

15A NCAC 03J .0402 FISHING GEAR RESTRICTIONS

(a) It shall be unlawful to use commercial fishing gear in the following areas during dates and times specified for the identified areas:

- (1) Atlantic Ocean - Dare County:
 - (A) Nags Head:
 - (i) seines and gill nets shall not be used from the North Town Limit of Nags Head at Eight Street southward to Gulf Street:
 - (I) from Wednesday through Saturday of the week of the Nags Head Surf Fishing Tournament held during October of each year the week prior to Columbus Day; and
 - (II) from November 1 through December 15; and
 - (ii) commercial fishing gear shall not be used within 750 feet of licensed fishing piers when open to the public;
 - (B) Oregon Inlet: seines and gill nets shall not be used from the Friday before Easter through December 31:
 - (i) within one-quarter mile of the beach from the National Park Service Ramp #4 (35° 48.2500' N – 75° 32.7000' W) on Bodie Island to the northern terminus of the Bonner Bridge (35° 46.5000' N – 75° 32.3666' W) on Hwy. 12 over Oregon Inlet; and
 - (ii) within the area known locally as "The Pond", a body of water generally located to the northeast of the northern terminus of the Bonner Bridge; and
 - (C) Cape Hatteras (Cape Point): seines and gill nets shall not be used within one-half mile of Cape Point from the Friday before Easter through December 31. The closed area is defined by a circle with a one-half mile radius having the center near Cape Point at a point 35° 12.9000' N – 75° 31.7166' W;
- (2) Atlantic Ocean - Onslow and Pender counties: commercial fishing gear shall not be used during the time specified for the following areas:
 - (A) Topsail Beach: from January 1 through December 31, that area around Jolly Roger Fishing Pier bordered on the offshore side by a line 750 feet from the end of the pier and on the northeast and southwest by a line beginning at a point on the beach one-quarter mile from the pier extending seaward to intersect the offshore boundary; and
 - (B) Surf City:
 - (i) from January 1 to June 30, that area around the Surf City Fishing Pier bordered on the offshore side by a line 750 feet from the end of the pier, on the southwest by a line beginning at a point on the beach one-quarter mile from the pier and on the northeast by a line beginning at a point on the beach 750 feet from the pier extending seaward to intersect the offshore boundaries; and
 - (ii) from July 1 to December 31, those areas around the pier bordered on the offshore side by a line 750 feet from the end of the pier, on the southwest by a line beginning at a point on the beach 750 feet from the pier and on the northeast by a line beginning at a point on the beach one-quarter mile from the pier extending seaward to intersect the offshore boundaries;
- (3) Atlantic Ocean - New Hanover County: Carolina Beach Inlet through Kure Beach: commercial fishing gear shall not be used during the times specified for the following areas:
 - (A) from the Friday before Easter to November 30, within the zones adjacent to the Carolina Beach and Kure Beach Fishing Piers bordered on the offshore side by a line 750 feet from the ends of the piers and on the north and south by a line beginning at a point on the beach one-quarter mile from the pier extending seaward to intersect the offshore boundary, except the southern boundary for Kure Beach Pier is a line beginning on the beach one mile south of the pier to the offshore boundary for the pier; and
 - (B) from May 1 to November 30, within 900 feet of the beach, from Carolina Beach Inlet to the southern end of Kure Beach with the following exceptions:
 - (i) from one-quarter mile north of Carolina Beach Fishing pier to Carolina Beach Inlet from October 1 to November 30:
 - (I) strike nets may be used within 900 feet of the beach; and

- (II) attended nets may be used between 900 feet and one-quarter mile of the beach;
 - (ii) strike nets and attended gill nets may be used within 900 feet of the beach from October 1 to November 30 in other areas except those described in Part (a)(3)(A) and Subpart (a)(3)(B)(i) of this Subparagraph; and
 - (iii) it shall be unlawful to use commercial fishing gear within 900 feet of the beach from Carolina Beach Inlet to a point on the beach 33°55.0026' N – 77°56.6630' W near the former location of New Inlet during the October surf fishing tournament in Carolina Beach; and
 - (4) Pamlico River – Beaufort County: Goose Creek State Park: commercial fishing gear shall not be used from the Friday before Easter through December 31 for the following areas:
 - (A) within 150 feet of the shoreline within park boundaries; and
 - (B) within the marked channel from Dinah Landing to the mouth of Upper Goose Creek.
- (b) It shall be unlawful to use gill nets or seines in the following areas during dates and times specified for the identified areas:
 - (1) Neuse River and South River, Carteret County: no more than 1,200 feet of gill nets having a stretched mesh of five inches or larger shall be used:
 - (A) within one-half mile of the shore from Winthrop Point at Adams Creek to Channel Marker "2" at the mouth of Turnagain Bay; and
 - (B) within South River;
 - (2) Cape Lookout, Carteret County:
 - (A) gill nets or seines shall not be used in the Atlantic Ocean within 300 feet of the Rock Jetty (at Cape Lookout between Power Squadron Spit and Cape Point); and
 - (B) seines shall not be used within one-half mile of the shore from Power Squadron Spit south to Cape Point and northward to Cape Lookout Lighthouse including the area inside the "hook" south of a line from the COLREGS Demarcation Line across Bardens Inlet to the eastern end of Shackleford Banks and then to the northern tip of Power Squadron Spit from 12:01 a.m. Saturdays until 12:01 a.m. Mondays from May 1 through November 30;
 - (3) State parks and recreation areas:
 - (A) gill nets or seines shall not be used in the Atlantic Ocean within one-quarter mile of the shore at Fort Macon State Park, Carteret County;
 - (B) gill nets or seines shall not be used in the Atlantic Ocean within one-quarter mile of the shore at Hammocks Beach State Park, Onslow County, from May 1 through October 1, except strike nets and attended gill nets may be used beginning August 15; and
 - (C) gill nets or seines shall not be used within the boat basin and marked entrance channel at Carolina Beach State Park, New Hanover County;
 - (4) mooring facilities and marinas: gill nets or seines shall not be used from May 1 through November 30 within:
 - (A) one-quarter mile of the shore from the east boundary fence to the west boundary fence at U.S. Coast Guard Base Fort Macon at Beaufort Inlet, Carteret County;
 - (B) canals within Pine Knoll Shores, Carteret County;
 - (C) Spooners Creek entrance channel and marina on Bogue Sound, Carteret County;
 - (D) Harbor Village Marina on Topsail Sound, Pender County; and
 - (E) marina and entrance canal within Carolina Marlin Club property adjacent to Newport River, Carteret County;
 - (5) Masonboro Inlet: gill nets and seines shall not be used:
 - (A) within 300 feet of either rock jetty; and
 - (B) within the area beginning 300 feet from the offshore end of the jetties to the Intracoastal Waterway including all the waters of the inlet proper and all the waters of Shinn Creek;
 - (6) Atlantic Ocean fishing piers: at a minimum, gill nets and seines shall not be used within 300 feet of ocean fishing piers when open to the public. If a larger closed area has been delineated by the placement of buoys or beach markers as authorized by G.S. 113-185(a), it shall be unlawful to fish from vessels or with nets within the larger marked zone;
 - (7) Topsail Beach, Pender County: it shall be unlawful to use gill nets and seines from 4:00 p.m. Friday until 6:00 a.m. the following Monday in the three finger canals on the south end of Topsail Beach;

- (8) Mad Inlet to Tubbs Inlet - Atlantic Ocean, Brunswick County: it shall be unlawful to use gill nets and seines from September 1 through November 15, except that a maximum of four commercial gill nets per vessel not to exceed 200 yards in length individually or 800 yards in combination may be used; and
- (9) Spooners Creek, Carteret County: it shall be unlawful to use gill nets and seines between sunset and sunrise in Spooners Creek entrance channel in Bogue Sound, all of Spooners Creek proper, and the adjoining tributary canals and channels.

History Note: Authority G.S. 113-133; 113-134; 113-182; 143B-289.52;
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