

SUBCHAPTER 03L – SHRIMP, CRAB, AND LOBSTER

SECTION .0100 - SHRIMP

15A NCAC 03L .0101 SHRIMP HARVEST RESTRICTIONS

- (a) It shall be unlawful to take shrimp until the Fisheries Director, by proclamation, opens the season.
- (b) The Fisheries Director may, by proclamation, impose any of the following restrictions on the taking of shrimp:
- (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. January 1, 1991;
Amended Eff. May 1, 2015;
Readopted Eff. June 1, 2022.

15A NCAC 03L .0102 WEEKEND SHRIMPING PROHIBITED

It shall be unlawful to take shrimp by any method from 9:00 p.m. on Friday through 5:00 p.m. on Sunday, except:

- (1) in the Atlantic Ocean;
- (2) with the use of fixed nets, channel nets, hand seines, shrimp pots, or cast nets; or
- (3) for a holder of a Permit for Weekend Trawling for Live Shrimp in accordance with 15A NCAC 03O .0503.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. May 1, 2017; August 1, 2004; March 1, 1994;
Readopted Eff. March 15, 2023.

15A NCAC 03L .0103 PROHIBITED NETS, MESH LENGTHS, AND AREAS

- (a) It shall be unlawful to take shrimp with nets with mesh lengths less than the following:
- (1) trawl nets: one and one-half inches;
 - (2) fixed nets, channel nets, float nets, butterfly nets, and hand seines: one and one-fourth inches; and
 - (3) cast nets: no restriction.
- (b) It shall be unlawful to take shrimp with a net constructed in such a manner as to contain an inner or outer liner of any mesh length. Net material used as chafing gear shall be no less than four inches mesh length, except that chafing gear with smaller mesh may be used only on the bottom one-half of the tailbag. Such chafing gear shall not be tied in a manner that forms an additional tailbag.
- (c) It shall be unlawful to take shrimp with trawls that have a combined headrope of greater than 90 feet in Internal Waters in the following areas:
- (1) north of the 35° 46.3000' N latitude line;
 - (2) Core Sound south of a line beginning at a point 34° 59.7942' N - 76° 14.6514' W on Camp Point; running easterly to a point 34° 58.7853' N - 76° 09.8922' W on Core Banks; to the South Carolina State Line;
 - (3) Pamlico River upstream of a line from a point 35° 18.5882' N - 76° 28.9625' W at Pamlico Point; running northerly to a point 35° 22.3741' N - 76° 28.6905' W at Willow Point; and
 - (4) Neuse River southwest of a line from a point 34° 58.2000' N - 76° 40.5167' W at Winthrop Point on the eastern shore of the entrance to Adams Creek; running northerly to a point 35° 01.0744' N - 76° 42.1550' W at Windmill Point at the entrance of Greens Creek at Oriental.
- (d) It shall be unlawful to take shrimp with trawls that have a combined headrope of greater than 220 feet in Internal Waters in the following areas:
- (1) Pamlico Sound south of the 35° 46.3000' N latitude line and north of a line beginning at a point 34° 59.7942' N - 76° 14.6514' W on Camp Point; running easterly to a point 34° 58.7853' N - 76° 09.8922' W on Core Banks;

- (2) Pamlico River downstream of a line from a point 35° 18.5882' N - 76° 28.9625' W at Pamlico Point; running northerly to a point 35° 22.3741' N - 76° 28.6905' W at Willow Point; and
 - (3) Neuse River northeast of a line from a point 34° 58.2000' N - 76° 40.5167' W at Winthrop Point on the eastern shore of the entrance to Adams Creek; running northerly to a point 35° 01.0744' N - 76° 42.1550' W at Windmill Point at the entrance of Greens Creek at Oriental.
- (e) It shall be unlawful to use a shrimp trawl in the areas described in 15A NCAC 03R .0114.
- (f) It shall be unlawful to use channel nets except as provided in 15A NCAC 03J .0106.
- (g) It shall be unlawful to use shrimp pots except as provided in 15A NCAC 03J .0301.
- (h) It shall be unlawful to use a shrimp trawl that does not conform with the federal rule requirements for Turtle Excluder Devices (TED) as specified in 50 CFR Part 222.102 Definitions, 50 CFR Part 223.205 (a) and Part 223.206 (d) Gear Requirements for Trawlers, and 50 CFR Part 223.207 Approved TEDs. These federal rules are incorporated by reference including subsequent amendments and editions. Copies of these rules are available via the Code of Federal Regulations posted on the Internet at <https://www.ecfr.gov/cgi-bin/ECFR> and at the Division of Marine Fisheries, 3441 Arendell Street, P.O. Box 769, Morehead City, NC 28557 at no cost.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
 Eff. January 1, 1991;
 Amended Eff. May 1, 2015; April 1, 2009; July 1, 2006;
 Readopted Eff. March 15, 2023.

15A NCAC 03L .0104 UNLAWFUL TO USE OR TAKE

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
 Eff. January 1, 1991;
 Repealed Eff. April 1, 2009.

15A NCAC 03L .0105 RECREATIONAL SHRIMP LIMITS

It shall be unlawful to:

- (1) possess from areas open to the harvest of shrimp more than 48 quarts, heads on or 30 quarts, heads off, of shrimp per person per day or if a vessel is used, per vessel per day for recreational purposes except as provided in 15A NCAC 03O .0303(e) and (f).
- (2) take or possess more than four quarts, heads on or two and one-half quarts, heads off, of shrimp per person per day with a cast net from areas closed to the commercial taking of shrimp.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
 Eff. April 1, 2009;
 Amended Eff. May 1, 2015; June 1, 2013;
 Readopted Eff. March 15, 2023.

SECTION .0200 – CRAB

15A NCAC 03L .0201 CRAB HARVEST RESTRICTIONS

- (a) It shall be unlawful to possess blue crabs taken from Crab Harvest Management Areas designated in 15A NCAC 03R .0118(1) from January 1 through January 31, except dealers shall have seven days after the beginning of the closure to sell, offer for sale, or transport blue crabs that were taken from this area prior to the closure.
- (b) It shall be unlawful to possess blue crabs taken from Crab Harvest Management Areas designated in 15A NCAC 03R .0118(2) from March 1 through March 15, except dealers shall have seven days after the beginning of the closure to sell, offer for sale, or transport blue crabs that were taken from this area prior to the closure.
- (c) It shall be unlawful to possess more than five percent by number of the following hard blue crabs in any combination in any container:
 - (1) male hard blue crabs less than five inches from tip of spike to tip of spike;
 - (2) immature female hard blue crabs;
 - (3) mature female hard blue crabs less than five inches from tip of spike to tip of spike; and
 - (4) mature female hard blue crabs with a dark (brown or black) sponge from April 1 through April 30 statewide. For the purpose of this Rule, a "mature female hard blue crab with a dark sponge" shall

mean a mature female hard crab that has extruded her eggs on the abdomen or abdominal flap and the eggs have developed a coloration ranging from any shade of brown through black.

(d) It shall be unlawful to possess blue crabs described in Subparagraphs (c)(1) through (c)(3) of this Rule unless individual crabs are sorted and placed into separate containers for each of the following categories:

- (1) soft crabs;
- (2) pink and red-line peeler crabs;
- (3) white line peeler crabs; and
- (4) from March 1 through October 31, male crabs to be used as peeler crab bait.

All blue crabs not sorted into containers as specified shall be deemed hard blue crabs for the purpose of establishing the five percent tolerance described in Paragraph (c) of this Rule.

(e) It shall be unlawful to possess more than five percent by number of white-line peeler crabs in a container of pink and red-line peeler crabs.

(f) It shall be unlawful to:

- (1) sell white-line peeler crabs;
- (2) possess white-line peeler crabs unless they are to be used in the harvester's permitted blue crab shedding operation; or
- (3) possess male white-line peeler crabs from June 1 through September 1.

(g) It shall be unlawful to possess more than 50 blue crabs per person per day, not to exceed 100 blue crabs per vessel per day for recreational purposes.

(h) In order to comply with management measures adopted in the N.C. Blue Crab Fishery Management Plan, the Fisheries Director may, by proclamation, close the harvest of blue crabs and may further restrict commercial and recreational blue crab harvest by imposing any of the following requirements on the taking of blue crabs:

- (1) specify areas;
- (2) specify seasons;
- (3) specify time periods;
- (4) specify means and methods;
- (5) specify culling tolerance; and
- (6) specify limits on harvest based on size, quantity, sex, reproductive stage, or peeler stage.

(i) It shall be unlawful to fail to immediately return hard blue crabs not meeting the requirements of this Rule to the waters from which they were taken.

History Note: Authority G.S. 113-134; 113-182; 113-182.1; 113-221.1; 143B-289.52; Eff. January 1, 1991; Amended Eff. April 1, 1997; July 1, 1993; Temporary Amendment Eff. July 1, 1999; Amended Eff. April 1, 2014; September 1, 2005; August 1, 2000; Readopted Eff. March 15, 2023.

15A NCAC 03L .0202 CRAB TRAWLING

(a) It shall be unlawful to take or possess aboard a vessel crabs taken by trawl in internal waters except in areas and during such times as the Fisheries Director may specify by proclamation.

(b) It shall be unlawful to use a trawl to take crabs that does not meet mesh length requirements, except as provided in 15A NCAC 03J .0104. The minimum mesh length to take hard crabs with a trawl shall be three inches, except:

- (1) the minimum mesh length shall be four inches in the area of western Pamlico Sound west of a line beginning at a point 35° 48.3693' N - 75° 43.7232' W on Roanoke Marshes Point; running easterly to a point 35° 48.3000' N - 75° 37.1167' W near Beacon "1" at the southern end of Roanoke Island; running southerly to a point 35° 30.7500' N - 75° 40.5667' W near the "S" Beacon at Long Shoal; running southwesterly to a point 35° 12.6167' N - 76° 04.3833' W near the "BL" Beacon on Bluff Shoal; running westerly to a point 35° 08.1000' N - 76° 17.5000' W near the "BI" Beacon at Brant Island Shoal; running southwesterly to a point 35° 04 .6167' N - 76° 27.8000' W on Point of Marsh; and
- (2) the Fisheries Director may, by proclamation, specify areas other than the area described in Subparagraph (b)(1) of this Rule for trawl mesh length use and increase the minimum trawl mesh length to no more than four inches to take hard crabs.

(c) It shall be unlawful to use a trawl with a mesh length less than two inches or with a combined total headrope length exceeding 25 feet to take soft or peeler crabs, except as provided in 15A NCAC 03J .0104.

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. February 1, 1991;
Amended Eff. April 1, 2014; September 1, 2005; August 1, 2004; March 1, 1994; September 1,
1991;
Readopted Eff. March 15, 2023.

15A NCAC 03L .0203 CRAB DREDGING

It shall be unlawful to take crabs with dredges except incidental to lawful oyster dredging operations provided the weight of the crabs shall not exceed the lesser of:

- (1) 10 percent of the total weight of the combined oyster and crab catch; or
- (2) 100 pounds.

The Fisheries Director may, by proclamation authority established in 15A NCAC 03L .0201, further restrict the use of dredges to take blue crabs.

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. April 1, 2014; May 1, 1997;
Readopted Eff. March 15, 2023.

15A NCAC 03L .0204 CRAB POTS

(a) It shall be unlawful to take crabs with pots except as provided in 15A NCAC 03J .0301 and .0302. The Fisheries Director may, by proclamation authority established in 15A NCAC 03L .0201, further restrict the use of pots to take blue crabs.

(b) The Fisheries Director may, by proclamation, require the use of terrapin excluder devices in each funnel entrance in crab pots and impose the following restrictions concerning terrapin excluder devices:

- (1) specify areas;
- (2) specify time periods; and
- (3) specify means and methods.

History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. April 1, 2014;
Readopted Eff. March 15, 2023.

15A NCAC 03L .0205 CRAB SPAWNING SANCTUARIES

(a) It shall be unlawful to set or use trawls, pots, or mechanical methods for shellfish or take crabs with the use of commercial fishing equipment in crab spawning sanctuaries:

- (1) from March 1 through August 31 for the crab spawning sanctuaries described in 15A NCAC 03R .0110(1); and
- (2) from March 1 through October 31 for the crab spawning sanctuaries described in 15A NCAC 03R .0110(2).

(b) The Fisheries Director may, by proclamation, designate additional areas as crab spawning sanctuaries and may impose the following restrictions in any crab spawning sanctuary:

- (1) specify areas;
- (2) specify time periods;
- (3) specify means and methods; and
- (4) specify limits on harvest based on size, quantity, sex, reproductive stage, or peeler stage.

History Note: Authority G.S. 113-134; 113-182; 113-182.1; 113-221.1; 143B-289.52;
Eff. January 1, 1991;
Amended Eff. May 1, 1997;
Temporary Amendment Eff. October 2, 1999;
Amended Eff. April 1, 2014; April 1, 2001;
Readopted Eff. March 15, 2023.

15A NCAC 03L .0206 PEELER CRABS

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Temporary Adoption Eff. July 1, 1999;
Eff. August 1, 2000;
Amended Eff. September 1, 2005;
Repealed Eff. April 1, 2014.

15A NCAC 03L .0207 HORSESHOE CRABS

(a) The annual (January through December) commercial quota for North Carolina for horseshoe crabs is established by the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Horseshoe Crab.

(b) The Fisheries Director may, by proclamation, impose any of the following restrictions on the taking of horseshoe crabs to maintain compliance with the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Horseshoe Crab or to implement State management measures:

- (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;
Temporary Adoption Eff. August 1, 2000;
Codifier determined that findings did not meet criteria for temporary rule on October 31, 2000;
Temporary Adoption Eff. December 6, 2000;
Eff. August 1, 2002;
Amended Eff. April 1, 2011;
Readopted Eff. April 1, 2022.

15A NCAC 03L .0208 STONE CRABS

(a) It shall be unlawful to possess stone crab bodies or fail to immediately return stone crab bodies to the waters from which they are taken.

(b) It shall be unlawful to remove, take, or possess any stone crab claws from June 15 through August 15.

(c) It shall be unlawful to remove, take, or possess any claws from egg-bearing stone crabs.

(d) It shall be unlawful to use any device to take stone crabs that can puncture, crush, or injure the crab body, such as gigs, spears, grabs, hooks, or similar devices.

(e) It shall be unlawful to remove, take, or possess any stone crab claws that have a propodus (forearm) less than 2 $\frac{3}{4}$ inches in length, measured by a straight line from the elbow to the tip of the lower immovable finger. For the purpose of this Rule, "propodus" shall mean the largest section of the claw assembly that has both a movable and immovable finger and is located farthest from the body of the crab.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. December 1, 2006;
Readopted Eff. April 1, 2019.

15A NCAC 03L .0209 RECREATIONAL HARVEST OF CRABS

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;
Eff. October 1, 2008;
Repealed Eff. April 1, 2014.

15A NCAC 03L .0210 REPACKING OF FOREIGN CRAB MEAT PROHIBITED

It shall be unlawful to repack foreign crab meat in North Carolina into another container. For the purpose of this Rule, "foreign" shall mean any place or location outside the United States. This Rule shall apply to all facilities and persons permitted in accordance with 15A NCAC 18A .0135. This Rule shall not apply to crab meat that has been transformed into another product, such as crab cakes or other value-added products.

*History Note: Authority G.S. 113-134; 113-182; 113-221.2; 143B-289.52;
Eff. August 23, 2022.*

SECTION .0300 – LOBSTER

15A NCAC 03L .0301 AMERICAN LOBSTER (NORTHERN LOBSTER)

(a) It shall be unlawful to possess American lobster:

- (1) that has eggs or from which eggs have been artificially removed by any method;
- (2) meats, detached meats, detached tails or claws, or any other part of a lobster that has been separated from the lobster;
- (3) that has an outer shell which has been speared; or
- (4) that is a V-notched female lobster. A V-notched female lobster is any female lobster that bears a notch or indentation in the base of the flipper that is at least as deep as 1/8 inch, with or without setal hairs. A V-notched female lobster is also any female lobster that is mutilated in a manner that would hide, obscure, or obliterate such a mark.

(b) The Fisheries Director may, by proclamation, impose any of the following restrictions on the taking of American lobster to maintain compliance with the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for American Lobster or to implement State management measures:

- (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. January 1, 1991;
Amended Eff. March 1, 1996;
Temporary Amendment Eff. August 1, 2000;
Amended Eff. April 1, 2009; September 1, 2005; April 1, 2001;
Readopted Eff. August 23, 2022.*

15A NCAC 03L .0302 SPINY LOBSTER

The Fisheries Director may, by proclamation, impose any of the following restrictions on the taking of spiny lobster to maintain compliance with the Fishery Management Plan for Spiny Lobster in the Gulf of Mexico and the South Atlantic or to implement State management measures:

- (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. January 1, 1991;
Amended Eff. March 1, 1996;
Readopted Eff. April 1, 2022.*