

**SHRIMP LIMITS FOR RECREATIONAL PURPOSES
ISSUE PAPER**

JUNE 5, 2008

I. ISSUE

To include all recreational gears to the recreational shrimp limits established by the Shrimp FMP for RCGL (Recreational Commercial Gear License) gear used in areas that are open to the taking of shrimp.

II. ORIGINATION

The Division of Marine Fisheries

III. BACKGROUND

The Shrimp FMP created a recreational shrimp limit for RCGL gear of 48 quarts of head on or 30 quarts of head off shrimp per license holder but not to exceed 96 quarts of head on shrimp with more than one RCGL license holder on board. By creating this limit only for RCGL gear left other recreational gear users unlimited to the amount of shrimp that may be retained in open areas.

IV. AUTHORITY

G.S.113-182.1 FISHERY MANAGEMENT PLANS

V. DISCUSSION

There are some areas in the state, although very limited, where recreational gear can be efficiently used to catch shrimp and no license is required. This minor rule change would clear up any confusion as to what amount of shrimp can be taken for recreational purposes. Recreational gear can only be used to take shrimp in areas open to the taking of shrimp with the exception that an individual can take 100 shrimp per person per day with a cast net in a closed area.

The draft rules were presented to the ACs and their actions are summarized below.

AC Positions on RCGL Limits

	NEAC	Central AC	Inland AC	SEAC	Crustacean AC
Position	Adopt Rule w/o dissent	Adopt Rule w/o dissent	Adopt Rule w/o dissent	Adopt Rule w/o dissent	Keep Status Quo w/o dissent not a resource issue to further restrict
Meeting Date	Jan. 2008	May 2008	May 2008	Jan. 2008	Sept. 2007

VI. PROPOSED RULES

15A NCAC 3L- SHRIMP, CRABS, AND LOBSTER

.0103 PROHIBITED NETS, MESH SIZES AND AREAS

(a) It is unlawful to take shrimp with nets with mesh lengths less than the following:

- (1) Trawl net - one and one-half inches;
- (2) Fixed nets, channel nets, float nets, butterfly nets, and hand seines - one and one-fourth inches;
and
- (3) Cast net - no restriction.

(b) It is unlawful to take shrimp with a net constructed in such a manner as to contain an inner or outer liner of any mesh size. Net material used as chafing gear shall be no less than four inches mesh length except that chafing gear with smaller mesh may be used only on the bottom one-half of the tailbag. Such chafing gear shall not be tied in a manner that forms an additional tailbag.

(c) It is unlawful to take shrimp with trawls which have a combined headrope of greater than 90 feet in internal coastal waters except:

- (1) Pamlico Sound;
- (2) Pamlico River downstream of a line from a point 35° 18.5882'N – 76° 28.9625'W at Pamlico Point; running northerly to a point 35° 22.3741'N – 76° 28.6905'W at Willow Point;
- (3) Neuse River northeast of a line from a point 34° 58.2000'N – 76° 40.5167'W at Winthrop Point on the eastern shore of the entrance to Adam's Creek running northerly to a point 35° 01.0744' N – 76° 42.1550' W at Windmill Point at the entrance of Greens Creek at Oriental.

(d) It is unlawful to use a shrimp trawl in the areas described in 15A NCAC 03R .0114.

(e) It is unlawful to use channel nets except as provided in 15A NCAC 03J .0106.

(f) It is unlawful to use shrimp pots except as provided in 15A NCAC 03J .0301.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. July 1, 2006.

~~.0104 UNLAWFUL TO USE OR TAKE (REPEAL)~~

~~It is unlawful to:~~

- ~~(1) Use channel nets except as provided in 15A NCAC 03J .0106.~~
- ~~(2) Use shrimp pots except as provided in 15A NCAC 03J .0301.~~
- ~~(3) Take or possess more than 100 shrimp per person per day while fishing in a closed area with a cast net.~~

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991.

.0105 RECREATIONAL SHRIMP LIMITS

It is unlawful to:

- (1) Possess more than 48 quarts, heads on or 30 quarts, heads off, of shrimp per person per day or if a vessel is used, per vessel per day for recreational purposes except as provided in 15A NCAC 03O .0303 (e) and (f).
- (2) Take or possess shrimp taken from any area closed to the taking of shrimp except 100 shrimp per person per day may be taken while fishing in a closed area with a cast net.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991.

VII. RECOMMENDATION

DMF recommends the MFC approve Notice of Text for rulemaking for this issue at their June 2008 meeting.

Prepared by: Jack Holland
5/24/2007
Revised 7/30/2007
Revised 8/9/2007
Revised 10/23/2007
Revised 11/02/2007
Revised 6/05/2008

NOTICE OF TEXT ATTACHMENT

#6 – Explain Reason for Proposed Action:

15A NCAC 03L .0103 PROHIBITED NETS, MESH SIZES AND AREAS
15A NCAC 03L .0104 UNLAWFUL TO USE OR TAKE (Repeal)
15A NCAC 03L .0105 RECREATIONAL SHRIMP LIMITS

To establish the same limit of shrimp for all recreational gears as the Shrimp FMP did for the Recreational Commercial Gear License.