

**15A NCAC 03K .0103 SHELLFISH MANAGEMENT AREAS**

(a) For the purpose of this Rule, "Shellfish Management Area" shall mean an area that has environmental conditions suitable for shellfish growth and survival that is designated to establish a localized regulatory strategy to improve the propagation of shellfish and has at least one of the following:

- (1) planted cultch;
- (2) existing shell; or
- (3) existing live shellfish.

(b) The Fisheries Director may, by proclamation, designate and modify Shellfish Management Areas based on biological impacts or variable spatial distribution, including shifted material.

(c) It shall be unlawful to use a trawl net, long haul seine, or swipe net in any designated Shellfish Management Area.

(d) It shall be unlawful to take shellfish from any Shellfish Management Area that has been closed in accordance with Paragraph (b) of this Rule, except the Fisheries Director may, by proclamation, open specific areas to allow the taking of shellfish and may impose any of the following requirements based on biological impacts or user conflicts:

- (1) specify time;
- (2) specify area;
- (3) specify means and methods except as set forth in Paragraph (c) of this Rule;
- (4) specify season;
- (5) specify size;
- (6) specify quantity; and
- (7) specify marking requirements.

*History Note: Authority G.S. 113-134; 113-182; 113-204; 113.221.1; 143B-289.52;  
Eff. January 1, 1991;  
Amended Eff. March 1, 1994;  
Temporary Amendment Eff. October 1, 2001;  
Amended Eff. October 1, 2008; February 1, 2008; April 1, 2003;  
Readopted Eff. March 15, 2023.*