



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

M-9-2024

PROCLAMATION

RE: RULE SUSPENSION – FLOUNDER POUND NETS – INTERNAL COASTAL AND JOINT FISHING WATERS - ESCAPE PANEL REQUIREMENTS

This proclamation supersedes Proclamation M-34-2015, dated December 17, 2015. This proclamation maintains the minimum 5 ¾ inch stretched mesh length escape panel requirement for flounder pound nets in accordance with Amendment 3 of the N.C. Southern Flounder Fishery Management Plan.

Kathy B. Rawls Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., April 19, 2024, the following restrictions will apply to flounder pound net sets in Internal Coastal and Joint Fishing Waters:**

I. **SUSPENSION OF A PORTION OF N.C. MARINE FISHERIES COMMISSION RULE 15A NCAC 03J .0501 (e)(2)**

The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0501 is suspended:

Section (e)(2), which reads:

(e) Escape Panels:

- (2) 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 of five and one-half inches, hung on the diamond, and shall be at least six meshes high and eight meshes long.

II. **FLOUNDER POUND NET CONSTRUCTION AND REQUIREMENTS**

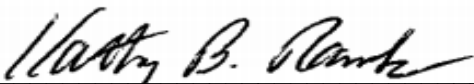
It shall be unlawful to use flounder pound net sets as defined in N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0501(a)(5):

- A. Without four unobstructed escape panels in each pound; and
B. 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; and
C. The escape panels shall be a minimum stretched mesh length of **5 ¾ inches**, hung on the diamond, and shall be at least six meshes high and eight meshes long.

III. **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 and 03J .0501.

- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under their delegated authority pursuant N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- 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. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0505 (a)(3) it is unlawful to fail to render a flounder pound net set inoperable during the closed flounder season.
- E. 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.
- F. For additional restrictions on flounder please refer to finfish (FF-) proclamations issued for specific management areas.
- G. The intent of this proclamation is to maintain minimum mesh size requirements for the flounder pound net escape panels in accordance with Amendment 3 of the N.C. Southern Flounder Fishery Management Plan.
- H. 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 <http://ncmarinefisheries.net/>.
- I. **This proclamation maintains the minimum 5 ¾ inch stretched mesh length escape panel requirement for flounder pound nets in accordance with Amendment 3 of the N.C. Southern Flounder Fishery Management Plan.**

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

April 16, 2024
9:15 A.M.