PROCLAMATION

RE: SPINY DOGFISH-COMMERCIAL FISHING OPERATIONS

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M. Sunday, January 1, 2012** the following restrictions will apply to the harvest of spiny dogfish in the waters of North Carolina.

I. HARVEST LIMITS, AREAS AND TRIP LIMITS

During the period beginning at **12:01 A.M., Sunday, January 1, 2012 and ending at 6:00 P.M., Tuesday, January 31, 2012**, the following trip limits apply to these geographic areas:

A. **BROWNS INLET - NORTH** – No commercial fishing operation, regardless of the number of people involved, may possess more than **4,000 pounds of spiny dogfish per day east and north of a line** beginning at a point 34° 37.0000'N – 77° 15.000'W; running southeasterly to a point 34° 32.0000'N – 77° 10.0000'W.

B. **BROWNS INLET- SOUTH** – No commercial fishing operation, regardless of the number of people involved, may possess more than **500 pounds of spiny dogfish per day west and south of a line** beginning at a point 34° 37.0000'N – 77° 15.000'W; running southeasterly to a point 34° 32.0000'N – 77° 10.0000'W.

II. 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 and 03M.0512.

B. It is unlawful to violate the provisions of any proclamation issued by the Director under his delegated authority pursuant to N.C. Fisheries Rule 15A NCAC 03H .0103.

C. The NMFS Bottlenose Dolphin Take Reduction Plan prohibits the use of gill nets greater that 5 inches or less than 7 inches stretched mesh at night from November 1 through April 30 in all Atlantic Ocean state waters.

D. The NMFS Bottlenose Dolphin Take Reduction Plan prohibits the use of gill nets, greater than or equal to 7 inch stretched mesh, at night from December 16 through April 14, unless tie downs are used in Atlantic Ocean state waters from the NC/VA border (36° 33' N) to Cape Lookout (34° 35.4'N). Tie downs shall be spaced not more than 15 feet apart along the float line, not more than 48 inches in length from the point where it connects to the float line to the point where it connects to the lead line. Night is any time one hour after sunset and one hour prior to sunrise.

E. The landing prohibition beginning at 6:00 P.M. on January 31, 2012 will allow the Division to review landing reports. Landings for the second harvest period may be adjusted by proclamation if the spiny dogfish quota has not been taken.

F. The different harvest limits are intended to allow a portion of the quota to be harvested for research and educational purposes. Finfish dealers are required to possess a valid Spiny Dogfish Dealer Permit and adhere to the daily reporting requirements in Proclamation FF-81-2011, dated December 15, 2011. This proclamation supersedes Proclamation FF-47-2011, dated March 24, 2011, which closed the season and FF-82-2011, dated December 12, 2011. The southern set-aside harvest is now part of this proclamation.

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

December 15, 2011
8:30 A.M.
FF-83-2011
/sab

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