



JOSH STEIN
Governor

D. REID WILSON
Secretary

KATHY B. RAWLS
Director

M-11-2023 (RESCINDED)

PROCLAMATION

RE: RULE SUSPENSION – COMMERCIAL LICENSE REQUIREMENT TO OBTAIN A PERMIT TO TRANSPLANT PROHIBITED (POLLUTED) SHELLFISH.

Proclamation M-11-2023 is rescinded effective 12:01 A.M., Thursday, May 22, 2025 because the suspended portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0501 has been deleted via a rule amendment and the Permit to Transplant Prohibited (Polluted) Shellfish no longer exists.

Kathy B. Rawls, Director, Division of Marine Fisheries, hereby announces effective at **12:01 A.M., May 6, 2023**, the following regulations shall apply to permits to transplant polluted shellfish.

I. SUSPENSION OF A PORTION OF N.C. MARINE FISHERIES COMMISSION RULE 15A NCAC 03O .0501

The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0501 is suspended:

Section (e)(4), which reads:

(4) Permit to Transplant Prohibited (Polluted) Shellfish.

II. GENERAL INFORMATION

- A. This proclamation is issued under the authority of N.C. General Statutes 113-134; 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103, 03I .0102 and 03O .0501.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under their delegated authority pursuant to N.C. Marine Fisheries Commission Rule 15A NCAC 03H .0103.
- C. In accordance with N.C. General Statute 113-221.1(c) all persons who may be affected by proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current proclamations.
- D. N.C. General Statute 113-129(14) defines "shellfish" as mollusca, specifically including oysters, clams, mussels, and scallops.
- E. This rule was suspended to enable a permittee and their designees to obtain a Shellfish Relocation Permit without the requirement of holding a Standard or Retired Standard Commercial Fishing License with a Shellfish Endorsement or a Shellfish License. The rule suspended has now been removed from the Administrative Code.
- F. Contact Zach Harrison at N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557 (252)-515-5500 or 800-682-2632 for more information or visit our website at <https://deq.nc.gov/about/divisions/marine-fisheries/>.
- G. **Proclamation M-11-2023 is rescinded effective 12:01 A.M., Thursday, May 22, 2025**

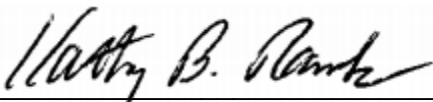


JOSH STEIN
Governor

D. REID WILSON
Secretary

KATHY B. RAWLS
Director

because the suspended portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0501 has been deleted via a rule amendment and the Permit to Transplant Prohibited (Polluted) Shellfish no longer exists.

By: 
Kathy B. Rawls, Director
DIVISION OF MARINE FISHERIES

May 19, 2025
12:00 P.M.