

**15A NCAC 03I .0107      ENDANGERED OR THREATENED SPECIES**

(a) Pursuant to a cooperative agreement entered into on February 5, 1979, by the Department of Environment and Natural Resources, the Marine Fisheries Commission, and the Wildlife Resources Commission, the Wildlife Resources Commission will exercise regulatory jurisdiction over any species of sea turtle, and their eggs and nests, consistent with designation of such species as endangered or threatened by the U.S. Fish and Wildlife Service. As provided by said agreement, the law enforcement officers of both the Marine Fisheries Division and the Wildlife Resources Commission have jurisdiction to enforce any State laws and rules, including those contained in 15A NCAC 10I, relating to endangered or threatened species of sea turtles and their eggs and nests.

(b) The Fisheries Director may close or restrict by proclamation any coastal waters with respect to taking or attempting to take any or all kinds of marine resources when the method (equipment) used is a serious threat to an endangered or threatened species listed pursuant to 16 USC 1533(c). Copies of this list may be obtained from the Division of Marine Fisheries, PO Box 769, 3441 Arendell St., Morehead City, North Carolina 28557-0769.

(c) It is unlawful to use any commercial fishing equipment in the sea turtle sanctuary located in the Atlantic Ocean adjacent to Onslow County as described in 15A NCAC 3R .0101 from June 1 through August 31, except that the Fisheries Director may, by proclamation, modify the sanctuary within the described area and vary implementation between specified dates for the protection of the sea turtle population.

*History Note:*      *Authority G.S. 113-132; 113-134; 113-134.1; 113-182; 113-189; 143B-289.52;*  
                         *Eff. January 1, 1991;*  
                         *Recodified from 15A NCAC 3I .0007 Eff. December 17, 1996;*  
                         *Amended Eff. July 1, 1999; May 1, 1997;*  
                         *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*  
                         *2018.*