

## PROCLAMATION

### RE: GILL NETS – COASTAL FISHING WATERS

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., Saturday, May 15, 2010 through December 15, 2010**, the following provisions shall apply to the use of gill nets in the coastal fishing waters of the state:

#### I. SEASONAL NET RESTRICTIONS:

- A. **With the exception of waterbodies in II. A. through II.E. below**, it is unlawful to use gill nets (except run-around or strike nets) with stretched mesh of **greater than 3 ½ inches** in all coastal fishing waters from **May 15 through December 15**.
- B. Run-around or strike nets that are used to surround a school of fish and then are immediately retrieved are exempted from the restrictions in I. A. above.

#### II. AREA DESCRIPTIONS

- A. **Albemarle Sound Management Area Southern Boundary** - those waters north of a line beginning at a point 35° 48.3693'N - 75° 43.7232'W on Roanoke Marshes Point; running southeasterly to a point 35° 44.1710'N - 75° 31.0520'W on the north point of Eagle Nest Bay.
- B. **Western Pamlico Sound Line**- those waters west of the 76° 28.0000'W longitude line beginning at a point 35° 22.3752'N - 76° 28.0000'W near Roos Point in Pamlico River; running southeasterly to a point 35° 04.4833'N - 76° 28.0000'W near Point of Marsh in Neuse River. This area includes the Pamlico, Pungo, Bay and Neuse rivers.
- C. **New River** - those waters north (upstream) of a line in New River from Grey Point 34° 37.6373' N - 77° 22.3605' W, running southeasterly to a point on the east shore at 34° 37.1622' N - 77° 21.5527' W.
- D. **Cape Fear River** – those waters north (upstream) of a line beginning at a point on the north shore of Snow's Cut 34° 03.1480'N - 77° 55.0904'W; running westerly to a point on the north shore of the spoil island between Snow's Cut and the Cape Fear River shipping channel 34° 03.1143'N - 77° 55.9808'W; running southwesterly to a point on the west side of the river at 34° 02.8235'N - 77° 56.7552'W.
- E. **Coastal fishing waters of the Atlantic Ocean except the provisions for gill net use shall apply to the Barden Inlet Area** - Those waters adjacent to Power Squadron Spit and Shackelford Banks and within Cape Lookout Bight north and east of a line beginning at a point 34° 38.6293' N - 76° 32.7363' W on Shackelford Banks; running southerly to a point 34° 37.1734' N - 76° 33.8032' W near Marker "2" at the offshore terminus of the Cape Lookout rock jetty; running southeasterly to a point 34° 36.7922' N - 76° 33.1360' W near the inshore terminus of the Cape Lookout rock jetty

III. **GENERAL INFORMATION:**

- A. This proclamation is issued under the authority of N.C.G.S. 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Rule 15A NCAC 03H .0103, and 03J .0103.
- B. It is unlawful to violate provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Rule 15A NCAC 03H .0103.
- C. **The small mesh gill net attendance requirements in N.C. Marine Fisheries Rules as well as existing gill net proclamations remain in effect.** Attendance is defined in Marine Fisheries Rule 15A NCAC .03I .0101 (2)(b).
- D. The intent of this proclamation is to implement gill net restrictions consistent with the November 30, 2009 letter from Dr. Roy E. Crabtree, Southeast Regional Administrator of the National Marine Fisheries Service (NMFS), while the Division of Marine Fisheries applies for a permit from NMFS under Section 10 of the Endangered Species Act.
- E. The Division will provide observer coverage in exempted areas to ensure that no interactions occur. In the event an interaction does occur, the area will be closed for one week and opened with a greater level of coverage. In the event a second interaction occurs, the area will be closed for the remainder of the year.

BY: \_\_\_\_\_  
Dr. Louis B. Daniel III, Director  
DIVISION OF MARINE FISHERIES