

FF-54-2010 (REVISED)

PROCLAMATION

RE: WEAKFISH – RECREATIONAL

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at 12:01A.M., Monday, May 24, 2010 the following restrictions will apply to the recreational weakfish fishery in coastal fishing waters:

I. SIZE AND CREEL LIMITS

- A. It is unlawful to possess weakfish for recreational purposes less than 12 inches in total length.
- B. It is unlawful to possess more than one (1) weakfish per person per day taken for recreational purposes or by hook and line.

II. 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 Rules 15A NCAC 03H .0103 and 03M.0512.
- B. It is unlawful to violate the provisions of any proclamation issued by the Director under his delegated authority pursuant to N.C. Fisheries Rule 15A NCAC 03H .0103.
- C. The intent of this proclamation is to allow North Carolina to comply with the requirements of the Addendum IV to Amendment 4 of the Atlantic States Marine Fisheries Commission's Interstate Management Plan for Weakfish.
- D. This proclamation supersedes Proclamation FF-54-2010, dated May 14, 2010. The bag limit remains (1) fish per person per day. Hook and line gear was added to make it clear that commercial fishermen are held to the one fish bag limit if using that gear.

FF-55-2010 (Revised)

PROCLAMATION

RE: WEAKFISH COMMERCIAL FISHING OPERATIONS

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at 12:01 A.M. Monday, May 24, 2010, the following restrictions will apply to the commercial weakfish fishery:

I. SIZE LIMITS

- A. No person may take, possess, buy, sell, or offer for sale weakfish less than 12 inches total length in state waters or within 200 miles of shore in the Atlantic Ocean except as provided in I.B. and III.E. below.

B. From April 1 through November 15, weakfish 10 inches total length or more may lawfully be taken in North Carolina internal waters by use of long haul seines or pound nets only and possessed, transported, bought, sold, or offered for sale.

II. HARVEST LIMITS

It is unlawful to take or possess more than 100 pounds of weakfish per day or trip (whichever is longer) in state waters or within 200 miles of the shore in the Atlantic Ocean.

III. GEAR RESTRICTIONS

A. GILL NETS:

No person may possess aboard or land from, any vessel using or having on board a gill net with a mesh length less than 2 7/8 inches stretched mesh, more than 100 pounds of weakfish during any one day or on any trip, whichever is longer, in state waters or within 200 miles of the shore in the Atlantic Ocean.

B. FLYNETS:

No person may possess aboard or land from any vessel using a flynet more than 100 pounds of weakfish during any one day or trip, whichever is longer, in state waters or within 200 miles of the shore in the Atlantic Ocean, unless all flynets on board meet the following requirements:

1. The flynet is constructed with large mesh in the wings that measure not less than 8 inches or more than 64 inches (inside stretched mesh length);
2. The first body section (belly) of the net has 35 or more meshes that are at least 8 inches (inside stretched mesh length);
3. The mesh decreases in size throughout the body of the net to a tailbag of a minimum length of 15 feet with a minimum inside stretched mesh length of 3 1/2 inches hung on the square or 3 3/4 inches hung on a diamond; and
4. Extensions must be a minimum of 20 feet in length and constructed of webbing with a minimum inside stretched mesh length of 3 inches hung on a square, except that when the tailbag is 25 feet or greater in length, extensions may be constructed of either square or diamond meshes.

C. For commercial fishing operations operating with gill nets and flynets that do not meet the requirements of III. (A) and (B) above, weakfish may be taken as bycatch incidental to those gill net and flynet operations provided that the weight of the weakfish shall not exceed 50% of the total weight of the combined catch up to 100 pounds of weakfish.

D. SHRIMP/CRAB TRAWLS:

No person may possess more than 100 pounds of weakfish (12 inches or more in total length) taken with a shrimp or crab trawl. The weight of the weakfish shall not exceed 50% of the total weight of the combined catch up to 100 pounds of weakfish. This limit does not apply to a Recreational Commercial Gear License shrimp trawl.

E. FINFISH TRAWLS:

It is lawful to land more than 100 undersized weakfish (< 12 inches) in commercial finfish trawl operations. It is unlawful to sell these undersized weakfish.

IV. 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 Rules 15A NCAC 03H .0103 and 03M .0512.

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 Rule 15A NCAC 03H .0103.

C. It is unlawful to use flynets south of Cape Hatteras to the North Carolina/South Carolina line according to N.C. Fisheries Rule 15A NCAC 03J .0202.

D. The intent of this proclamation is to allow North Carolina to comply with Addendum IV to Amendment 4 of the Atlantic States Marine Fisheries Commission's (ASMFC) Weakfish Management Plan.

E. This proclamation supersedes Proclamation FF-55-2010, dated May 14, 2010 and adds several provisions to fully comply with the ASMFC Weakfish Plan