



ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

KATHY B. RAWLS  
*Director*

**PT-1-2024**

## PROCLAMATION

### RE: POTS - AMEND CRAB POT RESTRICTIONS IN ESTABLISHED DIAMONDBACK TERRAPIN MANAGEMENT AREAS

This proclamation supersedes proclamation PT-1-2021 dated January 26, 2021. It amends crab pot restrictions in established Diamondback Terrapin Management Areas in Masonboro Sound and the Lower Cape Fear River in accordance with the May 2023 Revision to the N.C. Blue Crab Fishery Management Plan Amendment 3.

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., Friday, March 1, 2024**, the following restrictions shall apply to the use of crab pots in the Diamondback Terrapin Management Areas described in this proclamation:

I. Area Descriptions ([See Maps](#)):

The following areas are designated as Diamondback Terrapin Management Areas:

- A. **Masonboro Island Area.** All area bounded by the line beginning at a point on the shoreline of the Masonboro Island Estuarine Research Reserve 34° 11.3562' N - 77° 49.6044' W; running southwesterly to a point 34° 09.1093' N - 77° 51.3153' W; running southwesterly to a point 34° 07.5596' N - 77° 51.9705' W; running southwesterly to a point 34° 6.8916' N - 77° 52.2254' W; running to a point near Carolina Beach Inlet 34° 04.8627' N - 77° 52.9036' W; following the shoreline in an easterly and northeasterly direction to a point 34° 05.0051' N, -77° 52.3316' W; running northeasterly to a point 34° 07.5335' N - 77° 51.0104' W; running northeasterly to a point 34° 10.9087' N - 77° 48.9692' W; running northwesterly back to the point of beginning 34° 11.3562' N - 77° 49.6044' W (Map 1).
- B. **Bald Head Island Area.** All area bounded by the line beginning at a point in the Cape Fear River at the Rock Wall at Fort Fisher 33° 57.5546' N - 77° 56.6864' W, following the Rock Wall and shoreline of Zeke's Island in a southerly direction to a point 33° 56.5150' N - 77° 56.8777' W; following the Rock Wall southwesterly to a point 33° 55.2821' N - 77° 58.0012' W, from the end of the Rock Wall following 100 yards off the shoreline of Shellbed Island in a southerly direction to the boundary of the Cape Fear River Inlet Crab Spawning Sanctuary and easterly along the Spawning Sanctuary boundary to a point 33° 54.8399' N - 77° 58.9115' W; following the shared boundary of the Cape Fear River Inlet Crab Spawning Sanctuary southerly to a point 33° 54.4025' N - 77° 59.0323' W; following the shared boundary of the Cape Fear River Inlet Crab Spawning Sanctuary to a point on Bald Head Island 33° 52.5046' N - 78° 00.1685' W; following the mean high water line of the northern edge of Bald Head Island in a southeasterly direction to a point 33° 51.0017' N - 77° 57.7037' W; following the mean high water line of the west side of the barrier island in a northeasterly direction to a point 33° 57.3719' N

- 77° 55.6052' W; following the mean high water line in a northwesterly and westerly direction back to the point of beginning on the Rock Wall 33° 57.5546' N
- 77° 56.6864' W (Map 2).

## II. **Gear Restrictions** ([See Flyer](#)):

For areas described in **Section I. A. and B.**, from **March 1 through October 31** it is unlawful to set or use crab pots without the **correct** use of Division of Marine Fisheries **approved terrapin excluder devices or gear modifications** as established in the **May 2023 Revision** to the N.C. Blue Crab Fishery Management Plan Amendment 3.

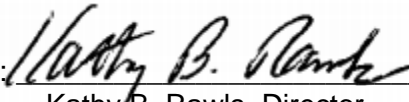
The following two bycatch reduction options are approved and in compliance with the rules established in the **May 2023 Revision** to the N.C. Blue Crab Fishery Management Plan Amendment 3:

- A. **Terrapin excluder device**: A pre-made plastic insert, commonly referred to as the “S.C. design”, measuring **5.1-6.4 x 7.5 cm (2-2.5 x 3.1 in)** ([See Flyer Figure A](#)). This device must be securely affixed by at least each of the four corners of the device in each funnel opening of the pot in a manner that restricts the maximum dimensions of any opening in the funnel.
- B. **Gear modification**: All pot funnel entrances must be constructed out of **1.5-inch non-stretched hexagonal mesh with an inner opening circumference of 9 meshes, an outer opening circumference of 11 meshes, and no shallower than 3 meshes deep**, (commonly referred to as the “Narrow Funnel Design (NFD)”, ([See Flyer Figure B](#)). **It shall be unlawful for funnels to exceed a maximum inner opening diameter greater than 13.3 cm (5.25 in).**

## III. **GENERAL INFORMATION**:

- A. This proclamation is issued under the authority N.C. General Statutes 113-134.; 113-182; 113-182.1; 113-221.1; 143B-289.52; and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103; 03J .0301; 03L .0201; 03L .0204.
- 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. Marine Fisheries Commission Rule 15A NCAC 03L .0204(b) the Fisheries Director may require the use of terrapin excluder devices in each funnel entrance in crab pots and impose the following restrictions concerning terrapin excluder devices: specify areas; specify time periods; and specify means and methods.
- D. 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.
- E. In accordance with N.C. Marine Fisheries Commission Rules 15A NCAC 03L .0205(a)(2) prohibits the use of crab pots between March 1 through October 31 in the Cape Fear River Inlet Crab Spawning Sanctuary as defined in N.C. Marine Fisheries Commission Rule 15A NCAC 03R .0110(2)(k).
- F. The intent of this proclamation is to amend crab pot restrictions in established Diamondback Terrapin Management Areas in accordance with management measures adopted the N.C Blue Crab Fishery Management Plan Amendment 3 and implemented in the May 2023 revision of the N.C. Blue Crab Fishery Management Plan Amendment 3.

- 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 [www.ncmarinefisheries.net](http://www.ncmarinefisheries.net).
- H. **This proclamation supersedes proclamation PT-1-2021 dated January 26, 2021, to amend crab pot restrictions in established Diamondback Terrapin Management Areas in Masonboro Sound and the Lower Cape Fear River in accordance with the May 2023 Revision to the N.C. Blue Crab Fishery Management Plan Amendment 3.**

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

December 20, 2023  
9:40 A.M.