

SUBCHAPTER 03M - FINFISH

SECTION .0100 – FINFISH, GENERAL

15A NCAC 03M .0101 MUTILATED FINFISH

It shall be unlawful to possess aboard a vessel or while engaged in fishing any species of finfish that is subject to a size or harvest restriction without having head and tail attached, except:

- (1) mullet when used for bait;
- (2) hickory shad when used for bait, provided that not more than two hickory shad per vessel or fishing operation may be cut for bait at any one time; and
- (3) tuna possessed in a commercial fishing operation as provided in Rule .0520 of this Subchapter.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. January 1, 1991;
Temporary Amendment Eff. May 1, 2001;
Amended Eff. May 1, 2015; April 1, 2011; July 1, 2006; August 1, 2002;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0102 UNMARKETABLE FINFISH

(a) It shall be unlawful to land finfish, taken in connection with a commercial fishing operation, that are unmarketable as individual finfish by reason of size, except a quantity not exceeding 5,000 pounds per vessel per day may be sold to a dealer that is licensed under G.S. 113-169.3(f)(6), (7), or (8).

(b) Atlantic menhaden, Atlantic thread herring, gizzard shad, and pinfish are exempt from this Rule.

History Note: Authority G.S. 113-134; 113-182; 113-185; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. October 1, 2008;
Readopted April 1, 2019.

15A NCAC 03M .0103 MINIMUM SIZE LIMITS

It shall be unlawful to possess, sell, or purchase finfish under four inches in length except:

- (1) as bait in the crab pot fishery in North Carolina, if such crab pot bait is not transported west of U.S. Interstate 95 and, when transported, is accompanied by documentation showing the name and address of the shipper, the name and address of the consignee, and the total weight of the shipment;
- (2) bait in the finfish fishery with the following provisions:
 - (a) it shall be unlawful to possess more than 200 pounds of live finfish or 100 pounds of dead finfish; and
 - (b) such finfish bait is not transported outside of North Carolina;
- (3) live finfish in aquaria, provided that the finfish are not subject to other minimum size limits under the authority of Marine Fisheries Commission rules; and
- (4) Atlantic menhaden, Atlantic thread herring, gizzard shad, and pinfish.

Bait dealers who possess a valid finfish dealer license from the Division of Marine Fisheries shall be exempt from Sub-Items (2)(a) and (b) of this Rule. Tolerance of not more than five percent by number of species shall be allowed.

History Note: Authority G.S. 113-134; 113-182; 113-185; 143B-289.52;
Eff. July 1, 1993;
Amended Eff. April 1, 2014;
Readopted Eff. April 1, 2019.

SECTION .0200 - STRIPED BASS

15A NCAC 03M .0201 STRIPED BASS REQUIREMENTS; GENERAL

- (a) For the purpose of this Section, "striped bass" shall mean striped bass (*Morone saxatilis*) and its hybrids taken in Coastal and Joint Fishing Waters or imported from other states.
- (b) It shall be unlawful to possess striped bass that are less than 18 inches long (total length) imported from other states.
- (c) It shall be unlawful to import, buy, sell, transport, offer to buy or sell, or possess striped bass except during any:
- (1) open striped bass season established for Internal Waters;
 - (2) open striped bass season established for the Atlantic Ocean; or
 - (3) open striped bass season of another state while in possession of the following:
 - (A) a bill of lading as described in 15A NCAC 03I .0114; and
 - (B) a numbered, state-issued tag from the state of origin affixed through the mouth and gill cover. This tag must remain affixed until processed for consumption by the consumer.
- (d) The management areas for estuarine striped bass fisheries in coastal North Carolina are designated in 15A NCAC 03R .0201.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1994; September 1, 1991;
Temporary Amendment Eff. May 1, 2000;
Amended Eff. June 1, 2013; October 1, 2008; October 1, 2004; April 1, 2001;
Readopted Eff. March 15, 2023.

15A NCAC 03M .0202 STRIPED BASS SEASON, SIZE, AND HARVEST LIMIT: INTERNAL WATERS

- (a) It shall be unlawful to possess striped bass from the Coastal Fishing Waters of the Cape Fear River and its tributaries.
- (b) It shall be unlawful to possess striped bass from the Roanoke River Management Area, as designated in 15A NCAC 03R .0201, in a commercial fishing operation.
- (c) The Fisheries Director may, by proclamation, impose any of the following restrictions on the taking of striped bass in a commercial fishing operation or for recreational purposes in Internal Waters during the period from October 1 through April 30:
- (1) specify fishing days and times;
 - (2) specify area;
 - (3) specify means and methods;
 - (4) specify size, but the minimum size specified shall not be less than 18 inches total length; and
 - (5) specify quantity, except possession for recreational purposes shall not exceed:
 - (A) more than three fish in any one day in the Albemarle Sound Management Area, as designated in 15A NCAC 03R .0201; and
 - (B) more than two fish in any one day in the Joint and Coastal Fishing Waters of the Central Southern Management Area, as designated in 15A NCAC 03R .0201.

Fish that do not meet the minimum size limit specified by proclamation shall immediately be returned to the waters from which taken regardless of condition.

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996; November 1, 1991;
Temporary Amendment Eff. September 1, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. June 1, 2013; July 1, 2008; August 1, 2000;
Readopted Eff. March 15, 2023.

15A NCAC 03M .0203 SIZE AND CREEL LIMIT: INTERNAL COASTAL WATERS

History Note: Authority G.S. 113-134; 113-182; 143B-289.4;
Eff. January 1, 1991;
Repealed Eff. November 1, 1991.

15A NCAC 03M .0204 STRIPED BASS SEASON, SIZE, AND HARVEST LIMIT: ATLANTIC OCEAN

It shall be unlawful to possess striped bass taken from the Atlantic Ocean other than the size limit as established by the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Striped Bass. The Fisheries Director shall issue proclamations necessary to bring North Carolina's size limit in compliance with the Interstate Fishery Management Plan.

History Note: Authority G.S. 113-134; 113-182; 113-182.1; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996;
Temporary Amendment Eff. October 1, 1996;
Amended Eff. October 1, 2008; July 1, 1998;
Readopted Eff. June 1, 2022.

15A NCAC 03M .0205 STRIPED BASS; PROHIBITED TRAWLING

(a) It shall be unlawful to possess striped bass on a vessel with a trawl net on that vessel in Internal Waters except during transit from ocean fishing grounds to port during any open striped bass trawl season in the Atlantic Ocean established by proclamation. Striped bass so possessed shall meet the minimum size limit set by proclamation issued under the authority of Rules .0204 or .0512 of this Subchapter.

(b) It shall be unlawful to possess striped bass on a vessel in the Atlantic Ocean with a trawl net on that vessel except during any open striped bass trawl season in the Atlantic Ocean established by proclamation issued under the authority of Rules .0204 or .0512 of this Subchapter.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. December 1, 2007;
Readopted Eff. March 15, 2023.

15A NCAC 03M .0206 HYBRID STRIPED BASS CULTURE

History Note: Authority G.S. 113-132; 113-134; 143B-289.52;
Eff. January 1, 1991;
Repealed Eff. April 1, 2014.

SECTION .0300 - SPANISH AND KING MACKEREL

15A NCAC 03M .0301 SPANISH AND KING MACKEREL

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996;
Temporary Amendment Eff. January 1, 2000; July 1, 1999;
Amended Eff. October 1, 2008; August 1, 2002; April 1, 2001;
Repealed Eff. April 1, 2022.

15A NCAC 03M .0302 PURSE GILL NET PROHIBITED

It shall be unlawful to have a purse gill net on board a vessel when taking or landing Spanish or king mackerel.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Readopted Eff. August 23, 2022.

SECTION .0400 - MENHADEN AND ATLANTIC THREAD HERRING

15A NCAC 03M .0401 SEASON AND AREAS

15A NCAC 03M .0402 FOODFISH PROHIBITED

15A NCAC 03M .0403 FISHING ON WEEKENDS AND HOLIDAYS PROHIBITED

15A NCAC 03M .0404 FISH SPILL REPORTING MANDATORY

*History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. May 1, 1997;
Repealed Eff. October 1, 2008.*

SECTION .0500 – OTHER FINFISH

15A NCAC 03M .0501 RED DRUM

- (a) It shall be unlawful to remove red drum from any type of net with the aid of any boat hook, gaff, spear, gig, or similar device.
- (b) It shall be unlawful to take or possess red drum taken by any boat hook, gaff, spear, gig, or similar device.
- (c) It shall be unlawful to possess red drum less than 18 inches total length or greater than 27 inches total length.
- (d) It shall be unlawful to possess more than one red drum per person per day taken by hook and line or for recreational purposes.
- (e) Annual commercial harvest limit for red drum:
 - (1) The annual commercial harvest limit for red drum shall be 250,000 pounds.
 - (2) The annual commercial harvest limit for red drum shall be calculated from September 1 through August 31 and is allotted in two periods:
 - (A) September 1 through April 30 at 150,000 pounds; and
 - (B) May 1 through August 31 at 100,000 pounds plus any remainder from the first period allotment.
 - (3) If the harvest limit is projected to be taken in any period, the Fisheries Director shall, by proclamation, prohibit possession of red drum taken in a commercial fishing operation for the remainder of that period.
 - (4) Any commercial harvest limit that is exceeded during one year shall result in the poundage overage being deducted from the subsequent year's commercial harvest limit, and the Fisheries Director shall, by proclamation, adjust the period allotments as described in this Paragraph.

*History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996; October 1, 1992; September 1, 1991;
Temporary Amendment Eff. May 1, 2000; July 1, 1999; October 22, 1998;
Amended Eff. April 1, 2001;
Temporary Amendment Eff. May 1, 2001;
Amended Eff. April 1, 2009; October 1, 2008; August 1, 2002;
Readopted Eff. April 1, 2019.*

15A NCAC 03M .0502 MULLET

- (a) It shall be unlawful to possess more than 200 mullet per person per day for recreational purposes.
- (b) The Fisheries Director may, by proclamation and pursuant to 15A NCAC 03H .0103, impose any of the following restrictions on the taking of mullet:
 - (1) specify time;
 - (2) specify area;
 - (3) specify means and methods;
 - (4) specify season;
 - (5) specify size; and
 - (6) specify quantity, except as provided in Paragraph (a) of this Rule.

*History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. July 1, 2006;
Readopted Eff. April 1, 2019.*

15A NCAC 03M .0503 FLOUNDER

(a) It shall be unlawful to possess flounder less than 14 inches total length taken from the Atlantic Ocean in a commercial fishing operation.

(b) From October 1 through April 30, it shall be unlawful to use a trawl in the Atlantic Ocean within three miles of the ocean beach from the North Carolina/Virginia state line (36° 33.000'N) to Cape Lookout (34° 36.000'N) unless each trawl has a mesh length of five and one-half inches or larger diamond mesh (stretched) or six inches or larger square mesh (stretched) applied throughout the body, extensions, and the cod end (tailbag) of the net except as provided in Paragraphs (g) and (h) of this Rule.

(c) License to Land Flounder from the Atlantic Ocean:

- (1) it shall be unlawful to land more than 100 pounds per trip of flounder taken from the Atlantic Ocean unless the owner of the vessel, or in the case of Land or Sell Licenses, the responsible party, has been issued a License to Land Flounder from the Atlantic Ocean and the vessel in use is the vessel specified on the License to Land Flounder from the Atlantic Ocean.
- (2) it shall be unlawful for a fish dealer to purchase or offload more than 100 pounds of flounder taken from the Atlantic Ocean by a vessel whose owner, or in the case of Land or Sell Licenses, the responsible party, has not first procured a valid North Carolina License to Land Flounder from the Atlantic Ocean and the vessel in use is the vessel specified on the License to Land Flounder from the Atlantic Ocean.
- (3) it shall be unlawful for any person to land flounder from the Atlantic Ocean under a License to Land Flounder from the Atlantic Ocean unless that person is the holder of the license or the master designated on the license.
- (4) it shall be unlawful for any individual to land flounder from the Atlantic Ocean without having ready at hand for inspection a valid License to Land Flounder from the Atlantic Ocean, except as specified in Subparagraph (1) of this Paragraph.

(d) All fish dealer transactions in flounder landed from the Atlantic Ocean shall be conducted in accordance with the Atlantic Ocean Flounder Dealer Permits in 15A NCAC 03O .0503 and permit requirements in 15A NCAC 03O .0500.

(e) It shall be unlawful to transfer flounder taken from the Atlantic Ocean from one vessel to another.

(f) Tailbag liners of any mesh size, the multiple use of two or more cod ends, or other netting material that in any way could restrict the legal size mesh shall not be used or possessed on the deck of a vessel in the Atlantic Ocean from October 1 through April 30 from the North Carolina/Virginia state line (36° 33.000' N) to Cape Lookout (34° 36.0000'N).

(g) Trawls with a cod end mesh size smaller than described in Paragraph (b) of this Rule may be used or possessed on the deck of a vessel provided not more than 100 pounds of flounder per trip from May 1 through October 31 or more than 200 pounds from November 1 through April 30 is possessed aboard or landed from that vessel.

(h) Flynets are exempt from the flounder trawl mesh requirements if they meet the following requirements:

- (1) the net has large mesh in the wings that measure eight inches to 64 inches;
- (2) the first body section (belly) of the net has 35 or more meshes that are at least eight inches; and
- (3) the mesh decreases in size throughout the body of the net to as small as two inches or smaller towards the terminus of the net.

(i) Commercial Season:

- (1) the North Carolina season for landing ocean-caught flounder shall open January 1 each year. If 80 percent of the quota allocated to North Carolina in accordance with the joint Mid-Atlantic Fishery Management Council/Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder is projected to be taken, the Fisheries Director shall, by proclamation, close North Carolina ports to landing of flounder taken from the ocean.
- (2) the season for landing flounder taken in the Atlantic Ocean shall reopen November 1 if any of the quota allocated to North Carolina in accordance with the joint Mid-Atlantic Fishery Management Council/Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder remains. If after reopening, 100 percent of the quota allocated to North Carolina in accordance with the joint Mid-Atlantic Fishery Management Council/Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder is projected to be taken prior to the end of the calendar year, the Fisheries Director shall, by proclamation, close North Carolina ports to landing of flounder taken from the ocean.
- (3) during any closed season prior to November 1, vessels may land up to 100 pounds of flounder per trip taken from the Atlantic Ocean.

(j) The Fisheries Director may, by proclamation, establish trip limits for the taking of flounder from the Atlantic Ocean to assure that the individual state quota allocated to North Carolina in the joint Mid-Atlantic Fishery Management Council/Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder is not exceeded.

(k) The Fisheries Director may, by proclamation, based on variability in environmental and local stock conditions, take any of the following actions in the flounder fishery:

- (1) specify time;
- (2) specify area;
- (3) specify means and methods;
- (4) specify season;
- (5) specify size;
- (6) specify quantity; and
- (7) require submission of statistical and biological data.

(l) Possession and sale of flounder by a hatchery or flounder aquaculture operation and purchase and possession of flounder from a hatchery or flounder aquaculture operation shall be exempt from season and size limit restrictions set under Paragraph (k) of this Rule. It shall be unlawful to possess, sell, purchase, or transport such flounder unless they are in compliance with all conditions of the Aquaculture Operation Permit.

History Note: Authority G.S. 113-134; 113-169.5; 113-182; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996; February 1, 1992;
Temporary Amendment Eff. November 1, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Temporary Amendment Eff. December 23, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. June 1, 1998; August 18, 1997;
Amended Eff. April 1, 1999;
Temporary Amendment Eff. May 1, 2000; July 1, 1999;
Amended Eff. April 1, 2001; August 1, 2000;
Temporary Amendment Eff. September 1, 2004;
Temporary Amendment Expired June 12, 2005;
Amended Eff. September 1, 2005;
Readopted Eff. March 15, 2023.

15A NCAC 03M .0504 TROUT

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996; March 1, 1995; February 1, 1992;
Temporary Amendment Eff. September 9, 1996;
Temporary Amendment Eff. October 1, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. October 1, 2008; August 1, 2000;
Repealed Eff. April 1, 2012.

15A NCAC 03M .0505 SHARK

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.4;
Eff. January 1, 1991;
Amended Eff. September 1, 1991;
Repealed Eff. October 1, 2008.

15A NCAC 03M .0506 SNAPPER GROUPEL COMPLEX

(a) In the Atlantic Ocean, it shall be unlawful for an individual fishing under a Recreational Commercial Gear License with seines, shrimp trawls, pots, trotlines, or gill nets to take any species of the snapper grouper complex.

(b) The list of species of the snapper grouper complex in the South Atlantic Fishery Management Council Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region is incorporated by reference, including subsequent amendments and editions. Copies of the plan are available at www.safmc.net and at the Division of Marine Fisheries, 3441 Arendell Street, P.O. Box 769, Morehead City, North Carolina 28557, at no cost.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. April 1, 1997; March 1, 1996; September 1, 1991;
Temporary Amendment Eff. December 23, 1996;
Amended Eff. August 1, 1998; April 1, 1997;
Temporary Amendment Eff. January 1, 2002; August 29, 2000; January 1, 2000; May 24, 1999;
Amended Eff. October 1, 2008; May 1, 2004; July 1, 2003; April 1, 2003; August 1, 2002;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0507 BILLFISH

(a) It shall be unlawful to take blue marlin, white marlin, roundscale spearfish, or sailfish, except by hook and line or for recreational purposes.

(b) For blue marlin, white marlin, and roundscale spearfish, it shall be unlawful to do any of the following:

- (1) possess blue marlin less than 99 inches in length from the lower jaw to the fork in the tail;
- (2) possess white marlin or roundscale spearfish less than 66 inches in length from the lower jaw to the fork in the tail;
- (3) possess more than one blue marlin, white marlin, or roundscale spearfish in the aggregate per vessel per trip; and
- (4) sell or offer for sale blue marlin, white marlin, or roundscale spearfish.

(c) For sailfish, it shall be unlawful to do any of the following:

- (1) possess sailfish less than 63 inches in length from the lower jaw to the fork in the tail;
- (2) possess more than one sailfish per person per day; and
- (3) sell or offer for sale sailfish.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. March 1, 1996; March 1, 1994; February 1, 1992; September 1, 1991;
Temporary Amendment Eff. June 7, 1998; September 1, 1996;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. August 1, 2000;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0508 STURGEON

It is unlawful to possess sturgeon in North Carolina.

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.4;
Eff. September 1, 1991;
Amended Eff. July 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

15A NCAC 03M .0509 TARPON

(a) It shall be unlawful to possess, sell, or offer for sale tarpon.

(b) It shall be unlawful to take tarpon by any method other than hook and line.

(c) It shall be unlawful to gaff, spear, or puncture a tarpon.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. October 1, 1992;
Readopted Eff. March 17, 2021.

15A NCAC 03M .0510 AMERICAN EEL

- (a) It shall be unlawful to possess, sell, or take American eels less than nine inches in length.
- (b) It shall be unlawful to possess more than 25 American eels per person per day for recreational purposes, except the master and each mate of for-hire vessels that hold a valid for-hire license may possess 50 eels each per day.
- (c) It shall be unlawful to possess American eels from September 1 through December 31, except when taken by baited pots.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. July 1, 1993;
Temporary Amendment Eff. August 1, 2000;
Amended Eff. May 1, 2015; April 1, 2001;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0511 BLUEFISH

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;
Eff. March 1, 1994;
Amended Eff. March 1, 1996;
Temporary Amendment Eff. September 9, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. October 1, 2008; April 1, 2003; August 1, 2000;
Repealed Eff. April 1, 2022.

15A NCAC 03M .0512 COMPLIANCE WITH FISHERY MANAGEMENT PLANS

(a) In order to comply with management requirements incorporated in Federal Fishery Management Council Management Plans or Atlantic States Marine Fisheries Commission Management Plans or to implement state management measures, the Fisheries Director may, by proclamation, take any or all of the following actions for species listed in the Interjurisdictional Fisheries Management Plan:

- (1) Specify size;
- (2) Specify seasons;
- (3) Specify areas;
- (4) Specify quantity;
- (5) Specify means and methods; and
- (6) Require submission of statistical and biological data.

(b) Proclamations issued under this Rule shall be subject to approval, cancellation, or modification by the Marine Fisheries Commission at its next regularly scheduled meeting or an emergency meeting held pursuant to G.S. 113-221.1.

History Note: Authority G.S. 113-134; 113-182; 113-221; 113-221.1; 143B-289.52;
Eff. March 1, 1996;
Amended Eff. October 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

15A NCAC 03M .0513 RIVER HERRING

It shall be unlawful to take or possess river herring from North Carolina Coastal Fishing Waters. Possession of river herring from sources other than North Carolina Coastal Fishing Waters shall be limited to fish less than or equal to six inches total length when aboard a vessel or while engaged in fishing.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. March 1, 1995;
Amended Eff. August 1, 1998;
Temporary Amendment Eff. May 1, 2000; August 1, 1999; July 1, 1999; March 1, 1999;
Amended Eff. June 13, 2016; October 1, 2008; December 1, 2007; April 1, 2001;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0514 SCUP

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.4;
Temporary Adoption Eff. December 23, 1996;
Eff. July 1, 1998;
Repealed Eff. October 1, 2008.

15A NCAC 03M .0515 DOLPHIN

- (a) It shall be unlawful to possess for recreational purposes any of the following:
- (1) more than 10 dolphin per person per day taken by hook and line; and
 - (2) more than 60 dolphin per vessel per day regardless of the number of individuals on board, except headboat vessels with a valid U.S. Coast Guard Certificate of Inspection may possess 10 dolphin per paying customer.
- (b) It shall be unlawful for a commercial fishing operation without a valid federal Atlantic Dolphin/Wahoo Commercial vessel permit to do any of the following:
- (1) take or possess more than 10 dolphin per person per day; and
 - (2) sell dolphin.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Temporary Adoption Eff. July 1, 1999;
Temporary Adoption Eff. January 1, 2000;
Eff. April 1, 2001;
Amended Eff. September 1, 2005;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0516 COBIA

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Temporary Adoption Eff. July 1, 1999;
Eff. August 1, 2000;
Repealed Eff. April 1, 2022.

15A NCAC 03M .0517 WAHOO

- (a) It shall be unlawful to possess for recreational purposes more than two wahoo per person per day taken by hook and line.
- (b) It shall be unlawful for a commercial fishing operation to do any of the following:
- (1) without a valid federal Atlantic Dolphin/Wahoo Commercial vessel permit:
 - (A) to take or possess more than two wahoo per person per day; and
 - (B) to sell wahoo; and
 - (2) to possess aboard a vessel or land more than 500 pounds of wahoo per trip.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. September 1, 2005;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0518 KINGFISHES (SEA MULLET)

The Fisheries Director may, by proclamation and pursuant to 15A NCAC 03H .0103, impose any of the following restrictions on the taking of kingfishes:

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

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. October 1, 2008;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0519 SHAD

It shall be unlawful to take or possess American shad from the Atlantic Ocean.

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. October 1, 2008;
Amended Eff. April 1, 2012;
Readopted Eff. August 23, 2022.

15A NCAC 03M .0520 TUNA

- (a) It shall be unlawful to possess for recreational purposes any of the following:
- (1) yellowfin tuna less than 27 inches curved fork length;
 - (2) bigeye tuna less than 27 inches curved fork length; and
 - (3) more than three yellowfin tuna per person per day.
- (b) It shall be unlawful to possess in a commercial fishing operation any of the following:
- (1) yellowfin tuna less than 27 inches curved fork length or 27 inches from the fork of the tail to the forward edge of the cut of beheaded tuna;
 - (2) bigeye tuna less than 27 inches curved fork length or 27 inches from the fork of the tail to the forward edge of the cut of beheaded tuna;
 - (3) Atlantic bluefin tuna less than 73 inches curved fork length or 54 inches pectoral fin curved fork length; and
 - (4) tuna subject to a size or harvest restriction without having the tail attached.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. October 1, 2008;
Amended Eff. April 1, 2011;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0521 SHEEPSHEAD

The Fisheries Director may, by proclamation and pursuant to 15A NCAC 03H .0103, impose any of the following restrictions on the taking of sheepshead:

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

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. April 1, 2014;
Readopted Eff. April 1, 2019.

15A NCAC 03M .0522 SPOTTED SEATROUT

The Fisheries Director may, by proclamation, impose any of the following requirements on the taking of spotted seatrout:

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

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;

Eff. May 1, 2017.

15A NCAC 03M .0523 FALSE ALBACORE

(a) If the level of landings of false albacore in a calendar year exceeds 200 percent of the five-year average of North Carolina recreational and commercial landings combined from 2018-2022 as determined by the Division of Marine Fisheries, the Fisheries Director shall issue a proclamation as set forth in Paragraph (b) of this Rule.

(b) In accordance with Paragraph (a) of this Rule and after prior consent of the Marine Fisheries Commission, the Fisheries Director shall, by proclamation, impose the following requirements on the taking of false albacore:

- (1) for recreational purposes, specify a bag limit not to exceed 10 fish per person per day, not to exceed 30 fish per vessel per day; and
- (2) for a commercial fishing operation, specify a trip limit not to exceed 3,500 pounds in any one day or trip, whichever is more restrictive.

(c) A proclamation issued in accordance with Paragraphs (a) and (b) of this Rule shall become effective January 1 of the year following the year when the determination is made that a proclamation shall be issued. The proclamation shall expire when the level of landings falls below the landings level in Paragraph (a) of this Rule in a subsequent calendar year and after prior consent of the Marine Fisheries Commission.

*History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. June 1, 2026.*