PROCLAMATION

RE: GILL NETS – ALBEMARLE SOUND AREA

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **6:00 A.M. on, Saturday, December 1, 2012**, the following provisions shall apply to the use of gill nets in the following areas:

I. AREA DESCRIPTION

Albemarle Sound Management Area as defined in N.C. Marine Fisheries Rule 15A NCAC 03R .0201 (a).

II. NET RESTRICTIONS

Only gill nets meeting the specified mesh lengths may be used in the described area. A fishing operation, regardless of the number of vessels or persons involved, shall adhere to the gill net restrictions specified for the following area:

- A. Gill nets with a mesh length less than 3 inches shall not be used.
- B. Gill nets with a mesh length of 3 and 3 ¼ inches shall not exceed 800 yards in any combination.
- C. Gill nets with a mesh length greater than 3 1/4 shall not be used.
- D. It is unlawful to fail to be present at the nets at least once during a 24 hour period no later than noon each day.

III. DRIFT GILL NETS

Drift gill nets may not be used in the Joint Fishing Waters portion of the Roanoke, Middle, Eastmost, Cashie, Chowan and Meherrin rivers and all other joint water tributaries of the Albemarle Sound Management Area.

IV. 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 Commission Rules 15A NCAC 03H .0103 and 03J .0103, 03Q .0107(c); 03M .0202 and 03M .0513.
- B. It is unlawful to violate provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. "Attended" is defined in N.C. Marine Fisheries Commission Rule 15A NCAC 3I .0101.
- D. Attended gill net areas are defined in N.C. Marine Fisheries Commission Rule 15A NCAC 3R.0112.

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- E. N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0113 specifies that it is unlawful for any licensee under Chapter 113, Subchapter IV of the General Statutes to refuse to allow the Fisheries Director or his agents to obtain biological data, harvest information, or other statistical data necessary or useful to the conservation and management of marine and estuarine resources from fish in the licensee's possession. The Division of Marine Fisheries has implemented an observer program as an inspection procedure to obtain such data.
- F. This proclamation supersedes Proclamation M-53-2012 dated November 6, 2012. The intent of this proclamation is to allow directed fisheries for mullet, white perch and bluefish and remove large mesh webbing in the Albemarle Sound Management Area, in conjunction with the December harvest closure for southern flounder.

BY:		
	Dr. Louis B. Daniel III, Director	
DIVI	SION OF MARINE FISHERIES	

November 28, 2012 10:30 A.M. M-58-2012 /sab