JOSH STEIN
Governor

D. REID WILSON
Secretary

JONATHAN HOWELL
Director

M-26-2026

PROCLAMATION

RE: GILL NETS – ALBEMARLE SOUND AREA – INTERNAL COASTAL AND JOINT FISHING WATERS OF MANAGEMENT UNIT A – REMOVES THE ALLOWANCE FOR ATTENDED SMALL MESH NETS AND MAINTAINS THE ALLOWANCE OF RUNAROUND, STRIKE, AND DROP GILL NETS WITH STRETCHED MESH LENGTH OF 5 ½ INCHES THROUGH 6 ½ INCHES IN PORTIONS OF MANAGEMENT UNIT A TO HARVEST BLUE CATFISH.

This proclamation supersedes proclamation M-24-2026 dated October 9, 2026. This proclamation closes Management Unit A to the use of attended gill nets with a stretched mesh length of 3 inches through 4 inches, and maintains an open portion of Management Unit A to the use of runaround, strike, and drop gill nets with a stretched mesh length of 5 ½ inches through 6 ½ inches for harvesting blue catfish, and in accordance with the Incidental Take Permit for threatened and endangered sea turtles and endangered sturgeon.

Jonathan Howell, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M., Thursday November 12, 2026,** the following provisions shall apply to the use of gill nets in the Internal Coastal and Joint Fishing Waters of the following areas:

I. **MANAGEMENT UNIT A: AREA DESCRIPTIONS AND SPECIFIC AREA RESTRICTIONS (See Map)**

A. **Management Unit A:** Encompasses all Internal Coastal and Joint Fishing Waters bound on the south by 35° 46.3000' N latitude to the North Carolina/Virginia state line and is open to the use of gill nets as described in Section II. A. This includes Albemarle, Currituck, Croatan and Roanoke sounds and their tributaries.

B. **Management Unit A, Sub-Unit A1:** The following Internal Coastal Fishing Waters of the Albemarle and Currituck sounds and Joint Fishing Waters of the Chowan, Perquimans, Little, Pasquotank, North, and Alligator rivers are open to the use of gill nets as described in Section II. B.

1. **Albemarle Sound:** Internal Coastal Fishing Waters of the Albemarle Sound west of a line beginning at a point on the north shore of the Albemarle Sound 36° 08.270' N - 75° 52.000' W, running due south to a point on the south side of Albemarle Sound at Durant's Island 35° 58.470' N - 75° 52.000' W, west to a line beginning at a point on the on the west shore of the Chowan River 36° 02.3162' N - 76° 42.4896' W; running northeasterly to a point on the east shore 36° 03.1013' N - 76° 40.8732' W.
2. **Currituck Sound:** Joint Fishing Waters north of a line beginning at a point on the west shore of the Currituck Sound 36° 17.134' N - 75° 52.986' W; running east to a point on the east shore 36° 17.466' N -75° 48.426' W.
3. **Chowan River:** Joint Fishing Waters north of a line beginning at a point on the west shore of the Chowan River 36° 02.3162' N - 76° 42.4896' W; running

northeasterly to a point on the east shore 36° 03.1013' N - 76° 40.8732' W.

4. **Perquimans River:** Joint Fishing Waters northwest of a line beginning at a point on the north shore at 36° 05.9669' N - 76° 18.1791' W; running northeasterly to a point on the east shore 36° 06.7655' N - 76° 16.5953' W.
5. **Little River:** Joint Fishing Waters northwest of a line beginning at a point on the west shore 36° 07.5322' N - 76° 10.6901' W; running southwesterly to a point on the south shore 36° 06.4199' N - 76° 11.6047' W.
6. **Pasquotank River:** Joint Fishing Waters northwest of a line beginning at a point on the north shore 36° 11.4282' N - 76° 01.2876' W; running southwesterly to a point on the south shore 36° 08.7563' N - 76° 03.6991' W.
7. **North River:** Joint Fishing Waters north of a line beginning at a point on the west shore 36° 09.8986' N - 75° 54.6771' W; running easterly to a point on the east shore 36° 10.0108' N - 75° 52.0431' W.
8. **Alligator River:** Internal Coastal and Joint Fishing Waters of the Alligator River south of a line running 35° 57.623 N and north of a line running 35° 40.350 N.

C. **Black Walnut Point to Mackey's Creek:** It shall be unlawful to use ANY gill nets in the area southwest of a line from Black Walnut Point 35° 59.3833' N - 76° 41.0060' W; running southeasterly to a point 35° 56.3333' N - 76° 36.0333' W at the mouth of Mackey's Creek, including all other Joint Fishing Water tributaries of the Roanoke River Management Area as defined in N.C. Marine Fisheries Commission Rule 15 NCAC 03R .0201(b).

D. <u>It shall be unlawful to use drift gill nets 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 as defined in N.C. Marine Fisheries Commission Rule 15 NCAC 03R. 0201</u>.

II. **<u>GILL NET CONSTRUCTION AND USE REQUIREMENTS (see Section IV. for exempted gear definitions).</u>**

A fishing operation regardless of the number of vessels or persons involved, shall adhere to the gill net restrictions specified:

A. **Management Unit A as described in Section I. A.**
   1. It shall be unlawful to use gill nets, except as described in Section IV.
   2. It shall be unlawful to use drift gill nets as described in Section IV with a stretched mesh length less than 3 inches and greater than 3 ¾ inches.
   3. It shall be unlawful to use runaround, strike, or drop gill nets as described in Section IV, with a stretched mesh length less than 3 inches and greater than 4 inches **(except in Sub-Unit A1 and as described in Section II. B.).**

B. **Management Unit A, Sub-Unit A1 as described in Section I. B.**
   1. It shall be unlawful to use gill nets, except as described in Section IV.
   2. It shall be unlawful to use runaround, strike, or drop gill nets as described in Section IV with stretched mesh lengths **other** than 3 inches through 4 inches **and 5 ½ inches through 6 ½ inches (<u>runaround, strike, and drop gill nets with a stretched mesh length 3 inches through 4 inches and 5 ½ inches through 6 ½ inches MAY be used</u>).**

III. **<u>GILL NET YARDAGE RESTRICTIONS</u>**

A fishing operation, regardless of the number of vessels or persons involved, shall adhere to the gill net yardage restrictions specified:

A. It shall be unlawful to use or possess more than 800 yards of gill net with a stretched mesh length of 3 inches through 4 inches in any combination per vessel or SCFL/RSCFL holder regardless of the number of license holders on the vessel, including nets as described in Section IV.

B. It shall be unlawful to use or possess more than 800 yards of gill net with a stretched mesh length of 5 ½ inches through 6 ½ inches in any combination per vessel or SCFL/RSCFL holder regardless of the number of license holders on the vessel including nets as described in Section IV.

IV. **GEAR EXEMPTION DEFINITIONS AND RESTRICTIONS FOR RUNAROUND, STRIKE, DROP, AND DRIFT GILL NETS:**

A. Exempted gear definitions:

1. Runaround, strike, or drop gill nets – gill nets that are actively fished be either (1) using the boat to run a net around a school of fish, creating a closed circle, or (2) using the boat after the net is set to herd fish into the net without delay, whereby soak time does not exceed 30 minutes from the end of the set to the beginning of the haul.
2. Drift gill nets – gill nets that are used to capture fish while being moved along by water currents whereby the net stays attached to the vessel form deployment through retrieval.

V. **SEA TURTLE AND ATLANTIC STURGEON INTERACTION REPORTING**

It shall be unlawful to fail to report any sea turtle or sturgeon captured in anchored gill nets. Reports shall be made within 24 hours of the capture to the Division of Marine Fisheries at 252-515-5500 or 800-682-2632. **Self-reported takes of sea turtles and sturgeon by fishermen fishing without an observer do not count toward the allowable takes in the Incidental Take Permit.**

VI. **GENERAL INFORMATION**

A. This proclamation is issued under the authority of N.C.G.S. 113-134; 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, 03J .0103, and 03M .0503.

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 restrictions in this proclamation apply to and are in addition to the maximum allowed yardage for Recreational Commercial Gear License holders described in N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0302.

D. **All other existing gill net rules and proclamations remain in effect.** See https://deq.nc.gov/about/divisions/marine-fisheries/rules-proclamations-and-size-and-bag-limits/fisheries-management-proclamations#currentprocs to refer to those M-type proclamations for gill net regulations that may be effective in the areas covered by this proclamation.

E. All other existing species rules and proclamations remain in effect. See https://deq.nc.gov/about/divisions/marine-fisheries/rules-proclamations-and-size-and-bag-limits/fisheries-management-proclamations#currentprocs to refer to those FF-type proclamations that may be effective for a specific species.

F. **In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0101 (2)(b) "attended" is defined as being in a vessel, in the water or on shore, and immediately available to work the gear and be within 100 yards of any gear in use by that person at all times. Attended does not include being in a building or structure.**

G. Proclamation M-12- 2025 dated June 3, 2025 prohibits the setting of gill nets in the Joint Fishing Waters of the state from midnight on Friday to midnight on Sunday each week. Portions of Albemarle and Currituck sounds are exempt from that provision.

H. N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0113 specifies that it shall be unlawful for any licensee under Chapter 113, Subchapter IV of the General Statutes to refuse to allow the Fisheries Director or their 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 Estuarine Gill Net Permit and an observer program as an inspection procedure to obtain such data.

I. The Division of Marine Fisheries has received Federal Incidental Take Permits (ITP) for threatened or endangered sea turtles, and endangered sturgeon. These ITPs allow the legal continuation of the inshore gill net fisheries in North Carolina, subject to permit conditions. The ITP conditions are designed to monitor, avoid, minimize, and mitigate interactions with these species. Permit conditions require the division to provide 7–10 percent observer coverage in the large mesh anchored gill net fishery and 1–2 percent observer coverage in the small mesh anchored gill net fishery in internal coastal waters. **If the required coverage is not maintained, large and small mesh gill nets permitted by the ITP could be prohibited in all Internal Coastal and Joint Fishing Waters.**

J. The intent of this proclamation is to implement gill net restrictions in accordance with the Division's FMPs for estuarine striped bass, river herring and southern flounder, and the Division's ITP for threatened and endangered species. This allows for the blue catfish, white perch, striped mullet, and other fisheries in specified areas and times with minimal impacts to other species.

K. Proclamation M-7-2025 dated February 4, 2025, establishes the Observer Trip Scheduling System (OTSS) and requires holders of an Estuarine Gill Net Permit who deploy gill nets (except run-around, strike, drop, or drift gill nets) to either possess a valid OTSS confirmation number or have an authorized agent of the division present while fishing. To obtain either a confirmation number or an agent of the division, planned fishing activity must be reported at least one week in advance (Monday-Wednesday) by calling 800-487-8747 or online at https://dmf.ncdenr.org/OTSSPublic/.

L. **A confirmation number, issued by the Observer Trip Scheduling System, does not legally permit the use of non-exempted gill nets in a closed Management Unit or area, or when such use is otherwise prohibited.**

M. Proclamation FF-26-2024 dated June 20, 2024, states that from January 1 through September 30, it shall be unlawful for a commercial fishing operation to take or land mullet for commercial purposes from 11:59 P.M. Friday to 12:01 A.M. Monday each week, and from October 1 through December 31, it shall be unlawful for a commercial fishing operation to take or land mullet for commercial purposes from 11:59 P.M. Friday to 12:01 A.M. Tuesday each week.

N. Proclamation FF-31-2026 dated June 25, 2026, states that from January 1 through September 30, it shall be unlawful for a commercial fishing operation to take or land spotted seatrout for commercial purposes from 11:59 P.M. Friday to 12:01 A.M. Monday each week, and from October 1 through December 31, it shall be unlawful to take or land spotted seatrout for commercial purposes from 11:59 P.M. Friday through 12:01 A.M. Tuesday each week.

O. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 030 .0503(f)(1) a valid Estuarine Gill Net Permit issued by the Division of Marine Fisheries is required to deploy gill nets in Internal Coastal Fishing Waters with an exception for runaround, strike, drop or drift gill nets.

P. **In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0503(e)(4) a valid Estuarine Flounder Dealer Permit issued by the Division of Marine Fisheries is required for any fish dealer to possess, purchase, sell or offer for sale flounder taken from Internal Coastal and Joint Fishing Waters for the applicable fisheries and harvest area.**

Q. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0501(b)(1) a valid Standard Commercial Fishing License (SCFL), Retired Standard Commercial Fishing License (RSCFL), or Recreational Commercial Gear License (RCGL) is required to hold an Estuarine Gill Net Permit.

R. In accordance with N.C. General Statute 113-221(f) and 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.

S. Contact N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557; 252-515-5500 or 800-682-2632 for more information or visit the division website at https://www.deq.nc.gov/about/divisions/marine-fisheries.

T. **This proclamation closes Management Unit A to the use of attended gill nets with a stretched mesh length of 3 inches through 4 inches, and maintains an open portion of Management Unit A to the use of runaround, strike, and drop gill nets with a stretched mesh length of 5 ½ inches through 6 ½ inches for harvesting blue catfish, and in accordance with the Incidental Take Permit for threatened and endangered sea turtles and endangered sturgeon.**

By: Jonathan Howell
Jonathan Howell, Director
DIVISION OF MARINE FISHERIES

November 9, 2026
3:00 P.M.