JOSH STEIN
Governor

D. REID WILSON
Secretary

JONATHAN HOWELL
Director

M-25-2026

PROCLAMATION

RE: GILL NET RESTRICTIONS - INTERNAL COASTAL AND JOINT FISHING WATERS SOUTH OF MANAGEMENT UNIT A – CLOSES ALL MANAGEMENT UNITS TO THE USE OF GILL NETS WITH STRETCHED MESH LENGTH OF 4 INCHES THROUGH 6 ½ INCHES.

This proclamation supersedes proclamation M-21-2026 dated October 2, 2026. This proclamation closes all management units south of Management Unit A to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section II.A.) and maintains no allowance of large mesh gill nets above 6 ½ inches stretch mesh length, in accordance with Amendment 4 to the N.C. Southern Flounder Fishery Management Plan and the Federal Incidental Take Permit for endangered or threatened Sea Turtles and endangered Sturgeon.

Jonathan Howell, Director, Division of Marine Fisheries, hereby announces that effective at **10:00 A.M., Wednesday, October 28, 2026,** the following provisions shall apply to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches south of Management Unit A (south of 35° 46.3000' N latitude).

I. **GEAR RESTRICTIONS:**
   A. **It shall be unlawful to use gill nets with a stretched mesh length greater than 6 ½ inches.**
   B. **It shall be unlawful to use gill nets with a stretched mesh length of 4 inches through 6 ½ inches, except as described In Section II. A.**

II. **GEAR EXEMPTIONS AND RESTRICTIONS FOR RUN-AROUND, STRIKE, DROP, AND DRIFT GILL NETS**
   A. Exempted gear definitions:
      1. Run-around, strike, or drop gill nets - gill nets that are actively fished by either (1) using the boat to run a net around a school of fish, creating a closed circle, or (2) using the boat after the net is set to herd fish into the net without delay, whereby soak time does not exceed 30 minutes from the end of the set to the beginning of the haul.
      2. Drift gill nets - gill nets that are used to capture fish while being moved along by water currents whereby the net stays attached to the vessel from deployment through retrieval.
   B. **It shall be unlawful to use run-around, strike, drift, and drop gill nets with a stretched mesh length 5 inches or greater.**
   C. It shall be unlawful to use or possess more than 800 yards of run-around, strike, drop, and drift gill net per SCFL/RSCFL holder or per vessel regardless of the number of license holders on the vessel.

III. **SEA TURTLE AND STURGEON INTERACTION REPORTING**
It shall be unlawful to fail to report any sea turtle or sturgeon captured in gill nets permitted by the Incidental Take Permit (ITP). Reports shall be made within 24 hours of the capture to the Division

of Marine Fisheries at 252-515-5500 or 800-682-2632. Self-reported takes of sea turtles and sturgeon by fishermen fishing without an observer do not count toward the allowable takes in the ITP.

IV. **GENERAL INFORMATION**

A. This proclamation is issued under the authority of N.C.G.S. 113-134; 113-170.4; 113-170.5; 113-182; 113.182.1; 113-221.1; 143B-289.52 and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103, 03J .0103, and 03M. 0503.

B. In accordance with proclamation FF-48-2026 it shall be unlawful to possess flounder taken from gill nets with a stretched mesh length less than 6 inches.

C. Proclamation M-7-2025 dated February 4, 2025, establishes the Observer Trip Scheduling System (OTSS) and requires holders of an Estuarine Gill Net Permit who deploy gill nets (except run-around, strike, drop, or drift gill nets) to either possess a valid OTSS confirmation number or have an authorized agent of the division present while fishing. To obtain either a confirmation number or an agent of the division, planned fishing activity must be reported at least one week in advance (Monday-Wednesday) by calling 800-487-8747 or online at https://dmf.ncdenr.org/OTSSPublic/.

D. **A confirmation number, issued by the Observer Trip Scheduling System, does not legally permit the use of non-exempted gill nets in a closed Management Unit or area, or when such use is otherwise prohibited.**

E. 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.

F. **All other existing gill net rules and proclamations remain in effect.** See https://deq.nc.gov/about/divisions/marine-fisheries/rules-proclamations-and-size-and-bag-limits/fisheries-management-proclamations#currentprocs to refer to those M-type proclamations for gill net regulations that may be effective in the areas covered by this proclamation.

G. N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0113 specifies that it shall be unlawful for any licensee under Chapter 113, Subchapter IV of the General Statutes to refuse to allow the Fisheries Director or their agents to obtain biological data, harvest information, or other statistical data necessary or useful to the conservation and management of marine and estuarine resources from fish in the licensee's possession. The Division of Marine Fisheries has implemented an Estuarine Gill Net Permit and an observer program as an inspection procedure to obtain such data.

H. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0103 (b)(3)(A), it shall be unlawful for gill net mesh length to exceed 6 ½ inches in Internal Coastal Fishing Waters.

I. The restrictions in this proclamation as described for Recreational Commercial Gear License holders are in addition to the maximum allowed yardage for Recreational Commercial Gear License holders described in N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0302.

J. Proclamation M-12- 2025 dated June 3, 2025, prohibits the setting of gill nets in the Joint Fishing Waters of the state from midnight on Friday to midnight on Sunday each week. Portions of Albemarle and Currituck sounds are exempt from that provision.

K. Proclamation M-15-2025, dated August 29, 2025, reopens areas of the Pamlico and Neuse rivers previously closed to gill nets and implements tie-down (vertical net height restrictions) and distance from shore restrictions for ITP non-exempt (i.e., fixed, stationary, or anchored) gill nets with a stretched mesh length five inches or greater in the western Pamlico Sound and rivers in accordance with Amendment 2 to the N.C. Estuarine Striped Bass Fishery Management Plan.

L. Proclamation FF-26-2024 dated June 20, 2024 states that from January 1 through

September 30, it shall be unlawful for a commercial fishing operation to take or land mullet for commercial purposes from 11:59 P.M. Friday to 12:01 A.M Monday each week, and from October 1 through December 31, it shall be unlawful for a commercial fishing operation to take or land mullet for commercial purposes from 11:59 P.M. Friday to 12:01 A.M. Tuesday each week.

M. Proclamation FF-31-2026 dated June 25, 2026, states that from January 1 through September 30, it shall be unlawful for a commercial fishing operation to take or land spotted seatrout for commercial purposes from 11:59 P.M. Friday to 12:01 A.M. Monday each week, and from October 1 through December 31, it shall be unlawful to take or land spotted seatrout for commercial purposes from 11:59 P.M. Friday through 12:01 A.M. Tuesday each week.
N. The small mesh gill net attendance requirements in N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0103 (g) and (i) and 03R .0112, mesh length restrictions in 03J .0103 (a)(2), navigational passage requirements in 03J .0101, as well as all other existing gill net rules and proclamations remain in effect.
O. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 030 .0503(f)(1) a valid Estuarine Gill Net Permit issued by the Division of Marine Fisheries is required to deploy gill nets in Internal Coastal Fishing Waters with an exception for runaround, strike, drop or drift gill nets.
P. In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0501(b)(1) a valid Standard Commercial Fishing License (SCFL), Retired Standard Commercial Fishing License (RSCFL), or Recreational Commercial Gear License (RCGL) is required to hold an Estuarine Gill Net Permit.
Q. N.C. Marine Fisheries Commission Rule 15A NCAC 03I .0113 specifies it shall be unlawful for any licensee under Chapter 113, Subchapter IV of the General Statutes to refuse to allow the Fisheries Director or their agents to obtain biological data, harvest information, or other statistical data necessary or useful to the conservation and management of marine and estuarine resources from fish in the licensee's possession. The Division of Marine Fisheries has implemented an Estuarine Gill Net Permit and an observer program as an inspection procedure to obtain such data.
R. **In accordance with N.C. Marine Fisheries Commission Rule 15A NCAC 03O .0503(e)(4) a valid Estuarine Flounder Dealer Permit issued by the Division of Marine Fisheries is required for any fish dealer to possess, purchase, sell or offer for sale flounder taken from Internal Coastal and Joint Fishing Waters for the applicable fisheries and harvest area.**
S. For gill net restrictions in the Albemarle Sound Area (Incidental Take Permit-Management Unit A) refer to the most recent M-type proclamations for that area.
T. The Division of Marine Fisheries has received an Endangered Species Act Incidental Take Permit (ITP) for threatened or endangered sea turtles, and endangered sturgeon. This ITP allows the legal continuation of the inshore gill net fisheries in North Carolina, subject to permit conditions. The ITP conditions are designed to monitor, avoid & minimize, and mitigate interactions with these species in gill net fisheries permitted by the ITP (i.e., non-exempted gill net fisheries). Permit conditions require the division to provide 7–10 percent observer coverage in the permitted large mesh gill net fishery and 1–2 percent observer coverage in the permitted small mesh gill net fishery in Internal Coastal Waters. **If the required coverage is not maintained, large and small mesh gill nets permitted by the ITP could be prohibited in all Internal Coastal and Joint Fishing Waters.**
U. The Pamlico Sound is closed annually from September 1 through December 15 each year to gill nets with a stretched mesh length >4 ¼ inches by National Marine Fisheries Service, Federal Rule 50 CFR Part 223. The ITP allows an exemption to this rule in certain areas within the Pamlico Sound.
V. The intent of this proclamation is to close all management units south of Management Unit A to the use of gill nets with a stretched mesh length 4 inches through 6 ½ inches in accordance with Amendment 4 to the N.C. Southern Flounder Fishery Management

Plan while minimizing interactions with threatened and/or endangered species.

W. In accordance with N.C. General Statute 113-221(f) and 113-221.1(c), all persons who may be affected by rules and proclamations issued by the Fisheries Director are under a duty to keep themselves informed of current rules and proclamations. Multiple rules and proclamations regulating a fishery, species, gear, etc. may be in effect concurrently.

X. Contact 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 the division website at www.ncmarinefisheries.net.

Y. **This proclamation closes all management units south of Management Unit A to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section II.A.) and maintains no allowance of large mesh gill nets above 6 ½ inches stretch mesh length, in accordance with Amendment 4 to the N.C. Southern Flounder Fishery Management Plan and the Federal Incidental Take Permit for endangered or threatened Sea Turtles and endangered Sturgeon.**

By: Jonathan Howell
Jonathan Howell, Director
DIVISION OF MARINE FISHERIES

October 27, 2026
10:30 A.M.