



M- 14-2009

North Carolina Department of Environment and Natural Resources

Division of Marine Fisheries

Dr. Louis B. Daniel III

Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

PROCLAMATION

RE: COMMERCIAL LARGE MESH GILL NETS

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective **12:01 A.M., Monday, July 13, 2009**, the following management measures will be implemented for **commercial large mesh gill net operations** in the following areas:

I. AREA DESCRIPTIONS

Core Sound to the Atlantic Beach Bridge:

In the internal waters of the state from Core Sound south and west of a line beginning at a point on Core Banks at 34° 58.7963'N- 76° 10.0013'W; running northwesterly near Marker # 2CS at the mouth of Wainwright Channel at 35° 00.2780'N- 76° 12.1682'W; running westerly to a point on Camp Point 34° 59.7942'N - 76° 14.6514'W to the Atlantic Beach Bridge (SR 1182). North River, Newport River are included in this description. The COLREG Demarcation lines at Drum, Barden and Beaufort inlets delineate the division between the ocean and internal waters.

Emerald Isle Bridge to Hammocks Beach State Park:

In the internal waters of the state south and west of the Highway 58 Emerald Isle Bridge excluding tributaries as described below to a line on the west side of the Hammocks Beach State Park Ferry Channel beginning at a point at the Wildlife Resources Commission Shell Rock Landing boat ramp at 34° 39.1967'N - 77° 09.9383'W; running southeasterly to a point on Bear Island at 34° 37.9608'N - 77° 09.3698'W. White Oak River and Queens Creek are not included in this area. The Highway 24 Bridge at Swansboro is the boundary in the White Oak River. A line across the mouth of Queens Creek beginning at a point on the west shore 34° 39.8455'N - 77° 09.1203'W; running easterly to a point on the east shore 34° 40.1860'N - 77° 08.8383'W is the boundary for Queens Creek. The COLREGS Demarcation Line at Bogue Inlet delineates the division between the ocean and internal waters.

II. GILL NET RESTRICTIONS

It is unlawful to use large mesh gill nets (greater than or equal to 5 ½ inch stretched mesh) from **12:01 A.M. Monday, July 13 through midnight, August 31, 2009** in the internal waters described above, unless they meet the following parameters:

- A. It is unlawful to use more than 1000 yards of large mesh gill net per commercial fishing operation.



North Carolina Department of Environment and Natural Resources

Division of Marine Fisheries

Beverly Eaves Perdue
Governor

Dr. Louis B. Daniel III
Director

Dee Freeman
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Memorandum

To: Pamlico Sound Gillnet Restricted Area (PSGNRA) Fishermen (Pamlico Sound, Core Sound, Back Sound)

From: NCDMF

Date: 26 August 2009

Re: Delayed opening of the PSGNRA

PSGNRA Fishermen:

The PSGNRA will not open on 1 September 2009 due to increased sea turtle interactions and management protocols necessitating weekly observations throughout the entire week and beginning on Saturday. The PSGNRA will open at 5 p.m. on Friday, 4 September 2009. There are no other changes to the PSGNRA at this time.

The NCDMF continues to stress the importance of complying with all regulations (taking observers, weekly reporting, calling all sea turtle interactions in, etc) and implementing best available fishing practices. All evidence suggests an increase in the number of sea turtles in the inshore waters of Pamlico and Core Sounds, and it is critical that each of you do everything possible to ensure takes are minimized if not eliminated. There are best fishing practices that include: shorter soak times, shorter net shots, reduced net height (low profile nets), and elimination of tie-downs to reduce incidental takes of sea turtles. Some industry members have also recommended lighter lead lines, while others are experimenting with a shallow-water double leadline net.

You are out on the water each day, and are strongly encouraged to seek alternative solutions, and methods that may lessen the potential for sea turtle interactions, in order to prevent an early closure to this fishery.

Please review the PSGNRA proclamation carefully, and feel free to contact Blake Price, 252-808-8090 at any time should you have questions, ideas, concerns or solutions.

Thank you for your attention to this important issue,


Dr. Louis Daniel
Director
NCDMF



M-18-2009 (Revised)

North Carolina Department of Environment and Natural Resources
Division of Marine Fisheries

Beverly Eaves Perdue
Governor

Dr. Louis B. Daniel III
Director

Dee Freeman
Secretary

PROCLAMATION

RE: COMMERCIAL GILL NETS - PAMLICO SOUND GILL NET RESTRICTED AREA (PSGNRA)

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective **12:01 A.M., Tuesday, September 1, 2009**, the following management measures will be implemented for **commercial gill net fisheries in Pamlico Sound**:

I. PAMLICO SOUND CLOSURE

- A. It is unlawful** to use large mesh gill nets (greater than or equal to 5 ½ inch stretched mesh) **from September 1, 2009 to 5:00 P.M. on September 4, 2009** in the internal waters of Pamlico Sound south and west of the 35° 46.3000 'N latitude line, east of the 76° 30.0000'W longitude line, and north of the 35° 00.0000'N latitude line.
- B. It is unlawful** to use large mesh gill nets (greater than or equal to 5 ½ inch stretched mesh) **from 5:00 P.M. on September 4, 2009 to midnight on November 30, 2009** in the internal waters of Pamlico Sound south and west of the 35° 46.3000 'N latitude line, east of the 76° 30.0000'W longitude line, and north of the 35° 00.0000'N latitude line **except** as provided in the areas described below as the **Pamlico Sound Gill Net Restricted Areas (PSGNRAs)**.

II. PSGNRA DESCRIPTIONS:

A. Shallow Water Gill Net Restricted Areas (SGNRA)

1. SGNRA1

The area from Wainwright Island to Ocracoke Inlet bound by the following points: Beginning at a point on Core Banks at 34° 58.7963'N- 76° 10.0013'W, running northwesterly near Marker # 2CS at the mouth of Wainwright Channel at 35° 00.2780'N- 76° 12.1682'W, then running northeasterly near Marker "HL" at 35° 01.5665'N- 76° 11.4277'W, then running northeasterly near Marker #1 at 35° 09.7058'N- 76° 04.7528'W, then running southeasterly to a point at Beacon Island at 35° 05.9352'N- 76° 02.7408'W, then running south to a point on the northeast corner of Portsmouth Island at 35° 03.7014'N- 76° 02.2595'W, then running southwesterly along the shore of Core Banks to the point of beginning.

2. SGNRA2

The area from Ocracoke Inlet to Hatteras Inlet bound by the following points: Beginning at a point near Marker #7 at the mouth of Silver Lake at 35° 06.9091'N- 75° 59.3882'W, running north to a point at 35° 08.7925'N- 76° 00.3627'W near Big Foot Slough Entrance, then running easterly to a point at 35° 09.4994'N- 75° 54.2943'W, then running northeasterly to a point at 35° 11.9803'N- 75° 51.6396'W, then running easterly to a point at 35° 13.4489'N- 75° 47.5534'W, then running southerly to just northwest of the Ocracoke/Hatteras Ferry terminal on the Ocracoke side at 35° 11.5985'N- 75° 47.0768'W, then southwesterly along the shore to the point of beginning.

3. SGNRA3

The area from Hatteras to Avon Channel bound by the following points: Beginning at a point near Marker "HR" at 35° 13.3152'N- 75° 41.6694'W, running northwest near Marker "42 RC" at Hatteras Channel at 35° 16.7617'N- 75° 44.2341'W, then running easterly to a point off Marker #2 at Cape Channel at 35° 19.0380'N- 75° 36.2993'W, then running northeasterly near Marker #1 at the Avon Channel Entrance at 35° 22.8212'N- 75° 33.5984'W, then running southeasterly near Marker #6 on Avon Channel at 35° 20.8224'N- 75° 31.5708'W, then running easterly near Marker #8 at 35° 20.9412'N- 75° 30.9058'W, then running to a point on shore at 35° 20.9562'N-75° 30.8472'W, then following the shoreline in a southerly and westerly direction to the point of beginning.

B. Inlet Corridors (OC, HC, OIC)

1. From **5:00 P.M. on September 4 through November 30, 2008**, the use of large mesh gill nets in any of the corridors is **prohibited**. Commercial fishing operations using small mesh gill nets will be limited to a maximum of 2,000 yards.

IV. GILL NET RESTRICTIONS

- A. It is unlawful to use more than 200 yards of gill net in one continuous line.
- B. It is unlawful to use more than one 200 yard section of gill net without leaving a space of at least 25 yards between separate lengths of net.
- C. If the 200 yard sections of net are connected, then a single yellow buoy is required to be placed at each end of the break between sections of net. The buoys must conform to the size and construction requirements in N.C. Fisheries Rule 15 A NCAC 3J .0103 (c).

V. PERMITS AND PERMIT CONDITIONS







- A. Pamlico Sound Gill Net Restricted Area Permit (PSGNRA) is required for participation in **large mesh commercial gill net fisheries** in the SGNRAs from **5:00 P.M. on September 4, 2009 through November 30, 2009**. It is unlawful to violate any of the permit conditions specified below.
- B. A single PSGNRA permit is required for each large mesh commercial fishing operation, regardless of the number of persons involved. A fishing operation is defined as all individuals, the vessel actively deploying and fishing gill nets in the SGNRAs, and all nets used under one Permit and one Standard Commercial Fishing License (SCFL). The operation shall have the PSGNRA Permit in possession at all times while on the water. A vessel shall be listed on only one PSGNRA Permit.
- C. An individual must hold or be assigned a Standard Commercial Fishing License (SCFL) or a Retired Standard Commercial Fishing License to obtain a PSGNRA Permit. When a SCFL is assigned, the PSGNRA Permit will be issued in the name of the assignee. The vessel used in the commercial fishing operation must be identified on the PSGNRA Permit application.
- D. **It is unlawful for Gill Net Restricted Area permittees to refuse to allow onboard fisheries observers to collect data from gill net fisheries in the PSGNRA.** Failure to allow an observer onboard or allow Marine Patrol inspection shall result in revocation of the PSGNRA Permit. Other violations of permit conditions may result in the suspension or revocation of the Permit.
- E. Weekly reports from PSGNRA permittees are required to be submitted to NCDMF on forms provided by the Division in accordance with conditions found in the PSGNRA Permit. These reports are required only when permittees fish during that week. Reports are due by 5:00 p.m. each Friday. Late reports will result in revocation of the PSGNRA Permit.
- F. No permit is required to fish in the MGNRA, however if a fishing operation fishes in both the MGNRA and the SGNRA a permit is required.

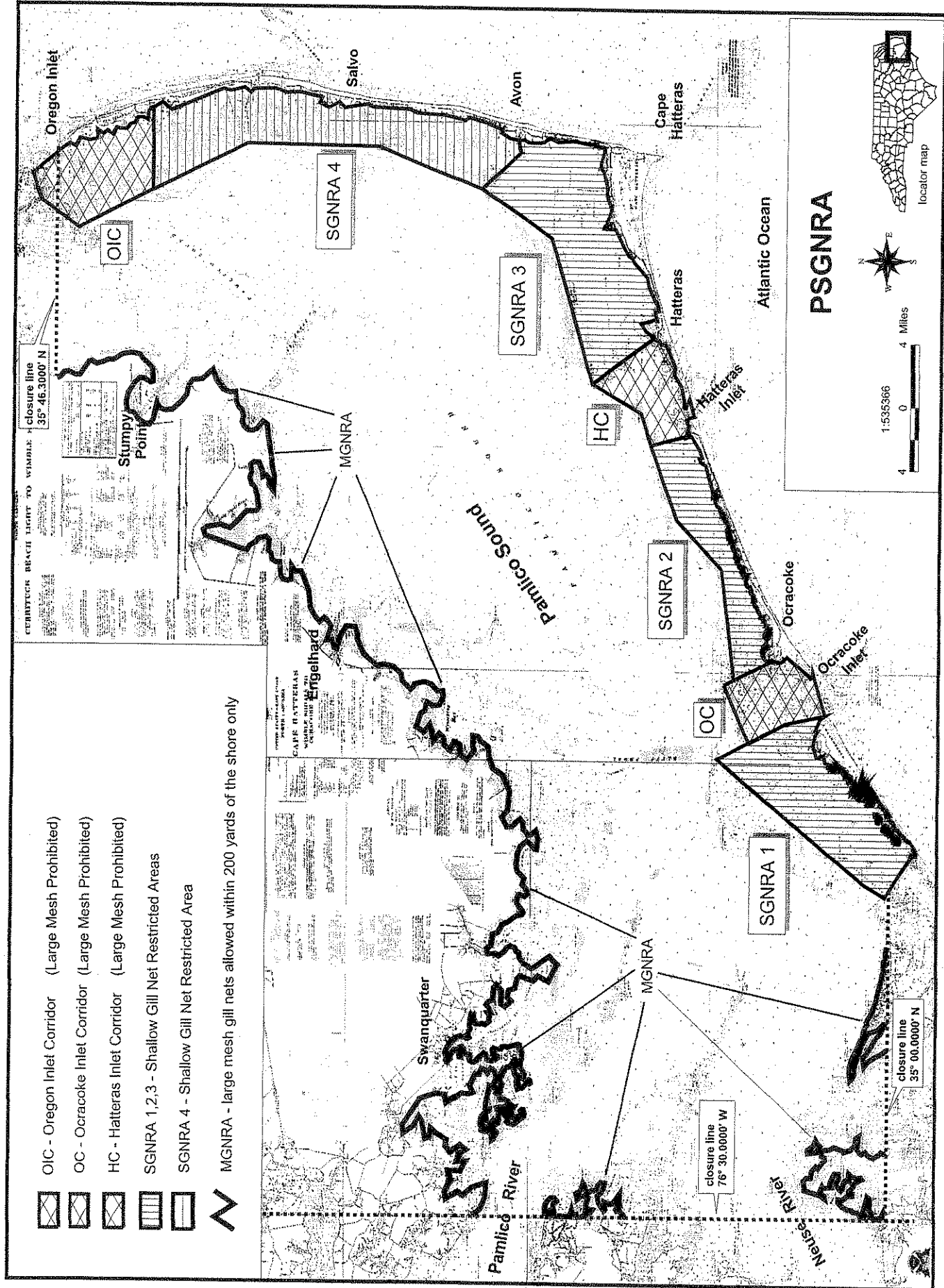
VI. SEA TURTLE INTERACTION REPORTING:

Fishermen shall report all sea turtle interactions with gill nets in the PSGNRA to the NCDMF Communication Center in Morehead City, NC by phone at 1-800-682-2632 or 252-726-7021 within 24 hours. Failure to report interactions may result in suspension or revocation of the PSGNRA Permit.

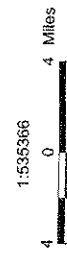
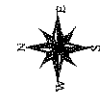
VII. GENERAL INFORMATION:

- A. This proclamation is issued under the authority of N.C.G.S. 113-134; 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52 and N.C. Fisheries Rules 15A NCAC 3H .0103, 3I .0107, 3I .0113, 3J .0103, 3O .0506 and 3R .0201.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Fisheries Rule 15A NCAC 3H .0103.
- C. The intent of this proclamation is to implement management measures in the fall gill net fisheries in southeastern Pamlico Sound that are expected to reduce interactions with threatened and endangered sea turtles from September 1 through November 30, 2009. These actions are expected to provide increased levels of protection for threatened and endangered sea turtles in Pamlico Sound gill net fisheries.
- D. "Attendance" is defined in N.C. Fisheries Rule 15A NCAC 3I .0101 (b) (40).
- E. Gill Net Restricted Area Permits are available at no cost from all Division of Marine Fisheries License Offices.
- F. From **5:00 P.M. on September 4 through November 30, 2009**, attendance is required for commercial fishing operations using small mesh gill nets, **as referenced in N.C. Marine Fisheries Rule 3J .0103(h).**

-  OIC - Oregon Inlet Corridor (Large Mesh Prohibited)
-  OC - Ocracoke Inlet Corridor (Large Mesh Prohibited)
-  HC - Hatteras Inlet Corridor (Large Mesh Prohibited)
-  SGNRA 1,2,3 - Shallow Gill Net Restricted Areas
-  SGNRA 4 - Shallow Gill Net Restricted Area
-  MGNRA - large mesh gill nets allowed within 200 yards of the shore only



PSGNRA



locator map

1:535366

4 0 4 Miles

closure line
35° 00.0000' N

closure line
76° 30.0000' W

closure line
35° 46.3000' N

Stumpy Point

MGNRA

SGNRA 4

SGNRA 3

SGNRA 2

SGNRA 1

OC

HC

Swamquarter

Pamlico River

Pamlico River

MGNRA

Atlantic Ocean

Naree River

Salvo

Avon

Cape Hatteras

Hatteras

Hatteras Inlet

Ocracoke

Ocracoke Inlet

Pamlico Sound

Stumpy Point

MGNRA

SGNRA 4

SGNRA 3

SGNRA 2

SGNRA 1

OC

HC

Swamquarter

Pamlico River

Pamlico River

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Hatteras Inlet

**North Carolina Division of Marine Fisheries
Pamlico Sound Gill Net Restricted Area
Sea Turtle Resuscitation and Handling Requirements**

As part of its Section 10 Permit from the National Marine Fisheries Service, the North Carolina Division of Marine Fisheries (NCDMF) is required to notify fishermen of handling and resuscitation requirements that they must use for incidentally captured sea turtles. In fulfillment of that requirement, the following guidelines are issued:

- A. Fishermen must bring captured turtles aboard immediately upon detecting them in their net and remove them from the net with all due care to avoid further injury to the turtle.
- B. Resuscitation must be attempted on sea turtles that are inactive or comatose by placing the turtle in its normal position on its breastplate (plastron) and elevating its hindquarters several inches for a period of one to 24 hours. The amount of the elevation depends on the size of the turtle; greater elevations are needed for larger turtles. Sea turtles being resuscitated must be kept moist and protected from excessive heat and cold.
- C. Sea turtles that are actively moving or begin actively moving following resuscitation must be held aboard the vessel in an open container (e.g. a fish box) that allows the turtle to rest normally on its breastplate, while restricting its movement and preventing the possibility of injury from any fishing operations. Turtles that are too large to fit inside a holding container must be otherwise confined to an area of the vessel that is free from sharp objects of harmful materials and where chance of injury from fishing operations is minimal.
- D. **For sea turtles that are active and uninjured**, fishermen must transport the turtle to Hatteras or Ocracoke Inlet and release it into the water. **Do not release turtles in Oregon Inlet as dredging operations in that area continue.** Turtles must be released over the stern or side of the boat with the engine out of gear, in an area where they are unlikely to be injured by vessels. Turtles must be brought as near as possible to the actual mouth of the inlet for release, consistent with safe operation of the vessel given sea and weather conditions, but in no case should turtles be released farther than 2.5 nautical miles from the inlet mouth. Vessels fishing along the mainland shore of Pamlico Sound should follow the directions for injured, lethargic or dead sea turtles in letter E below.
- E. **For sea turtles that are injured, lethargic, or dead**, fishermen must contact the NCDMF Marine Patrol at 1-800-682-2632 or (252) 726-7021 and transfer the turtle to a Marine Patrol Officer. If no NCDMF Marine Patrol is in the vicinity you will be instructed what to do until a Marine Patrol Officer arrives. Fisherman in the vicinity of Oregon or Hatteras Inlet should transport these turtles by boat to the nearest Coast Guard Station.



M-24-2009

North Carolina Department of Environment and Natural Resources
Division of Marine Fisheries

Beverly Eaves Perdue
Governor

Dr. Louis B. Daniel III
Director

Dee Freeman
Secretary

PROCLAMATION

RE: COMMERCIAL GILL NETS - PAMLICO SOUND GILL NET RESTRICTED AREA (PSGNRA)

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at 6:00 P.M., Thursday, October 22, 2009, the following management measures shall be implemented for commercial gill net fisheries in Pamlico Sound:

I. PAMLICO SOUND AREA

In the internal waters of Pamlico Sound south and west of the 35° 46.3000 'N latitude line, east of the 76° 30.0000'W longitude line, and north of the 35° 00.0000'N latitude line.

II. GILL NET RESTRICTIONS:

It is unlawful to use gill nets (greater than 4 ¼ inch stretched mesh) until midnight on December 15, 2009.

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; 113-221.1; 143B-289.52 and N.C. Fisheries Rules 15A NCAC 3H .0103, 3I .0107, 3J .0103 and 3O .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. Fisheries Rule 15A NCAC 3H .0103.

C. This action is being taken because the allowable takes of sea turtles have been met in the large mesh gill net fishery authorized by the Section 10 Incidental Take Permit # 1528 (ESA 1973) from National Marine Fisheries Service.

D. This proclamation supersedes Proclamation M-18-2009 (Revised), dated August 28, 2009.

By: _____


Dr. Louis B. Daniel, Director
DIVISION OF MARINE FISHERIES

October 20, 2009
3:00 P.M.
M-24-2009
/dlt

320 copies of this public document were printed at a cost of 5 cents per copy.