PROCLAMATION

RE: PURSE SEINES: ATLANTIC OCEAN

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **12:00 P.M., Thursday, November 15, 2012** the following restrictions will apply to the use of purse seines in the Atlantic Ocean waters of North Carolina:

I. TEMPORARY SUSPENSION

North Carolina Marine Fisheries Commission Rules 15A NCAC 03J .0105 is modified by the suspension of (b)(1) (A), (b)(2)(B), the words "the Atlantic Ocean within one mile of shore and" in (b)(5), and (c). Rule15A NCAC 03R .0111 is also suspended.

II. **HARVEST RESTRICTIONS**

A. NORTH CAROLINA-VIRGINIA BORDER TO BRUNSWICK COUNTY

It is unlawful to use **purse seine vessels deployed by a mothership** for the harvest of menhaden within three (3) nautical miles of the Atlantic Ocean shoreline in the area south of a line at the North Carolina-Virginia border and north and east of a line beginning at a point onshore at the border between Brunswick County and New Hanover County at 33° 55.8833'N - 77° 56.2000'W; then running southeasterly three (3) nautical miles to a point offshore at 33° 54.5735'N - 77° 52.7184'W.

B. BRUNSWICK COUNTY TO NORTH CAROLINA-SOUTH CAROLINA BORDER

It is unlawful to use **purse seine vessels deployed by a mothership** for the harvest of menhaden within three (3) nautical miles of the Atlantic Ocean shoreline east of a line beginning at a point onshore at the border between North Carolina and South Carolina at 33° 51.0667'N – 78° 32.5833'W; running southeasterly to a point offshore at 33° 48.8342'N – 78° 29.8494'W; and south of a line beginning at a point onshore at the border between Brunswick County and New Hanover County at 33° 55.8833'N - 77° 56.2000'W; then running southeasterly three (3) nautical miles to a point offshore at 33° 54.5735'N - 77° 52.7184'W **from November 1 through April 30.**

III. GENERAL INFORMATION

A. This proclamation is issued under the authority of N.C.G.S. 113-170.4; 170.5; 113-182; 113-221.1; 143B-289.52; and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103; 03I .0102, and 03J .0103.

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

C. The intent of this proclamation is to address user conflict and bycatch issues in the Atlantic Ocean purse seine fishery. **Menhaden harvest in the ocean waters off Brunswick County is regulated by Session Law 2007-320. It states in part that "It is unlawful to take menhaden or Atlantic thread herring by the use of a purse seine from May 1 through October 31 of each year within three nautical miles of the Atlantic shoreline"** of Brunswick County.

D. The waters of the Atlantic Ocean, as applicable to this proclamation are defined as waters seaward of the high water mark on the Atlantic Ocean shoreline and COLREGS Demarcation Lines as indicated on National Ocean Service navigation charts for the areas to which this proclamation applies.

E. Purse seines may be used at any time beyond three miles offshore.

F. This proclamation supersedes Proclamation M-34-2012, dated August 24, 2012.

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

November 13, 2012
9:40 A.M.
M-55-2012
/sab

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