

## PROCLAMATION

### RE: STRIPED BASS SEASON - BEACH SEINES: ATLANTIC OCEAN

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **6:00 A.M., Monday, December 3, 2012**, the season for the harvest of striped bass with beach seines in the Atlantic Ocean waters of North Carolina **WILL OPEN**. The following restrictions shall apply:

#### I. SIZE LIMIT

No person may possess, transport, buy, sell or offer for sale striped bass less than 28 inches total length taken from the Atlantic Ocean.

#### II. HARVEST RESTRICTIONS

A. It is unlawful to take striped bass with a beach seine from the Atlantic Ocean without having an Atlantic Ocean Striped Bass Commercial Gear Permit (AOSBCGP) designated for the beach seine fishery.

The quota for the beach seine fishery will be 160,160 pounds.

B. It is unlawful to possess striped bass taken with a beach seine from the Atlantic Ocean without having an AOSBCGP designated for the beach seine fishery except that possession of striped bass transferred from a properly permitted AOSBCGP beach seine operation to AOSBCGP holders of any gear (beach seines, gill nets or trawls) is allowed. Transfers will count against the beach seine portion of the quota regardless of the type of AOSBCGP held by the person receiving the transfer.

C. It is unlawful for an AOSBCGP beach seine permit holder to possess more than 150 striped bass per calendar day unless the striped bass exceeding the limit are being transferred to another holder of an AOSBCGP at the point of landing. A beach seine crew shall consist of a maximum of **four** individuals.

D. For the purpose of this proclamation, a beach seine is defined as a swipe net constructed of multi-filament, multi-fiber webbing fished from the ocean beach that is deployed from a vessel launched from the ocean beach where the fishing operation takes place. One end of the beach seine shall be attached to shore at all times during the operation.

E. Beach seine operations are limited to seines and warp lines of no more than 1,400 yards in total length, of which the seine shall not exceed 1,200 yards in total length. Seines shall be constructed of stretched mesh size of 7 to 10 inches (inclusive) and shall be no more than 30 meshes deep. The length of the warp line on the offshore end of the seine shall not be restricted.

F. Beach seines shall be constructed of twine size no smaller than #9 (0.042 inches or 1.07 mm) in the wings and no smaller than #12 (0.046 inches or 1.17 mm) in the bunt section.

G. It is unlawful for the duration of a beach seine set to exceed **four (4) hours** from launching to retrieval (net in to net out).

H. It is unlawful to use monofilament webbing in any part of an ocean beach seine during the striped bass seasons established by proclamation.

#### III. SEASON CLOSURE

The Atlantic Ocean beach seine season for striped bass SHALL CLOSE by proclamation when the harvest allocation is reached.

#### IV. LANDING RESTRICTIONS

A. Striped bass harvested in this fishery may only be sold to and purchased by a dealer possessing a **2012/2013 STRIPED BASS DEALER PERMIT validated for the Atlantic Ocean**.

B. It is unlawful for an AOSBCGP holder to fail to accompany each harvest limit of striped bass until the time of sale to a dealer who possesses a valid 2012/2013 Striped Bass Dealer Permit validated for the Atlantic Ocean.

**V. DEALER PERMITS**

- A. No finfish dealer may possess, buy, sell or offer for sale striped bass taken from the Atlantic Ocean without first obtaining a 2012/2013 STRIPED BASS DEALER PERMIT validated for the Atlantic Ocean from the N.C. Division of Marine Fisheries. Dealers must abide by all conditions of the STRIPED BASS DEALER PERMIT and the general permit conditions found in N.C. Marine Fisheries Commission Rule 15A NCAC 30 .0500 *et seq.*
- B. Only a STRIPED BASS DEALER PERMIT validated for the Atlantic Ocean may be used for transactions involving striped bass taken from the area opened by this proclamation.
- C. Striped bass lawfully sold to a permitted dealer may be resold to a non-permitted wholesale or retail market provided the initial permitted dealer records their dealer identification number on each bill of lading or receipt involved in the shipment of striped bass. Any individual or corporation who holds a current finfish dealer license must obtain a STRIPED BASS DEALER PERMIT validated for the Atlantic Ocean in order to sell any striped bass personally harvested.

**VI. SALE TAGS**

No finfish dealer may possess, buy, sell or offer for sale striped bass taken from the Atlantic Ocean without having affixed through the mouth and gill cover, an Atlantic Ocean striped bass sale tag issued by the North Carolina Division of Marine Fisheries. In the case of striped bass imported from other states, a similar tag that is issued for striped bass in the state of origin must be affixed.

**VII. 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 Marine Fisheries Commission Rules 15A NCAC 03H .0103, 03J .0103, 03M .0201, 03M .0204 and 03O .0500 *et seq.*
- B. It is unlawful to violate the provisions of any proclamation issued by the Director under his delegated authority pursuant to Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. The intent of this proclamation is to allow the commercial harvest of striped bass from the Atlantic Ocean by traditional gears within the 480,480 pound quota established for the 2012/2013 season by the Atlantic States Marine Fisheries Commission (ASMFC) Fishery Management Plan for Striped Bass.
- D. The beach seine restrictions are being implemented to minimize interactions with protected marine resources. The gear parameters (twine size, mesh size range, seine length and soak time) implemented above are based on input from experienced fishermen who have fished with traditional beach seines. Fishermen are advised that should marine mammal or sea turtle interactions occur in the gear authorized by this proclamation, the National Marine Fisheries Service may implement additional restrictions in this fishery.
- E. The waters of the Atlantic Ocean, as applicable to this proclamation are defined as waters seaward of the COLREGS Demarcation Lines as indicated on National Ocean Service navigation charts for the areas to which this proclamation applies.
- F. Atlantic Ocean Striped Bass Commercial Gear Permits can be purchased at any time. Permits may be obtained from all North Carolina Marine Fisheries License Offices.
- G. All striped bass taken during season closures and all undersized striped bass shall be immediately returned to the waters where taken, regardless of the condition of the fish.
- H. Hook-and-line fishing equipment is not commercial fishing equipment in the striped bass fishery and it is illegal to sell or purchase striped bass taken by hook-and-line in accordance with Marine Fisheries Commission Rule 15A NCAC 03M .0201 (b).
- I. Dealers whose businesses are located in Beaufort, Carteret, Craven and Pamlico counties may obtain tags by contacting the Morehead City Marine Patrol Office at 1-800-682-2632 or (252) 726-7021. Dealers whose businesses are located in Hyde, Dare, Tyrrell, Washington, Bertie Chowan, Pasquotank, Camden, Hertford and other northern counties may obtain tags by contacting the Manteo Marine Patrol Office at 1-800-405-7774 or 252-473-5734. Allow 48 hours for delivery.

BY: \_\_\_\_\_

Dr. Louis B. Daniel III, Director

DIVISION OF MARINE FISHERIES

November 29 , 2012  
8:30 A.M.  
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