FF-25-2016

PROCLAMATION

RE: COBIA- COASTAL FISHING WATERS- RECREATIONAL SEASON HARVEST AND SIZE LIMITS AND COMMERCIAL HARVEST AND SIZE LIMITS-TEMPORARY RULE SUSPENSION

Braxton C. Davis, Director, Division of Marine Fisheries, hereby announces that effective **at 12:01 A.M., Monday, May 23, 2016,** the following restrictions will apply to the cobia fishery in Coastal Fishing Waters:

I. SUSPENSION OF N.C. MARINE FISHERIES COMMISSION RULE 15A NCAC 03M .0516

N.C. Marine Fisheries Commission Rule 15A NCAC 03M. 0516 that reads as follows **is suspended in its entirety**:

(a) It is unlawful to possess cobia less than 33 inches fork length.
(b) It is unlawful to possess more than two (2) cobia per person per day.

II. RECREATIONAL SEASON, HARVEST AND SIZE LIMITS

A. **RECREATIONAL SIZE LIMIT AND SEASON**
1. It is unlawful to possess cobia less than 37 inches fork length.
2. It is unlawful to possess a commercial and recreational limit of cobia on the same vessel.
3. The season for the recreational harvest of cobia will close September 30, 2016 unless closed earlier by proclamation.

B. **FOR-HIRE VESSEL (While engaged in a For-Hire Vessel operation)**
1. It is unlawful to possess more than four (4) cobia per vessel per day or one (1) cobia per person per day if fewer than four (4) people are on board.
2. Harvest will be allowed seven (7) days per week.

C. **PRIVATE VESSEL (All vessels not engaged in a For-Hire Vessel operation)**
1. It is unlawful to possess more than two (2) cobia per vessel per day or one (1) cobia per person per day, if there is only one person on board.
2. It is unlawful to possess cobia except on Monday, Wednesday and Saturday of each week.

D. **SHORE-BASED FISHERY (Including beach, bank and manmade structures such as piers, docks, bridges and jetties)**
1. It is unlawful to possess more than one (1) cobia per person per day.
2. Harvest will be allowed seven (7) days per week.

III. COMMERCIAL HARVEST AND SIZE LIMIT

A. It is unlawful to possess cobia less than 33 inches fork length.
B. It is unlawful to possess more than two (2) cobia per Standard Commercial Fishing License holder per day in a commercial fishing operation.
C. It is unlawful to possess a commercial and recreational limit of cobia on the same vessel.

IV. GENERAL INFORMATION

A. This proclamation is issued under the authority of North Carolina G.S. 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52 and North Carolina Marine Fisheries Commission Rules 15A NCAC 03H .0103, and 03M .0512.

B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to North Carolina Marine Fisheries Commission Rule 15A NCAC 03H .0103.

C. The intent of this proclamation is to manage the cobia fishery in Coastal Fishing Waters and extend the length of the recreational season.

D. All undersized or over limit cobia shall be immediately returned to the waters where taken regardless of the condition of the fish.

E. In accordance with North Carolina G.S. 113-174.3 it is unlawful for a person to engage in a For-Hire operation without having obtained one of the following licenses issue by the Division: Blanket For-Hire Captain's CRFL, Blanket For-Hire Vessel CRFL or a Non-Blanket For-Hire Vessel License. These licenses allow individuals properly licensed by the United States Coast Guard to carry passengers.

F. In accordance with North Carolina G.S. 113-130 (8) a vessel is defined as every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

G. In accordance with North Carolina G.S.113-174 a For-Hire Vessel is defined as a charter boat, head boat, dive boat, or other vessel hired to allow individuals to engage in recreational fishing.

H. Contact the North Carolina Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557 252-726-7021 or 800-682-2632 for more information or visit the division website at www.ncmarinefisheries.net.

I. In accordance with North Carolina 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.

J. **This proclamation supersedes FF-9-2016, dated February 24, 2016. It implements a recreational minimum size limit of 37 inches fork length. It also implements a three-day per week harvest allowance of two (2) fish per vessel (or one (1) per person per day whichever is more restrictive) for the Private Vessel fishery. It implements a four (4) fish per vessel limit and a seven (7) day per week harvest allowance for the For-Hire Vessel fishery. It also implements a one (1) fish per person per day harvest limit for the shore-based fishery, including pier and surf fishing. It closes the recreational cobia season on September 30, 2016, unless the season is closed earlier by proclamation. It maintains a 33-inch fork length minimum size limit and a two (2) fish per Standard Commercial Fishing License holder per day limit for the commercial fishery.**

Braxton C. Davis, Director
DIVISION OF MARINE FISHERIES

May 20, 2016
2:00 P.M.
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