PROCLAMATION

RE: SPINY LOBSTER - COMMERCIAL AND RECREATIONAL

This proclamation establishes harvest limits for spiny lobster in N. C. Coastal Fishing Waters.

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces that effective at 12:01 A.M., Saturday, April 2, 2022, the following provisions shall apply to spiny lobster in N. C. Coastal Fishing Waters.

I. PERMIT REQUIREMENTS
   A. It is unlawful to sell or offer for sale spiny lobster specified in 50 CFR Part §622.400 unless a Federal vessel permit is issued to the harvesting vessel and shall be on board.
   B. It is unlawful to purchase spiny lobster taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council without a valid Federal Gulf and South Atlantic Dealer Permit.

II. HARVEST RESTRICTIONS
   A. It is unlawful to possess an egg bearing spiny lobster or a spiny lobster from which eggs have been stripped, scrubbed or removed.
   B. It is unlawful to possess aboard a vessel or land detached spiny lobster tails.

III. GEAR RESTRICTIONS
   A. It is unlawful to take spiny lobster with a gaff hook, spear or other device. Possession of a speared, pierced or punctured Spiny Lobster is prima facie evidence that prohibited gear was used.
   B. It is unlawful to take spiny lobster in a directed fishery by the use of a net or trawl.
   C. It is unlawful to take spiny lobster with the use of poisons or explosives.
   D. It is unlawful to possess spiny lobster while also possessing dynamite or similar explosive aboard the vessel.
   E. It is unlawful to take spiny lobster with the use of pots or traps.

IV. MINIMUM SIZE LIMIT
   It is unlawful to possess spiny lobster with a carapace length less than 3 inches.

V. QUANTITY
   It is unlawful to possess aboard a vessel or land more than two spiny lobsters per person per trip.
VI. GENERAL INFORMATION

A. This proclamation is issued under the authority of N.C.G. S. 113-134; 113-134.1; 113-170.4; 113-170.5; 113-182; 113-182.1; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103 and 03L .0302.

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

C. The intent of this proclamation is to allow harvest of spiny lobster in compliance with the South Atlantic Fishery Management Council Regulatory Amendment 4 to the Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and the South Atlantic.

D. Poisons include chlorine, bleach, and similar substances, which are used to flush a spiny lobster out of rocks or coral.

E. In accordance with N.C. General Statute 113-221.1(c) all persons who may be affected by proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current proclamations.

F. Contact N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557; 252-726-7021 or 800-682-2632 for more information or visit the division website at www.ncmarinefisheries.net.

G. This proclamation establishes harvest limits for spiny lobster in N. C. Coastal Fishing Waters.

By: ______________________________
Kathy B. Rawls, Director
DIVISION OF MARINE FISHERIES