



North Carolina Department of Environment and Natural Resources  
Division of Marine Fisheries  
Dr. Louis B. Daniel III  
Director

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

October 11, 2013

Dear Gillnet Fisherman,

The purpose of this letter is to provide you with information on the statewide incidental take permit (Permit No. 16230) issued by the National Marine Fisheries Service (Service) to the Division authorizing the take of listed sea turtles incidental to large and small mesh gillnet fishing in specified inshore estuarine areas. The permit and all related documents can be found at [http://www.nmfs.noaa.gov/pr/permits/esa\\_review.htm](http://www.nmfs.noaa.gov/pr/permits/esa_review.htm). The Service requires states to be in compliance with the Endangered Species Act of 1973. The listing of a species as endangered makes it illegal to "take" (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to do these things) that species.

The management measures developed through the lawsuit settlement agreement between the state and the Karen Beasley Sea Turtle Rescue and Rehabilitation Center and implemented via proclamation to minimize incidental takes of sea turtles will now be utilized in all areas. The previous incidental take permits received by the Division from the Service were for the Pamlico Sound Gill Net Restricted Area which is an annual federal closure of the Pamlico Sound from September 1 through December 15. The same area parameters will be in place closing the deep water portions of the Pamlico Sound and opening certain areas under the regulations (i.e., soak time, gear configurations, reporting requirements, observer requirements) set forth under the current proclamation (M-30-2013), consistent with the lawsuit settlement agreement.

Fishermen will no longer be required to report fishing activities weekly to the Division; however, gillnet fishermen throughout the state's estuarine waters will be required to report any incidentally caught sea turtles. Sea turtles that are reported by fishermen will not count against the number of estimated incidental takes that are allowed. This reporting requirement is a condition of the permit and any violation of such conditions could lead to a revocation of the permit and closure of the gillnet fisheries.

The permit is based on annual estimated incidental takes for each species of sea turtles. The permit begins effective September 1 each year and the director can open areas based on sea turtle abundance with the goal being to maximize the flounder fishing season while minimizing turtle interactions. The number of observed incidental captures allowed is based on the percent observer coverage obtained. Higher observer coverage in each area will result in more observed incidental captures allowed for each species.

For all anchored gillnet fisheries, the permit requires 7-10% observer coverage for large mesh and 1-2% for small mesh. The Division requires licensed fishermen to carry observers under the authority granted in North Carolina Marine Fisheries Commission Rule 15A NCAC 03I .0113 to obtain biological data, harvest information or other statistical data. Failure to carry observers when requested will result in a violation of the above mentioned rule and will lead to enforcement action being taken against fishermen. Failure to provide the minimum observer coverage required under the permit for the large and small mesh gillnet fisheries could result in the revocation of the permit and closure of the gillnet fisheries.

We appreciate your cooperation in keeping within the conditions of and complying with the incidental take permit.

Sincerely,

Louis B. Daniel III, Director  
N.C. Division of Marine Fisheries