PROCLAMATION

RE: GILL NETS- WESTERN PAMLICO SOUND AND RIVERS

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that **effective at 6:00 P.M. Monday, April 15, 2013, the following restrictions will apply to gill nets with a mesh length greater than five inches:**

I. AREA DESCRIPTION

All internal fishing waters west (upstream) of the 76° 28.0000'W longitude line which passes near Roos Point at the mouth of Pungo River south to Point of Marsh at the mouth of the Neuse River.

II. GEAR RESTRICTIONS

A. It is unlawful to fail to equip gill nets with tie downs spaced no farther apart than 10 yards, restricting the vertical distance between the top and bottom lines to 36 inches or less. Nets must be set so as to fish on the bottom and not exceed a vertical height of 36 inches.

B. It is unlawful for any portion of the net to be within 50 yards of any point on shore when set or deployed in the following river areas:
   1. Neuse River - Upstream of a line beginning at a point at Cooper Point 35° 02.1433'N – 76° 55.9965'W; running southwesterly to a point at Fisher Landing Point 35° 00.1550'N – 76° 58.5738'W.
   2. Pamlico River - Upstream of a line beginning at a point at Gum Point 35° 25.1669'N – 76° 45.5251'W; running southwesterly to a point at Fork Point at 35° 23.4453'N – 76° 46.4346'W.
   3. Pungo River - Upstream of a line beginning at a point at Sandy Point 35° 26.8680'N – 76° 33.9520'W; running southwesterly to a point on the west shore at 35° 26.2810'N – 76° 35.5530'W.

C. Attended Recreational Commercial Gear License large mesh gill nets are exempt from restrictions in II. B.

D. These restrictions terminate on December 31, 2013 at midnight by this proclamation.

III. 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 15A NCAC 03H .0103 and 3J .0103.

B. It is unlawful to violate the 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. The intent of this proclamation is to enact the requirements established by the North Carolina Estuarine Striped Bass Fishery Management Plan to reduce large mesh gill net bycatch and as an approved FMP amendment measures by the North Carolina Marine Fisheries Commission, February, 2012.

D. N.C. Marine Fisheries Commission Rule15A NCAC 03J .0103 prohibits gill nets 5 to 5 ½ inch stretch mesh from April 15 through December 15. Proclamation M-5-2013 prohibits the use of gill nets with a mesh size more than 6 ½ inches (stretched mesh).

E. NC. Fisheries Rule 15A NCAC 03J .0103 (i) (2) states that from June through October, it is unlawful for any portion of a gill net with a mesh length of five inches or larger to be within 10 feet of any point on the shoreline while set or deployed. 03J .0103 (j) defines the shoreline as the mean high water line or marsh line, whichever is more seaward.

BY:_____

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

April 12, 2013
9:45 A.M.
M-13-2013
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