets in Internal Coastal and Joint Fishing Waters of the Pound Net Southern Management Area to take, possess, or land more than 250-pounds of flounder per day unless fishing with two or more SCFL/RSCFL holders on board.**
 3. **Effective at 12:01 A.M., Thursday, October 10, 2024, it shall be unlawful for persons participating in a commercial fishing operation consisting of more than one SCFL/RSCFL holder to take, possess, or land more than 500 pounds of flounder per day.**
 4. **Effective at 12:01 A.M., Thursday, October 10, 2024, it shall be unlawful for dealers to purchase more than 250-pounds of flounder per day from a person participating in a commercial fishing operation employing pound nets in Internal Coastal and Joint Fishing Waters of the Pound Net Southern Management Area.**
 5. **Effective at 2:00 P.M., Saturday, October 12, 2024, it shall be unlawful to take flounder by pound nets from the Internal Coastal and Joint Fishing Waters of the Pound Net Southern Management Area.**
 6. **Effective at 2:00 P.M., Saturday, October 12, 2024, it shall be unlawful to fail to render Flounder Pound Net sets inoperable, by dropping a corner to each holding pen or dropping tunnels, during the closed flounder season in the Pound Net Southern Management Area in accordance with 15A NCAC 03J .0505 (a)(3).**
 7. **Effective at 6:00 P.M., Saturday, October 12, 2024, it shall be unlawful for dealers to purchase flounder taken by pound nets from the Internal Coastal and Joint fishing Waters of the Pound Net Southern Management Area.**

III. **ATLANTIC OCEAN WATERS**

It shall be 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 shall be unlawful to possess flounder less than 15 inches total length in Internal Coastal and Joint Fishing Waters.

V. **GEAR RESTRICTIONS**

- A. It shall be 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 and Joint Fishing 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 shall be unlawful to use any puncturing devices, such as fish picks, gigs, or spears to retrieve or cull flounder taken from pound nets.

VI. **TRANSPORTATION EXEMPTION**

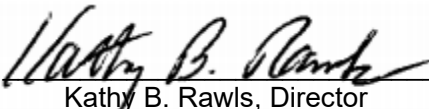
Commercial fishing operations shall be exempt from the transportation requirement set out in 15A NCAC 03I .0120 when transporting flounder in waterbodies that are closed to harvest. Commercial fishing operations are not exempt when in possession of flounder and fishing in a closed area.

VII. **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 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 an adjusted total allowable landing (TAL) of 367,095 pounds for the 2024 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 60,983 lb. For the pound nets, the northern TAL is 39,286 lb., the central TAL is 117,945 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 shall be 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 gill net proclamations issued for specific management areas.
- G. In accordance with [M-9-2024](#), it shall be 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. Estuarine Flounder Dealer Permits are required for any fish dealer to possess, purchase, sell, or offer for sale flounder taken from Internal Coastal and Joint Fishing

Waters. These permits are available at no cost from all Division of Marine Fisheries License Offices. For further information see proclamation [M-15-2023](#).

- 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 252-515-5500 or 800-682-2632 for more information or visit the division website at www.ncmarinefisheries.net.
- K. **This proclamation supersedes proclamation FF-43-2024, dated October 7, 2024. This proclamation establishes a 250-pound trip limit for the Pound Net Northern and Southern Management Areas on October 10, 2024, and closes the Pound Net Northern and Southern Management Areas on October 12, 2024. This proclamation maintains the Mobile Gear closure for the Northern and Southern Management Areas and maintains the commercial flounder seasons for Internal Coastal and Joint Fishing Waters for the Pound Net Central Management Area. 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.**

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

October 9, 2024
2:15 P.M.