ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

STEPHEN W. MURPHEY
Director

SH-3-2020

PROCLAMATION

RE: CRAB TRAWLING AND TAKING SHRIMP WITH NETS – OPENING A PORTION OF NEW RIVER AND STUMP SOUND

This proclamation supersedes SH-2-2020, dated May 12, 2020. This proclamation opens areas of the New River and Stump Sound to crab trawling and the taking of shrimp with nets. Those areas are upstream of the N.C. Highway 172 Bridge, the IWW from Marker #17 to the 210 High Rise Bridge in the main channel only, and the IWW from Marker #49 to the Highway 50 Bridge at Surf City in the main channel and 100 feet on either side.

Stephen W. Murphey, Director, Division of Marine Fisheries, hereby announces that effective at 8:00 A.M., **Wednesday, September 9, 2020,** all Coastal Fishing Waters south of Marker 45 near Bogue Inlet to the North Carolina-South Carolina border will close to crab trawling and the taking of shrimp with nets except as specified below.

I. **MEANS AND METHODS**
   A. It is unlawful to take crabs with trawls except in areas and during times as specified in Section II.
   B. It is unlawful to take shrimp with nets except:
      1. Shrimp and crab trawls, seines and cast nets in areas and during times as specified in Section II;
      2. Cast nets in accordance with N.C Marine Fisheries Commission Rule 15A NCAC 03L .0105;
      3. Pound nets permitted in accordance with N.C. Marine Fisheries Commission Rule 03J .0502;
      4. Pound nets authorized for use in accordance with N.C. Marine Fisheries Commission Rule 03O .0302;
      5. Channel nets in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0106;
      6. Fyke nets in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0111.

   See III. General Information G., H., J. and K. below for further restrictions on taking shrimp with nets.

II. **AREAS –** All primary, permanent secondary and special secondary nursery areas and trawl nets prohibited areas in the waterbodies listed below are closed to the taking of shrimp with seines and cast nets except as noted in Section III. G. below and, for special secondary nursery areas, until the areas are opened to trawling in accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03N .0105.
   A. **Carteret/Onslow County**
      1. **Bogue Inlet Channel** – as shown on the attached map. (Map 1)
      2. **Intracoastal Waterway (IWW) from Bogue Inlet to Marker 45 at Swansboro** – main

channel only. (Map 1)

3. **Intracoastal Waterway from Marker 45 at Swansboro to Marker 63 south of Browns Inlet** – as shown on the attached maps. (Maps 1 and 2)
4. **West Channel (Island Channel)** - main channel only from Buoy 47A to IWW Marker 45B. (Map 1)
5. **White Oak River** – south of a line beginning at a point 34° 43.3425'N – 77° 07.2209'W on the west side of the river; running northerly to a point 34° 43.6445'N – 77° 07.3177'W above Cahoon Slough; running easterly to a point 34° 43.5588'N – 77° 06.6206'W at Hancock Point. (Map 1)
6. **Queens Creek** - from the IWW to NC1509 Bridge. (Maps 1 and 2)
7. **Bear Creek -** from the IWW to Willis Landing. (Map 2)
8. **West Channel** - main channel only from Marker 48 to Bogue Inlet. (Map 1)
9. **Banks Channel** - main channel only from Bogue Inlet to Bear Inlet. (Maps 1 and 2)
10. **Saunders Creek (Sanders Creek) -** main channel only from Marker 55 to Bear Inlet. (Map 2)
11. **Bear Creek** - from the IWW to Bear Inlet. (Map 2)
12. **Muddy Creek** - main channel only, from Bear Creek to Saunders Creek. (Map 2)
13. **Shacklefoot Channel** - from Marker 59 to Bear Inlet including the area known locally as the "Horseshoe." (Map 2)
14. **Uniflite Boat Basin** - dredged portion only, from IWW near Marker 55 to the upstream end of the dredged portion. (Map2)
15. **Browns Inlet area** - main channels only, from Markers 61 and 63 to the Inlet. (Map 2)
16. **Intracoastal Waterway from Marker 63 south of Browns Inlet to Marker 17 north of the Highway 210 Bridge –** main channel only (Maps 2 and 3).
17. **A. New River - from the N.C. Highway 172 Bridge upstream to a line running from Grey Point 34° 37.5833' N - 77° 22.3833' W, to a point on the east shore at 34° 37 .1333'N - 77° 21.6333' W. That area west of a line beginning at a point near Stones Landing 34° 36.2043' N - 77° 26.3166' W, then following the danger area line for the Stone's Bay Rifle Range to a point on the east shore, 34° 37.0579' N - 77° 26.1124' W. All tributaries downstream of Grey Point will remain closed. (Map 3)**

    B. New River - the area downstream from the Highway 172 Bridge bounded on the north by a line beginning at a point 34° 34.9392' N – 77° 23.9004' W near Pollocks Point; running southeasterly to a point 34° 34.2552' N – 77° 21.6588' W on Wilkins Bluff; running southwesterly to a point 34° 33.9660' N – 77° 21.9054' W at navigation channel Marker 17; and bounded on the south by a line beginning at a point 34° 34.6824' N – 77° 23.9604' W on the Highway 172 Bridge fender; running easterly to a point 34° 34.6572' N – 77° 23.7822' W on Ferry Point; running southeasterly to a point 34° 34.1430' N – 77° 23.1120' W on Poverty Point; running southeasterly to a point 34° 33.6900' N – 77° 22.5144' W on Hall Point; running northeasterly to a point 34° 33.9660' N – 77° 21.9054' W at navigation channel Marker 17. (Map 3)
18. **New River: Intracoastal Waterway** - From the navigation channel Marker 17 to the Intracoastal Waterway Marker 72A, only within 60 feet width of the marked and maintained navigation channel. (Map 3)
19. **New River Inlet** - from Marker 72A to New River Inlet **except** all tributaries **will remain closed**. (Map 3)
20. **Intracoastal Waterway from Marker 17 to the Highway 210 Bridge at North Topsail – main channel only. (Map 3)**
21. **Intracoastal Waterway from Marker 49 south to the site of the "old" Highway 50 Bridge at Surf City – IWW channel and 100 feet on either side (waterbodies are in both Pender and Onslow Counties). (Map 4)**

B. **Pender County**

1. **Intracoastal Waterway from the site of the "old" Highway 50 Bridge at Surf City to Marker 105 at Greens Channel –** main channel only. The area southwest of the site of the "old" Highway 50 Bridge is bounded on the north by a line beginning at a point 34° 25.899' N – 77° 32.999' W , running southernly to a point at 34° 25.838' N – 77° 32.947' W. Maps 4 and 5 except from;
    a. **Sloop Point Area of the IWW from the site of the "old" Highway 50 Bridge at Surf City to Marker 93** - the IWW marked channel to 100 feet either side. All bays, creeks, and tributaries including dredged canals will remain closed. (Map 4)
    b. **IWW from Marker 78 near Edens Landing to Sloop Point** - an additional 100 feet on the northern side of the IWW from Marker 78 near Edens Landing to a point 34°24.7864' N – 77°35.5833' W at Sloop Point. All bays, creeks, and tributaries including dredged canals will remain closed. (Map 4)
2. **Topsail Sound** - from Marker 86 to New Topsail Inlet **except** all bays, creeks, and tributaries including dredged canals **will remain closed**. (Map 4)
3. **Marker 98 Channel (Howards Channel)** - main channel only, from Beacon 98 to New Topsail Inlet. (Map 5)
4. **Green Channel** - main channel only, from Marker 105 to Rich Inlet. (Map 5)
5. **Nixon Channel** - main channel only, from the IWW to Rich Inlet. (Map 5)
6. **Butler Creek (Utleys Channel)** - main channel only, from the IWW north of Marker 112 to Nixon Channel. (Map 5)
7. **The area west of the Intracoastal Waterway Channel from Marker 93 near Sloop Point to Marker 105 at Greens Channel** - the IWW channel except all bays, creeks, and tributaries, including dredged canals will remain closed. (Maps 4 and 5)

C. **New Hanover County**

1. **Intracoastal Waterway from the Wrightsville Beach drawbridge to Marker 163 at Snows Cut** – main channel only except from Marker 139 to Marker 146 which is closed. (Maps 5 and 6)
2. **Mason Channel from the Intracoastal Waterway opposite the mouth of Pages Creek to Mason Inlet** - main channel only. (Map 5)
3. **Carolina Beach Boat Basin** - from Marker 161 to the municipal docks. (Map 6)
4. **Stokley Cut (Old Moores Inlet Channel)** - from the IWW near Marker 125 to Old Moore Inlet, including the dredged basin **except** all tributaries to the channel and the basin **will remain closed**. (Map 5)
5. **Lee's Cut (Spring Landing Channel)** - from the IWW to US 74 Bridge at Banks Channel, including the area known locally as "The Lagoon" **except** all tributaries to the channel and lagoon **will remain closed**. (Map 5)
6. **Banks Channel** - from US 74 Bridge to Masonboro Inlet **except** all tributaries to the channel and lagoon **will remain closed**. (Map 5)
7. **Mott Channel** - from the IWW near Marker 127 to Banks Channel, including the area known locally as the "The Borrow Pit" or "The Everett Hole" located adjacent to Mott Channel from Marker 22 to near Marker 26. (Map 5)

D. **Brunswick County**

1. **Cape Fear River** - all waters south of a line beginning at a point 34° 04.6040' N – 77° 56.4780' W on the west shore; running easterly to a point 34° 04.7920'N – 77°55.4740'W on the east shore **except** those areas south of a line beginning at a point 34° 01.5780' N – 77° 56.0010' W on the south side of the Spoil Island at the intersection of the IWW and the Cape Fear River Ship Channel, running easterly to a point 34° 01.7230' N – 77° 55.0101' W on the east shore of the Cape Fear River including those areas south of the area opened and east of the IWW known as "Dow Chemical Bay: and "Radar Dome Bay", **will remain closed.** (Maps 6 and 7)

2. **Elizabeth River** - main channel only, including Lower Dutchman Creek from the IWW to the Cape Fear River **except** all tributaries of Elizabeth River and Dutchman Creek, that portion of Elizabeth River west of the Marker 7, and that portion of Dutchman Creek north of the IWW **will remain closed.** (Map 7)
3. **Intracoastal Waterway Channel only** - from Marker 1 near Southport to Sunset Beach Bridge (Maps 7-10)
4. **Eastern Channel (Montgomery Slough)** - main channel only, from Blue Water Point Marina to Lockwoods Folly Inlet including the channel from Marker 36 to Blue Water Point Marina (Map 8)
5. **Lockwood Folly River Inlet Channel** - from the IWW to the Atlantic Ocean (Map 8)
6. **Shallotte River Inlet** - from the Marker 75 to the Atlantic Ocean (Map 9)
7. **Jinks Creek**– from the IWW to Tubbs Inlet (Map 10)
8. **Bonaparte Creek** - main channel only from the Marker 111 to Little River Inlet (Map 10)

E. **Atlantic Ocean**

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 Rules 15A NCAC 03H .0103, 03L .0101 and .0202.

B. In accordance with Rule 15A NCAC 03H .0103 it is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority.

C. Shellfish Management Areas which have been designated by proclamation are closed to the use of trawl nets, long haul seines, and swipe nets.

D. In accordance with Rule 15A NCAC 03O .0211 it is unlawful to use any bottom disturbing fishing gear on any shellfish lease or franchise unless it has been duly authorized by the Fisheries Director. In accordance with Rule 15A NCAC 03O .0204(f), the Division has no duty to protect any shellfish bottom lease, franchise, or water column lease not marked in accordance with Rule 15A NCAC 03O .0204(a).

E. **Hatched areas on the attached maps indicate those areas closed to shrimp and crab trawling, seines, and cast nets except as specified in G. below.**

F. In accordance with Rule 15 NCAC 03I .0121 the Division of Marine Fisheries will mark the areas to be opened with signs insofar as may be practical. No unauthorized removal or relocation of any such sign shall have the effect of changing the area opened, nor shall any such unauthorized removal or relocation or the absence of any sign affect the applicability of this proclamation. Where there is conflict between signs and boundary descriptions, boundary descriptions shall prevail.

G. In accordance with Rule 15A NCAC 03L .0105 it is unlawful to take or possess shrimp from areas closed to the taking of shrimp except four quarts of shrimp (heads on) or two and one half quarts (heads off) per person per day may be taken while fishing in closed areas with a cast net.

H. In accordance with Rule 15A NCAC 03L .0103 (c) which describes the areas where it is unlawful to use trawls with a combined headrope length greater than 90 feet.

I. In accordance with Rule 15A NCAC 03J .0104 (f) it is unlawful to use shrimp trawls for the taking of blue crabs in internal waters, except that it shall be permissible to take or possess blue cabs incidental to commercial shrimp trawling provided that the weight of the crabs shall not exceed 50 percent of the total weight of the combined crab and shrimp catch; or 300 pounds, whichever is greater.

J. Proclamation SH-4-2019 dated May 14, 2019, describes gear configuration requirements in areas where combined headrope lengths up to 90 feet in shrimp trawls are allowed. Proclamation FF-55-2012 dated November 9, 2012 limits the amount of weakfish bycatch that can be taken with shrimp or crab trawls to 50% of equal weight of combined catch, but no more

than 100 pounds.

K. **Proclamation M-7-2020 dated April 17, 2020, describes Crab Spawning Sanctuaries adopted as part of Amendment 3 to the N.C. Blue Crab Fishery Management Plan. These Crab Spawning Sanctuaries are closed to trawling from March 1 through October 31.**

L. Taking shrimp with pots is not governed by this proclamation. In accordance with Rule 15A NCAC 03J .0301 shrimp pots may be used to take shrimp.

M. **In accordance with Rules 15A NCAC 03J .0104 and 03L .0102 and .0103 which place further restrictions on areas, gear, seasons, and time for the taking of shrimp with nets.**

N. 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.

O. 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.

P. The intent of this proclamation is to close waters from Marker 45 near Bogue Inlet to the North Carolina-South Carolina border to crab trawling and the taking of shrimp with nets except those areas described in this proclamation.

Q. **This proclamation supersedes SH-2-2020, dated May 12, 2020. This proclamation opens areas of the New River and Stump Sound to crab trawling and the taking of shrimp with nets. Those areas are upstream of the N.C. Highway 172 Bridge, the IWW from Marker #17 to the 210 High Rise Bridge in the main channel only, and the IWW from Marker #49 to the Highway 50 Bridge at Surf City in the main channel and 100 feet on either side.**

BY: _____
Stephen W. Murphey, Director
DIVISION OF MARINE FISHERIES

September 4, 2020
2:50 P.M.