



ROY COOPER  
*Governor*

MARY PENNY KELLEY  
*Secretary*

KATHY B. RAWLS  
*Director*

**M-20-2024**

## **PROCLAMATION**

**RE: GILL NET RESTRICTIONS - INTERNAL COASTAL AND JOINT FISHING WATERS SOUTH OF MANAGEMENT UNIT A – CLOSURES ALL MANAGEMENT UNITS TO THE USE OF GILL NETS WITH STRETCHED MESH LENGTH OF 4 INCHES THROUGH 6 ½ INCHES.**

**This proclamation supersedes proclamation M-16-2024 dated September 24, 2024. This proclamation closes Management Units D2 and E to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section II.) on October 8, 2024 and Management Units B, C, and D1 to the use of gill nets with a stretch mesh length of 4 inches through 6 ½ inches (except as described in Section II.) on October 9, 2024 in accordance with Amendment 3 to the N.C. Southern Flounder Fishery Management Plan and the Federal Incidental Take Permit for endangered and threatened Sea Turtles and endangered Sturgeon.**

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that effective at **11:59 A.M., Tuesday, October 8, 2024**, the following provisions shall apply to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches south of Management Unit A (south of 35° 46.3000' N latitude). Gill nets with stretched mesh length of 4 inches through 6 ½ inches are closed except in accordance with Section II.

I. **AREA DESCRIPTIONS AND RESTRICTIONS:**

**Effective 11:59 A.M., Tuesday, October 8, 2024, it shall be unlawful to use gill nets with a stretched mesh length of 4 inches through 6 ½ inches in Internal Coastal and Joint Fishing Waters in Management Units D2 and E except in accordance with Section II:**

- A. **Management Unit D2:** all Internal Coastal Fishing Waters west of a line running from 34° 40.6740' N – 76° 37.0000'W to 34° 42.4800'N – 76° 37.0000'W then to the head of Turner Creek, and northerly up the western shoreline of the North River; and east of the NC Hwy 58 Bridge. Management Unit D2 includes Newport River (including the Atlantic Intracoastal Waterway and Harlowe Creek up to NC Hwy 101 Bridge) and Bogue Sound.
- B. **Management Unit E:** all Internal Coastal and Joint Fishing Waters south and west of the Highway 58 Bridge to the North Carolina/South Carolina state line. This includes the Atlantic Intracoastal Waterway and adjacent sounds and the New, Cape Fear, Lockwood Folly, White Oak, and Shallotte rivers.

**Effective 11:59 A.M., Wednesday, October 9, 2024, it shall be unlawful to use gill nets with a stretched mesh length of 4 inches through 6 ½ inches in Internal Coastal and Joint Fishing Waters in Management Units B, C, and D1 except in accordance with Section II:**

- C. **Management Unit B:** Internal Coastal and Joint Fishing Waters of Pamlico Sound, including its bays and tributaries, bounded on the north by 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 shore at Point Peter Canal, bounded on the east by barrier islands, bounded on the west by 76° 30.000' W longitude, and bounded to the south across the

mouth of Core Sound at 35° 00.000' N latitude; including Internal Coastal Fishing Waters of West Bay, West Thorofare Bay, and Long Bay.

- D. **Management Unit C:** Internal Coastal and Joint Fishing Waters of the Pamlico, Pungo, Bay, and Neuse rivers drainages, Pamlico Sound west of 76° 30.0000'W, and Turnagain Bay. In Turnagain Bay north of the 35° N parallel and east of 76° 30.0000'W out to 200 yards from shore.
- E. **Management Unit D1:** Internal Coastal and Joint Fishing Waters in Core Sound and its tributaries south of 35° 00.000' N latitude running south and west to the Management Units D1 and D2 boundary at 34° 40.6740'N – 76° 37.0000'W to 34° 42.4800'N – 76° 37.0000'W then to the head of Turner Creek, and northerly up the western shoreline of the North River. Management Unit D1 includes Core Sound, Back Sound, The Straits, and North River, including all bays and their tributaries.

## II. **GEAR EXEMPTIONS AND RESTRICTIONS FOR RUN-AROUND, STRIKE, DROP, AND DRIFT GILL NETS**

A. Exempted gear definitions:

- 1. Run-around, strike, or drop gill nets - gill nets that are actively fished by either (1) using the boat to run a net around a school of fish, creating a closed circle, or (2) using the boat after the net is set to herd fish into the net without delay, whereby soak time does not exceed 30 minutes from the end of the set to the beginning of the haul.
- 2. Drift gill nets - gill nets that are used to capture fish while being moved along by water currents whereby the net stays attached to the vessel from deployment through retrieval.

B. **It shall be unlawful to use run-around, strike, drift, and drop gill nets with a stretched mesh length 5 inches or greater.**

C. It shall be unlawful to use or possess more than 800 yards of run-around, strike, drop, and drift gill net per SCFL/RSCFL holder or per vessel regardless of the number of license holders on the vessel.

D. Run-around, strike, drop, and drift gill nets are exempt from the restrictions specified in Section III.

## III. **SEA TURTLE AND STURGEON INTERACTION REPORTING**

It shall be unlawful to fail to report any sea turtle or sturgeon captured in gill nets permitted by the Incidental Take Permit (ITP). Reports shall be made within 24 hours of the capture to the Division of Marine Fisheries at 252-515-5500 or 800-682-2632. Self-reported takes of sea turtles and sturgeon by fishermen fishing without an observer do not count toward the allowable takes in the ITP.

## IV. **GENERAL INFORMATION**

A. This proclamation is issued under the authority of N.C.G.S. 113-134; 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, 03J .0103, and 03M. 0503.

B. In accordance with proclamation FF-43-2024 it shall be unlawful to possess flounder taken from anchored gill nets with a stretched mesh length less than 6 inches.

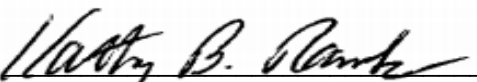
C. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under their delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H.0103.

D. **All other existing gill net rules and proclamations remain in effect.** See <https://deg.nc.gov/about/divisions/marine-fisheries/rules-proclamations-and-size-and-bag-limits/fisheries-management-proclamations#currentprocs> to refer to those M-type proclamations for gill net regulations that may be effective in the areas covered by this proclamation.

- E. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0103 (b)(3)(A) It shall be unlawful for gill net mesh length to exceed 6 ½ inches in Internal Coastal Fishing Waters.
- F. The restrictions in this proclamation as described for Recreational Commercial Gear License holders are in addition to the maximum allowed yardage for Recreational Commercial Gear License holders described in N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0302.
- G. Proclamation [M-1-2024](#) dated December 15, 2023, prohibits the setting of gill nets in the Joint Fishing Waters of the state from midnight on Friday to midnight on Sunday each week. Portions of Albemarle and Currituck sounds are exempt from that provision.
- H. Proclamation M-6-2019, dated March 15, 2019, prohibits the use of all gill nets in portions of the Pamlico and Neuse Rivers. It also maintains tie-down and distance from shore restrictions for gill nets with a stretched mesh length 5 inches and greater in the western Pamlico Sound and rivers in accordance with Supplement A to Amendment 1 to the N.C. Estuarine Striped Bass Fishery Management Plan.
- I. The small mesh gill net attendance requirements in N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0103 (g) and (i) and 03R .0112, mesh length restrictions in 03J .0103 (a)(2), navigational passage requirements in 03J .0101, as well as all other existing gill net rules and proclamations remain in effect.
- J. Proclamation [M-24-2014](#) dated July 31, 2014, requires holders of a Standard Commercial Fishing License (SCFL), Retired Standard Commercial Fishing License (RSCFL), or Recreational Commercial Gear License (RCGL) who deploy gill nets in Internal Coastal and Joint Fishing Waters with an exception for run-around, strike, drop or drift gill nets, to possess a valid Estuarine Gill Net Permit issued by the Division of Marine Fisheries.
- K. N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0113 specifies it shall be 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. The Division of Marine Fisheries has implemented an Estuarine Gill Net Permit and an observer program as an inspection procedure to obtain such data.
- L. **Proclamation M-15-2023, dated August 16, 2023, establishes the requirement for any fish dealer to possess, purchase, sell or offer for sale flounder taken from Internal Coastal and Joint Fishing Waters during open seasons they must possess an Estuarine Flounder Dealer Permit.**
- M. For gill net restrictions in the Albemarle Sound Area (Incidental Take Permit-Management Unit A) refer to the most recent M-type proclamations for that area.
- N. The Division of Marine Fisheries has received Federal Incidental Take Permits (ITPs) for certain threatened or endangered sea turtles, and endangered sturgeon. These ITPs allow the legal continuation of the inshore gill net fisheries in North Carolina, subject to permit conditions. The ITP conditions are designed to monitor, avoid & minimize, and mitigate interactions with these species in gill-net fisheries permitted by the ITP (i.e., non-exempted gill-net fisheries). Permit conditions require the division to provide 7-10 percent observer coverage in the permitted large mesh gill net fishery and 1-2 percent observer coverage in the permitted small mesh gill net fishery in Internal Coastal and Joint Fishing Waters. **If the required coverage is not maintained, large and small mesh gill nets permitted by the ITP could be prohibited in all Internal Coastal and Joint Fishing Waters.**
- O. The Pamlico Sound is closed annually from September 1 through December 15 each year to gill nets with a stretched mesh length >4 ¼ inches by National Marine Fisheries Service, Federal Rule 50 CFR Part 223. The ITP allows an exemption to this rule in certain areas within the Pamlico Sound.
- P. The intent of this proclamation is to implement gill net restrictions for gill nets with a

stretched mesh length 4 inches through 6 ½ inches in accordance with Amendment 3 to the N.C. Southern Flounder Fishery Management Plan while minimizing interactions with threatened and/or endangered species. Future proclamations will be issued to implement gear restrictions to correspond with flounder season closures approaching gear management area Total Allowable Landings specified in Amendment 3 or to implement ITP requirements. Revised boundaries for Management Units B, C, and D1 are included to avoid confusion if the new ITP for sea turtles and sturgeon, which will include these revised boundaries, is issued during the commercial flounder season. The boundary changes do not affect fishing activity in these Management Units.

- Q. In accordance with N.C. General Statute 113-221(f) and 113-221.1(c) all persons who may be affected by rules and proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current rules and proclamations. Multiple rules and proclamations regulating a fishery, species, gear, etc. may be in effect concurrently.
- R. 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).
- S. **This proclamation supersedes proclamation M-16-2024 dated September 24, 2024. This proclamation closes Management Units D2 and E to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section II.) on October 8, 2024 and Management Units B, C, and D1 to the use of gill nets with a stretch mesh length of 4 inches through 6 ½ inches (except as described in Section II.) on October 9, 2024 in accordance with Amendment 3 to the N.C. Southern Flounder Fishery Management Plan and the Federal Incidental Take Permit for endangered and threatened Sea Turtles and endangered Sturgeon.**

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

October 7, 2024  
4:50 P.M.