

**15A NCAC 03J .0105 PURSE SEINES**

(a) It shall be unlawful to use purse seines except for the taking of menhaden, Atlantic thread herring, gizzard shad, or pinfish.

(b) It shall be unlawful to use a purse seine in accordance with the following:

- (1) in the Atlantic Ocean as described in 15A NCAC 03R .0111.
- (2) except as provided in Paragraph (c) of this Rule, between January 16 and May 14 in:
  - (A) internal waters; and
  - (B) the Atlantic Ocean within one mile of shore.
- (3) between January 16 and March 31 in Core Sound.
- (4) from beyond one mile of shore in the Atlantic Ocean and transported to port between sunset on any Friday and sunrise of the following Monday from the Friday of the Memorial Day weekend through sunset on Labor Day.
- (5) from beyond one mile of shore in the Atlantic Ocean and transported to port between the hours of sunrise and sunset on the following holidays:
  - (A) Memorial Day;
  - (B) Fourth of July, when the Fourth of July falls on any calendar day Friday through Monday; and
  - (C) Labor Day.

(c) The Fisheries Director may, by proclamation, open the Atlantic Ocean within one mile of shore and the internal waters specified in Paragraph (d) of this Rule between April 1 and May 14, and may impose any of the following restrictions:

- (1) specify time;
- (2) specify area;
- (3) specify means and methods;
- (4) specify record keeping requirements;
- (5) specify season; and
- (6) specify quantity.

(d) The internal waters specified in Paragraph (c) of this Rule are as follows:

- (1) Pamlico Sound;
- (2) Pamlico River east of a line from Wades Point to Intracoastal Waterway Marker No. 1 at the mouth of Goose Creek;
- (3) Neuse River east of a line from Wilkinson Point to Cherry Point;
- (4) Adams Creek;
- (5) Core Sound and its tributaries;
- (6) Back Sound, the Straits, and North River;
- (7) Newport River;
- (8) North River; and
- (9) Bogue Sound.

(e) Menhaden, Atlantic thread herring, gizzard shad, or pinfish may be taken at any time with a purse seine from beyond one mile of shore in the Atlantic Ocean and transported to port except as specified by Session Law 2012-190 and Subparagraphs (b)(4) and (b)(5) of this Rule.

(f) It shall be unlawful for the responsible party to fail to carry out the following requirements when a fish spill from a purse seine occurs:

- (1) within two hours of the spill, notify the Division of Marine Fisheries Communications Center of the spill by phone at 800-682-2632 or 252-726-7021; and
- (2) report to the Fisheries Director of the North Carolina Division of Marine Fisheries in writing within 30 days of the completion of spill clean-up on the circumstances associated with each spill and costs of its clean-up.

*History Note: Authority G.S. 113-134; 113-182; 113-187; 113-221.1; 143B-289.52;  
Eff. January 1, 1991;  
Amended Eff. October 1, 2008;  
Readopted Eff. March 15, 2023.*