



ROY COOPER
Governor

MARY PENNY KELLEY
Secretary

KATHY B. RAWLS
Director

M-2-2025

PROCLAMATION

RE: PERMIT REQUIREMENT - GILL NETS - INTERNAL COASTAL AND JOINT FISHING WATERS

This proclamation supersedes proclamation M-24-2014 dated July 31, 2014. This proclamation requires all individuals taking marine and estuarine resources with small and large mesh gill nets in Internal Coastal and Joint Fishing Waters, except exempt gill nets as defined in Section II, to obtain a special permit to comply with the terms and conditions of the Federal Incidental Take Permit (ITP) No. 27106. All small and large mesh gill net activities shall adhere to all restrictions including the most current proclamations to maintain compliance with the special permit.

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces effective at **12:01 A.M., Wednesday, January 1, 2025**, individuals taking marine and estuarine resources with small and large-mesh gill nets, except exempted gill nets as defined in Section II in Internal Coastal and Joint Fishing Waters are required to obtain the following special permit:

I. ESTUARINE GILL NET PERMIT (EGNP)

- A. It shall be unlawful for holders of a Standard Commercial Fishing License (SCFL), Retired Standard Commercial Fishing License (RSCFL), or Recreational Commercial Gear License (RCGL) to use small and large mesh gill nets, except exempted gill nets as defined in Section II, in Internal Coastal and Joint Fishing Waters without possessing a valid Estuarine Gill Net Permit issued by the Division of Marine Fisheries.
- B. It shall be unlawful to violate the provisions of any rules or proclamations issued to maintain the conditions in the Federal ITP issued under Section 10 of the Endangered Species Act (ESA) to reduce incidental takes of sea turtles and sturgeon in large- or small-mesh gill-net fisheries covered by the ITP.

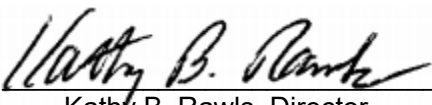
II. EXEMPTED GILL NET DEFINITIONS

- A. 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.
- B. 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.

III. GENERAL INFORMATION

- A. This proclamation is issued under the authority of N.C.G.S. 113-134; 113-169.1; 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, 03J .0103, 03O .0501, 03O .0502, and 03O .0506.

- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. The restrictions in this proclamation apply to gill nets used by Recreational Commercial Gear License holders as well as Standard and Retired Commercial Fishing Licenses holders.
- D. N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0113 specifies that it shall be unlawful for any licensee under Chapter 113, Subchapter IV of the General Statutes to refuse to allow the Fisheries Director or his 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 observer program as an inspection procedure to obtain such data.
- E. N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0502 specifies it shall be unlawful to operate under a permit except in areas, at times, and under conditions specified on the permit. The Estuarine Gill Net Permit Condition Form is given to the permit holder when the EGNP is issued.
- F. Permits are non-transferable. An individual who is assigned a SCFL shall hold an EGNP in their own name. The master designated on a single vessel corporation SCFL is the individual eligible to receive the EGNP.
- G. The Division of Marine Fisheries has received a Federal ITP No. 27106 to authorize the incidental take for specified threatened and endangered sea turtles and sturgeon. This ITP allows the legal continuation of the small and large mesh gill net fisheries in internal coastal (inshore) waters of 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 non-exempt gill net fishery and 1-2 percent observer coverage in the permitted small mesh non-exempt 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.**
- H. Estuarine Gill Net Permits are available at no cost from all Division of Marine Fisheries License Offices.
- I. 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 www.ncmarinefisheries.net.
- J. **This proclamation requires all individuals taking marine and marine and estuarine resources with small and large mesh gill nets in Internal Coastal and Joint Fishing Waters, except exempt gill nets as defined in Section II, to obtain a special permit to comply with the terms and conditions of the Federal Incidental Take Permit (ITP) No. 27106. All small and large mesh non-exempt gill net activities shall adhere to all restrictions including the most current proclamations to maintain compliance with the special permit.**

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

December 16, 2024
4:30 P.M.