PROCLAMATION

RE: GILL NETS – MONKFISH IN ATLANTIC OCEAN

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., Saturday, March 16, 2013** the following provisions shall apply to the use of commercial large mesh gill nets in the **Atlantic Ocean monkfish fishery:**

I. AREA DESCRIPTION:

The Atlantic Ocean in a one mile wide area extending from two miles seaward of the coastline to three miles seaward of the coastline from the North Carolina/Virginia state line southward to Wimble Shoal (Latitude 35° 30'N). In the area of Oregon Inlet, the COLREGS line shall be considered the coastline.

II. COMMERCIAL NET AND SEASON CLOSURE RESTRICTIONS:

A. The Atlantic Ocean is closed to the use of gill nets **greater than seven (7) inches stretched mesh** by Proclamation M-40-2011, dated December 20, 2011 from December 22 through April 14, 2012 with the exception of the monkfish and striped bass fisheries.
B. Only individuals that possess a 2013 Monkfish Large Mesh Gill Net Permit required by Proclamation FF-16-2013, dated February 27, 2013 are authorized to fish gill nets with a stretched mesh size greater than seven (7) inches in the area described above.
C. Large mesh gill nets set shall be fished at least once every 48 hours, weather permitting.
D. The monkfish gill net fishery closes by this proclamation at 8:00 P.M., Sunday, April 14, 2013 unless modified or closed earlier due to conditions in III.C. below.

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 Rule 15A NCAC 03H .0103 and 03J .0103.

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

C. **Seasons and areas opened under the exemptions in II. A. and II. B. above may be closed or modified by proclamation if reliable sea surface temperature data indicates that water temperatures are greater than 11° C or should interactions occur between large mesh gill nets and marine mammals, Atlantic sturgeon or sea turtles.**

D. The intent of this proclamation is to allow traditional large mesh gill net fisheries for monkfish to be pursued in state waters while reducing the threat of interactions between this gear and bottlenose dolphins, other marine mammals, Atlantic sturgeon and sea turtles. **Striped bass gill net season is not open at this time in the ocean.** The Atlantic Ocean is closed to the use of gill nets greater than seven (7) inches from April 15 through December 15 by N.C. Fisheries Commission Rule 15A NCAC 03J .0202 (7).

E. The National Marine Fisheries Service (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 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 from one hour after sunset to one hour prior to sunrise. The NMFS Harbor Porpoise Take Reduction Plan requires tie-downs as described above on large mesh nets at all times from March 16 through April 30 north of the NC/SC border.

F. Monkfish Large Mesh Gill Net Permits are available at no cost from the N.C. Division of Marine Fisheries License Offices.

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

February 27, 2013
9:35 A.M.
M-6-2013
/sab

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