

SUBCHAPTER 3L - SHRIMP, CRABS, AND LOBSTER

SECTION .0100 - SHRIMP

.0101 SEASON

It is unlawful to take shrimp with nets until the Fisheries Director, by proclamation, opens the season in various waters. Proclamations may specify any hours of day or night or both and any other conditions appropriate to management of the fishery. If sampling indicates primarily undersized shrimp or juveniles of any other species of major economic importance, the Fisheries Director may close such waters to shrimping and prohibit the use of nets for any purpose except cast nets as provided in 15A NCAC 03L .0102. Prominent landmarks or other permanent-type markers shall be considered when establishing closure lines even if such lines extend beyond the area of concern.

*History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;
Eff. January 1, 1991.*

.0102 WEEKEND SHRIMPING PROHIBITED

It is unlawful to take shrimp by any method from 9:00 P.M. on Friday through 5:00 P.M. on Sunday, except:

- (1) in the Atlantic Ocean; or
- (2) with the use of fixed and channel nets, hand seines, shrimp pots and cast nets.

*History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. August 1, 2004; March 1, 1994.*

.0103 PROHIBITED NETS AND MESH SIZES

(a) It is unlawful to take shrimp with nets with mesh lengths less than the following:

- (1) Trawl net - one and one-half inches;
- (2) Fixed nets, channel nets, float nets, butterfly nets, and hand seines - one and one-fourth inches;
and
- (3) Cast net - no restriction.

(b) It is unlawful to take shrimp with a net constructed in such a manner as to contain an inner or outer liner of any mesh size. Net material used as chafing gear shall be no less than four inches mesh length except that chafing gear with small mesh may be used only on the bottom one-half of the tailbag. Such chafing gear shall not be tied in a manner that forms an additional tailbag.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991.*

.0104 UNLAWFUL TO USE OR TAKE

It is unlawful to:

- (1) Use channel nets except as provided in 15A NCAC 03J .0106.
- (2) Use shrimp pots except as provided in 15A NCAC 03J .0301.
- (3) Take or possess more than 100 shrimp per person per day while fishing in a closed area with a cast net.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991*

15A NCAC 03J .0104 TRAWL NETS

(a) It is unlawful to possess aboard a vessel while using a trawl in internal waters more than 500 pounds of finfish from December 1 through February 28 and 1,000 pounds of finfish from March 1 through November 30.

(b) It is unlawful to use trawl nets:

- (1) In internal coastal waters, from 9:00 p.m. on Friday through 5:00 p.m. on Sunday, except that in the areas listed in Subparagraph (b)(5) of this Rule, trawling is prohibited from December 1 through February 28 from one hour after sunset on Friday to one hour before sunrise on Monday.
- (2) For the taking of oysters;
- (3) In Albemarle Sound and its tributaries;
- (4) In the areas described in 15A NCAC 03R .0106, except that the Fisheries Director may, by proclamation, open the area designated in Item (6) of 15A NCAC 03R .0106 to peeler crab trawling; and
- (5) From December 1 through February 28 from one hour after sunset to one hour before sunrise in the following areas:
 - (A) In Pungo River, north of a line beginning on Currituck Point at a point 35° 24.5833' N-76° 32.3166' W; running southwesterly to Wades Point to a point 35° 23.3062' N-76° 34.5135' W;
 - (B) In Pamlico River, west of a line beginning on Wades Point at a point 35° 23.3062' N – 76° 34.5135' W; running southwesterly to Fulford Point to a point 35° 19.8667' N – 76° 35.9333' W;
 - (C) In Bay River, west of a line beginning on Bay Point at a point 35° 11.0858' N – 76° 31.6155' W; running southerly to Maw Point to a point 35° 09.0214' N – 76° 32.2593' W;
 - (D) In Neuse River, west of a line beginning on the Minnesott side of the Neuse River Ferry at a point 34° 57.9116' N – 76° 48.2240' W; running southerly to the Cherry Branch side of the Neuse River Ferry to a point 34° 56.3658' N – 76° 48.7110' W; and
 - (E) In New River, all waters upstream of the N.C. Highway 172 Bridge when opened by proclamation.

(c) Minimum mesh sizes for shrimp and crab trawls are presented in 15A NCAC 03L .0103 and .0202.

(d) The Fisheries Director may, with prior consent of the Marine Fisheries Commission, by proclamation, require bycatch reduction devices or codend modifications in trawl nets to reduce the catch of finfish that do not meet size limits or are unmarketable as individual foodfish by reason of size.

(e) It is unlawful to use shrimp trawls for recreational purposes unless the trawl is marked by attaching to the codend (tailbag), one floating buoy, any shade of hot pink in color, which shall be of solid foam or other solid buoyant material no less than five inches in diameter and no less than five inches in length. The owner shall always be identified on the buoy by using an engraved buoy or by attaching engraved metal or plastic tags to the buoy. Such identification shall include owner's last name and initials and if a vessel is used, one of the following:

- (1) Gear owner's current motor boat registration number; or
- (2) Owner's U.S. vessel documentation name.

(f) It is unlawful to use shrimp trawls for the taking of blue crabs in internal waters, except that it shall be permissible to take or possess blue crabs incidental to shrimp trawling in accordance with the following limitations:

- (1) For individuals using shrimp trawls authorized by a Recreational Commercial Gear License, 50 blue crabs, not to exceed 100 blue crabs if two or more Recreational Commercial Gear License holders are on board.
- (2) For commercial operations, crabs may be taken incidental to lawful shrimp trawl operations provided that the weight of the crabs shall not exceed:
 - (A) 50 percent of the total weight of the combined crab and shrimp catch; or
 - (B) 300 pounds, whichever is greater.

(g) The Fisheries Director may, by proclamation, close any area to trawling for specific time periods in order to secure compliance with this Rule.

*History Note: Authority G.S. 113-134; 113-173; 113-182; 113-221; 143B-289.52;
Eff. February 1, 1991;
Amended Eff. August 1, 1998; May 1, 1997; March 1, 1994; February 1, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. August 1, 2004; August 1, 2000.*

SECTION .0200 – NET RULES, SPECIFIC AREAS

15A NCAC 3J .0202 ATLANTIC OCEAN

In the Atlantic Ocean:

- (1) It is unlawful to use nets from June 15 through August 15 in the waters of Masonboro Inlet or in the ocean within 300 yards of the beach between Masonboro Inlet and a line running southeasterly through the water tank 34° 13.1500' N - 77° 47.300' W on the northern end of Wrightsville Beach, a distance of 4400 yards parallel with the beach.
- (2) It is unlawful to use trawls within one-half mile of the beach between the Virginia line and Oregon Inlet.
- (3) It is unlawful to use a trawl with a mesh length less than four inches in the main body, three inches in the extension, and one and three-fourths inches in the cod end or tail bag inshore of a line beginning on the western side of Beaufort Inlet Channel at a point 34° 41.3000' N - 76° 40.1333' W; running westerly parallel to and one-half miles from the shore off Salter Path to a point 34° 40.5333' N - 76° 53.7500' W.
- (4) It is unlawful to use trawl nets, including flynets, southwest of the 9960-Y chain 40250 LORAN C line (running offshore in a southeasterly direction) from Cape Hatteras to the North Carolina/South Carolina line except:
 - (a) Shrimp trawls as defined in 15A NCAC 03L .0103;
 - (b) Crab trawls as defined in 15A NCAC 03L .0202; or
 - (c) Flounder trawls as defined in 15A NCAC 03M .0503.
- (5) Finfish taken with shrimp or crab trawls:
 - (a) It is unlawful to possess finfish (including pursuant to 15A NCAC 03M .0102) incidental to shrimp or crab trawl operations from December 1 through March 31 unless the weight of the combined catch of shrimp and crabs exceeds the weight of finfish except as provided in Sub-Item (5)(b) of this Rule;
 - (b) It is unlawful to possess more than 300 pounds of kingfish (*Menticirrhus*, sp.) taken south of Bogue Inlet regardless of the amount of shrimp, crabs or finfish taken.
- (6) It is unlawful to use unattended gill nets or block or stop nets in the Atlantic Ocean within 300 yards of the beach from Beaufort Inlet to the South Carolina line from sunset Friday to sunrise Monday from Memorial Day through Labor Day.
- (7) It is unlawful to use gill nets in the Atlantic Ocean with a mesh length greater than seven inches from April 15 through December 15.
- (8) It is unlawful to use shrimp trawls in all waters west of a line beginning at the southeastern tip of Baldhead Island at a point 33° 50.4833' N - 77°

57.4667' W; running southerly in the Atlantic Ocean to a point 33° 46.2667' N - 77° 56.4000' W; from 9:00 P.M. through 5:00 A.M.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996; September 1, 1991;
Temporary Amendment Eff. December 1, 1997;
Amended Eff. August 1, 2004; August 1, 1998.*

15A NCAC 3J .0206 SOUTHPORT BOAT HARBOR

It is unlawful to use any commercial fishing gear in the Southport Boat Harbor, Brunswick County, north of a line beginning at a point on the west side of the mouth of the harbor 33°54.9656'N – 78°01.4477' W running easterly to a point on the east side of the mouth of the harbor 33°54.9656'N – 78°01.3797' W.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. August 1, 2004.*

15A NCAC 3J .0208 NEW RIVER

It is unlawful to use trawl nets upstream of the Highway 172 Bridge over New River from 9:00 P.M. through 5:00 A.M. when opened by proclamation from August 16 through November 30.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. August 1, 1998;
Amended Eff. August 1, 2004.*

SECTION .0300 – POTS, DREDGES, AND OTHER FISHING DEVICES

15A NCAC 03J .0301 POTS

(a) It is unlawful to use pots except during time periods and in areas specified herein:

- (1) From November 1 through April 30, except that all pots shall be removed from internal waters from January 24 through February 7. Fish pots upstream of U.S. 17 Bridge across Chowan River and upstream of a line across the mouth of Roanoke, Cashie, Middle and Eastmost Rivers to the Highway 258 Bridge are exempt from the January 24 through February 7 removal requirement. The Fisheries Director may, by proclamation, reopen various waters to the use of pots after January 28 if it is determined that such waters are free of pots.
- (2) From May 1 through October 31, north and east of the Highway 58 Bridge at Emerald Isle:
 - (A) In areas designated in 15A NCAC 03R .0107(a);
 - (B) To allow for the variable spatial distribution of crustacea and finfish, the Fisheries Director may, by proclamation, specify time periods for or designate the areas in 15A NCAC 03R .0107(b); or any part thereof, for the use of pots.

- (3) From May 1 through October 31 in the Atlantic Ocean and west and south of the Highway 58 Bridge at Emerald Isle in areas and during time periods designated by the Fisheries Director by proclamation.
- (b) It is unlawful to use pots:
 - (1) in any navigation channel marked by State or Federal agencies; or
 - (2) in any turning basin maintained and marked by the North Carolina Ferry Division.
- (c) It is unlawful to use pots in a commercial fishing operation unless each pot is marked by attaching a floating buoy which shall be of solid foam or other solid buoyant material and no less than five inches in diameter and no less than five inches in length. Buoys may be of any color except yellow or hot pink. The owner shall always be identified on the attached buoy by using engraved buoys or by engraved metal or plastic tags attached to the buoy. Such identification shall include one of the following:
 - (1) gear owner's current motorboat registration number; or
 - (2) gear owner's U.S. vessel documentation name; or
 - (3) gear owner's last name and initials.
- (d) Pots attached to shore or a pier shall be exempt from Subparagraphs (a)(2) and (a)(3) of this Rule.
- (e) It is unlawful to use shrimp pots with mesh lengths smaller than one and one-fourth inches stretch or five-eighths inch bar.
- (f) It is unlawful to use eel pots with mesh sizes smaller than one inch by one-half inch unless such pots contain an escape panel that is at least four inches square with a mesh size of 1 inch by one-half inch located in the outside panel of the upper chamber of rectangular pots and in the rear portion of cylindrical pots, except that not more than two eel pots per fishing operation with a mesh of any size may be used to take eels for bait.
- (g) It is unlawful to use crab pots in coastal waters unless each pot contains no less than two unobstructed escape rings that are at least 2 5/16 inches inside diameter and located in the opposite outside panels of the upper chamber of the pot. Peeler pots with a mesh size less than 1 1/2 inches shall be exempt from the escape ring requirement. The Fisheries Director may, by proclamation, exempt the escape ring requirement in order to allow the harvest of peeler crabs or mature female crabs and may impose any or all of the following restrictions:
 - (1) Specify areas, and
 - (2) Specify time.
- (h) It is unlawful to use more than 150 pots per vessel in Newport River.
- (i) It is unlawful to remove crab pots from the water or remove crabs from crab pots between one hour after sunset and one hour before sunrise.
- (j) User Conflicts:
 - (1) The Fisheries Director may, with the prior consent of the Marine Fisheries Commission, by proclamation close any area to the use of pots in order to resolve user conflict. The Fisheries Director shall hold a public meeting in the affected area before issuance of such proclamation.
 - (2) Any person(s) desiring to close any area to the use of pots may make such request in writing addressed to the Director of the Division of Marine Fisheries. Such requests shall contain the following information:
 - (A) A map of the proposed closed area including an inset vicinity map showing the location of the proposed closed area with detail sufficient to permit on-site identification and location;
 - (B) Identification of the user conflicts causing a need for closing the area to the use of pots;
 - (C) Recommended method for resolving user conflicts; and
 - (D) Name and address of the person(s) requesting the closed area.
 - (3) Person(s) making the requests to close an area shall present their request at the public meeting.
 - (4) The Fisheries Director shall deny the request or submit a proposed proclamation granting the request to the Marine Fisheries Commission for their approval.
 - (5) Proclamations issued closing or opening areas to the use of pots under Paragraph (j) of this Rule shall suspend appropriate rules or portions of rules under 15A NCAC 03R .0107 as specified in the proclamation. The provisions of 15A NCAC 03I .0102 terminating suspension of a rule as of the next Marine Fisheries Commission meeting

and requiring review by the Marine Fisheries Commission at the next meeting shall not apply to proclamations issued under Paragraph (j) of this Rule.

(k) It is unlawful to use pots to take crabs unless the line connecting the pot to the buoy is non-floating.

(l) It is unlawful to use pots with leads or leaders to take shrimp. For the purposes of this Rule, leads or leaders are defined as any fixed or stationary net or device used to direct fish into any gear used to capture fish. Any device with leads or leaders used to capture fish is not a pot.

History Note: Authority G. S. 113-134; 113-173; 113-182; 113-221; 143B-289.52; Eff. January 1, 1991; Amended Eff. August 1, 1998; May 1, 1997; March 1, 1996; March 1, 1994; October 1, 1992; September 1, 1991; Temporary Amendment Eff. July 1, 1999; Amended Eff. August 1, 2000; Temporary Amendment Eff. September 1, 2000; Amended Eff. August 1, 2004; August 1, 2002.

15A NCAC 03J .0202 ATLANTIC OCEAN

In the Atlantic Ocean:

- (1) It is unlawful to use nets from June 15 through August 15 in the waters of Masonboro Inlet or in the ocean within 300 yards of the beach between Masonboro Inlet and a line running southeasterly through the water tank 34° 13.1500' N - 77° 47.300' W on the northern end of Wrightsville Beach, a distance of 4400 yards parallel with the beach.
- (2) It is unlawful to use trawls within one-half mile of the beach between the Virginia line and Oregon Inlet.
- (3) It is unlawful to use a trawl with a mesh length less than four inches in the main body, three inches in the extension, and one and three-fourths inches in the cod end or tail bag inshore of a line beginning on the western side of Beaufort Inlet Channel at a point 34° 41.3000' N - 76° 40.1333' W; running westerly parallel to and one-half miles from the shore off Salter Path to a point 34° 40.5333' N - 76° 53.7500' W.
- (4) It is unlawful to use trawl nets, including flynets, southwest of the 9960-Y chain 40250 LORAN C line (running offshore in a southeasterly direction) from Cape Hatteras to the North Carolina/South Carolina line except:
 - (a) Shrimp trawls as defined in 15A NCAC 03L .0103;
 - (b) Crab trawls as defined in 15A NCAC 03L .0202; or
 - (c) Flounder trawls as defined in 15A NCAC 03M .0503.
- (5) Finfish taken with shrimp or crab trawls:
 - (a) It is unlawful to possess finfish (including pursuant to 15A NCAC 03M .0102) incidental to shrimp or crab trawl operations from December 1 through March 31 unless the weight of the combined catch of shrimp and crabs exceeds the weight of finfish except as provided in Sub-Item (5)(b) of this Rule;
 - (b) It is unlawful to possess more than 300 pounds of kingfish (*Menticirrhus*, sp.) taken south of Bogue Inlet regardless of the amount of shrimp, crabs or finfish taken.
- (6) It is unlawful to use unattended gill nets or block or stop nets in the Atlantic Ocean within 300 yards of the beach from Beaufort Inlet to the South Carolina line from sunset Friday to sunrise Monday from Memorial Day through Labor Day.
- (7) It is unlawful to use gill nets in the Atlantic Ocean with a mesh length greater than seven inches from April 15 through December 15.
- (8) It is unlawful to use shrimp trawls in all waters west of a line beginning at the southeastern tip of Baldhead Island at a point 33° 50.4833' N - 77° 57.4667' W; running southerly in the Atlantic Ocean to a point 33° 46.2667' N - 77° 56.4000' W; from 9:00 P.M. through 5:00 A.M.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52; Eff. January 1, 1991; Amended Eff. March 1, 1996; September 1, 1991;

*Temporary Amendment Eff. December 1, 1997;
Amended Eff. August 1, 2004; August 1, 1998.*

15A NCAC 03J .0208 NEW RIVER

It is unlawful to use trawl nets upstream of the Highway 172 Bridge over New River from 9:00 P.M. through 5:00 A.M. when opened by proclamation from August 16 through November 30.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. August 1, 1998;
Amended Eff. August 1, 2004.*

15A NCAC 03J .0206 SOUTHPORT BOAT HARBOR

It is unlawful to use any commercial fishing gear in the Southport Boat Harbor, Brunswick County, north of a line beginning at a point on the west side of the mouth of the harbor 33°54.9656'N – 78°01.4477' W running easterly to a point on the east side of the mouth of the harbor 33°54.9656'N – 78°01.3797' W.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. August 1, 2004.*

15A NCAC 03N .0104 PROHIBITED GEAR, PRIMARY NURSERY AREAS

It is unlawful to use any trawl net, long haul seine, swipe net, dredge, or mechanical method for clams or oysters for the purpose of taking any marine fishes in any of the primary nursery areas described in 15A NCAC 03R .0103.

*History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. September 1, 1991;
Recodified from 15A NCAC 03N .0004 Eff. May 1, 1997;
Amended Eff. May 1, 1997.*

15A NCAC 03N .0105 PROHIBITED GEAR, SECONDARY NURSERY AREAS

(a) It is unlawful to use trawl nets for any purpose in any of the permanent secondary nursery areas designated in 15A NCAC 03R .0104.

(b) It is unlawful to use trawl nets for any purpose in any of the special secondary nursery areas designated in 15A NCAC 03R .0105, except that the Fisheries Director, may, by proclamation, open any or all of the special secondary nursery areas, or any portion thereof, listed in 15A NCAC 03R .0105 to shrimp or crab trawling from August 16 through May 14 subject to the provisions of 15A NCAC 03L .0100 and .0200.

*History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. September 1, 1991;
Recodified from 15A NCAC 03N .0005 Eff. May 1, 1997;
Amended Eff. August 1, 2004; May 1, 1997.*

15A NCAC 03J .0402 FISHING GEAR RESTRICTIONS

(a) It is unlawful to use commercial fishing gear in the following areas during dates and times specified for the identified areas:

- (1) Atlantic Ocean - Dare County:
 - (A) Nags Head:
 - (i) Seines and gill nets may not be used from the North Town Limit of Nags Head at Eight Street southward to Gulf Street:
 - (I) From Wednesday through Saturday of the week of the Nags Head Surf Fishing Tournament held during October of each year the week prior to Columbus Day.

- (II) From November 1 through December 15.
 - (ii) Commercial fishing gear may not be used within 750 feet of licensed fishing piers when open to the public.
 - (B) Oregon Inlet. Seines and gill nets may not be used from the Friday before Easter through December 31:
 - (i) Within one-quarter mile of the beach from the National Park Service Ramp #4 (35° 48.2500' N - 75° 32.7000' W) on Bodie Island to the northern terminus of the Bonner Bridge (35° 46.5000' N - 75° 32.3666' W) on Hwy. 12 over Oregon Inlet.
 - (ii) Within the area known locally as "The Pond", a body of water generally located to the northeast of the northern terminus of the Bonner Bridge.
 - (C) Cape Hatteras (Cape Point). Seines and gill nets may not be used within one-half mile of Cape Point from the Friday before Easter through December 31. The closed area is defined by a circle with a one-half mile radius having the center near Cape Point at a point 35° 12.9000' N - 75° 31.7166' W.
- (2) Atlantic Ocean - Onslow and Pender Counties. Commercial fishing gear may not be used during the time specified for the following areas:
- (A) Topsail Beach. From January 1 through December 31, that area around Jolly Roger Fishing Pier bordered on the offshore side by a line 750 feet from the end of the pier and on the northeast and southwest by a line beginning at a point on the beach one-quarter mile from the pier extending seaward to intersect the offshore boundary.
 - (B) Surf City:
 - (i) From January 1 to June 30, that area around the Surf City Fishing Pier bordered on the offshore side by a line 750 feet from the end of the pier, on the southwest by a line beginning at a point on the beach one-quarter mile from the pier and on the northeast by a line beginning at a point on the beach 750 feet from the pier extending seaward to intersect the offshore boundaries.
 - (ii) From July 1 to December 31, those areas around the pier bordered on the offshore side by a line 750 feet from the end of the pier, on the southwest by a line beginning at a point on the beach 750 feet from the pier and on the northeast by a line beginning at a point on the beach one-quarter mile from the pier extending seaward to intersect the offshore boundaries.
- (3) Atlantic Ocean - New Hanover County. Carolina Beach Inlet through Kure Beach. Commercial fishing gear may not be used during the times specified for the following areas:
- (A) From the Friday before Easter to November 30, within the zones adjacent to the Carolina Beach and Kure Beach Fishing Piers bordered on the offshore side by a line 750 feet from the ends of the piers and on the north and south by a line beginning at a point on the beach one-quarter mile from the pier extending seaward to intersect the offshore boundary, except the southern boundary for Kure Beach Pier is a line beginning on the beach one mile south of the pier to the offshore boundary for the pier.
 - (B) From May 1 to November 30, within 900 feet of the beach, from Carolina Beach Inlet to the southern end of Kure Beach with the following exceptions:
 - (i) From one-quarter mile north of Carolina Beach Fishing pier to Carolina Beach Inlet from October 1 to November 30:
 - (I) Strike nets may be used within 900 feet of the beach;
 - (II) Attended nets may be used between 900 feet and one-quarter mile of the beach.
 - (ii) Strike nets and attended gill nets may be used within 900 feet of the beach from October 1 to November 30 in other areas except those described in Part (a)(3)(A) and Subpart (a)(3)(B)(i) of this Rule.

- (iii) It is unlawful to use commercial fishing gear within 900 feet of the beach from Carolina Beach Inlet to a point on the beach 33°55.0026' N – 77°56.6630' W near the former location of New Inlet during the October surf fishing tournament in Carolina Beach.
 - (4) Pamlico River – Beaufort County. Goose Creek State Park. Commercial fishing gear may not be used from the Friday before Easter through December 31 for the following areas:
 - (A) Within 150 feet of the shoreline within park boundaries;
 - (B) Within the marked channel from Dinah Landing to the mouth of Upper Goose Creek.
- (b) It is unlawful to use gill nets or seines in the following areas during dates and times specified for the identified areas:
 - (1) Neuse River and South River, Carteret County. No more than 1,200 feet of gill net(s) having a stretched mesh of five inches or larger may be used:
 - (A) Within one-half mile of the shore from Winthrop Point at Adams Creek to Channel Marker "2" at the mouth of Turnagain Bay.
 - (B) Within South River.
 - (2) Cape Lookout, Carteret County:
 - (A) Gill nets or seines may not be used in the Atlantic Ocean within 300 feet of the Rock Jetty (at Cape Lookout between Power Squadron Spit and Cape Point).
 - (B) Seines may not be used within one-half mile of the shore from Power Squadron Spit south to Cape Point and northward to Cape Lookout Lighthouse including the area inside the "hook" south of a line from the COLREGS Demarcation Line across Bardens Inlet to the eastern end of Shackleford Banks and then to the northern tip of Power Squadron Spit from 12:01 a.m. Saturdays until 12:01 a.m. Mondays from May 1 through November 30.
 - (3) State Parks/Recreation Areas:
 - (A) Gill nets or seines may not be used in the Atlantic Ocean within one-quarter mile of the shore at Fort Macon State Park, Carteret County.
 - (B) Gill nets or seines may not be used in the Atlantic Ocean within one-quarter mile of the shore at Hammocks Beach State Park, Onslow County, from May 1 through October 1, except strike nets and attended gill nets may be used beginning August 15.
 - (C) Gill nets or seines may not be used within the boat basin and marked entrance channel at Carolina Beach State Park, New Hanover County.
 - (4) Mooring Facilities/Marinas. Gill nets or seines may not be used from May 1 through November 30 within:
 - (A) One-quarter mile of the shore from the east boundary fence to the west boundary fence at U.S. Coast Guard Base Fort Macon at Beaufort Inlet, Carteret County;
 - (B) Canals within Pine Knoll Shores, Carteret County;
 - (C) Spooners Creek entrance channel and marina on Bogue Sound, Carteret County; Harbor Village Marina on Topsail Sound, Pender County; and Marina and entrance canal within Carolina Marlin Club property adjacent to Newport River, Carteret County.
 - (5) Masonboro Inlet. Gill nets and seines may not be used:
 - (A) Within 300 feet of either rock jetty; and
 - (B) Within the area beginning 300 feet from the offshore end of the jetties to the Intracoastal Waterway including all the waters of the inlet proper and all the waters of Shinn Creek.
 - (6) Atlantic Ocean Fishing Piers. At a minimum, gill nets and seines may not be used within 300 feet of ocean fishing piers when open to the public. If a larger closed area has been delineated by the placement of buoys or beach markers as authorized by G.S. 113-185(a), it is unlawful to fish from vessels or with nets within the larger marked zone.
 - (7) Topsail Beach, Pender County. It is unlawful to use gill nets and seines from 4:00 p.m. Friday until 6:00 a.m. the following Monday in the three finger canals on the south end of Topsail Beach.

- (8) Mad Inlet to Tubbs Inlet - Atlantic Ocean, Brunswick County. It is unlawful to use gill nets and seines from September 1 through November 15, except that a maximum of four commercial gill nets per vessel not to exceed 200 yards in length individually or 800 yards in combination may be used.

*History Note: Authority G.S. 113-133; 113-134; 113-182; 113-221; 143B-289.52;
Eff. March 1, 1996;
Amended Eff. August 1, 2004; April 1, 2001.*