

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03I .0101

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 8, add a comma after "university"*

*Page 3, line 16, add a comma after "scallops"*

*Page 4, line 4, change "which" to "that"*

*Page 4, line 14, add a comma after "slings"*

*Page 5, lines 10 and 14, add a comma after "stick rakes"*

*Page 6, line 33, change "which" to "that"*

*Page 8, line 15, is the reference to a "log book" in "(d)" or the "trip ticket" in "(o)"?*

*Page 8, lines 15 and 16, why is one clause "fish reach" and "the fish reaches"? Please review for consistency.*

*Page 8, line 32, add a comma after "Island"*

*Page 9, line 23, add the amendment date of April 1, 2014. Please verify that the most recent version of the rule was used in the amendment process.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel

Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03I .0101 is amended as published in 29:07 NCR 738-744 as follows:  
2

3 **15A NCAC 03I .0101 DEFINITIONS**

4 All definitions set out in G.S. 113, Subchapter IV and the following additional terms apply to this Chapter:

5 (1) Enforcement and management terms:

6 (a) Commercial Quota. Total quantity of fish allocated for harvest by commercial fishing  
7 operations.

8 (b) Educational Institution. A college, university or community college accredited by an  
9 accrediting agency recognized by the U.S. Department of Education; an Environmental  
10 Education Center certified by the N.C. Department of Environment and Natural  
11 Resources Office of Environmental Education and Public Affairs; or a zoo or aquarium  
12 certified by the Association of Zoos and Aquariums.

13 (c) Internal Coastal Waters or Internal Waters. All Coastal Fishing Waters except the  
14 Atlantic Ocean.

15 (d) Length of finfish.

16 (i) Curved fork length. A length determined by measuring along a line tracing the  
17 contour of the body from the tip of the upper jaw to the middle of the fork in the  
18 caudal (tail) fin.

19 (ii) Fork length. A length determined by measuring along a straight line the  
20 distance from the tip of the snout with the mouth closed to the middle of the fork  
21 in the caudal (tail) fin, except that fork length for billfish is measured from the  
22 tip of the lower jaw to the middle of the fork of the caudal (tail) fin.

23 (iii) Pectoral fin curved fork length. A length of a beheaded fish from the dorsal  
24 insertion of the pectoral fin to the fork of the tail measured along the contour of  
25 the body in a line that runs along the top of the pectoral fin and the top of the  
26 caudal keel.

27 (iv) Total length. A length determined by measuring along a straight line the  
28 distance from the tip of the snout with the mouth closed to the tip of the  
29 compressed caudal (tail) fin.

30 (e) Recreational Possession Limit. Restrictions on size, quantity, season, time period, area,  
31 means, and methods where take or possession is for a recreational purpose.

32 (f) Recreational Quota. Total quantity of fish allocated for harvest for a recreational  
33 purpose.

34 (g) Regular Closed Oyster Season. March 31 through October 15, unless amended by the  
35 Fisheries Director through proclamation authority.

36 (h) Scientific Institution. One of the following entities:

37 (i) An educational institution as defined in this Item;

- 1 (ii) A state or federal agency charged with the management of marine or estuarine  
2 resources; or
- 3 (iii) A professional organization or secondary school working under the direction of,  
4 or in compliance with mandates from, the entities listed in Subitems (h)(i) and  
5 (ii) of this Item.
- 6 (i) Seed Oyster Management Area. An open harvest area that, by reason of poor growth  
7 characteristics, predation rates, overcrowding or other factors, experiences poor  
8 utilization of oyster populations for direct harvest and sale to licensed dealers and is  
9 designated by the Marine Fisheries Commission as a source of seed for public and private  
10 oyster culture.
- 11 (2) Fishing Activities:
- 12 (a) Aquaculture operation. An operation that produces artificially propagated stocks of  
13 marine or estuarine resources or obtains such stocks from permitted sources for the  
14 purpose of rearing in a controlled environment. A controlled environment provides and  
15 maintains throughout the rearing process one or more of the following:
- 16 (i) food;
- 17 (ii) predator protection;
- 18 (iii) salinity;
- 19 (iv) temperature controls; or
- 20 (v) water circulation,  
21 utilizing technology not found in the natural environment.
- 22 (b) Attended. Being in a vessel, in the water or on the shore, and immediately available to  
23 work the gear and be within 100 yards of any gear in use by that person at all times.  
24 Attended does not include being in a building or structure.
- 25 (c) Blue Crab Shedding. The process whereby a blue crab emerges soft from its former hard  
26 exoskeleton. A shedding operation is any operation that holds peeler crabs in a  
27 controlled environment. A controlled environment provides and maintains throughout  
28 the shedding process one or more of the following:
- 29 (i) food;
- 30 (ii) predator protection;
- 31 (iii) salinity;
- 32 (iv) temperature controls; or
- 33 (v) water circulation,  
34 utilizing technology not found in the natural environment. A shedding operation does not  
35 include transporting pink or red-line peeler crabs to a permitted shedding operation.
- 36 (d) Depuration. Purification or the removal of adulteration from live oysters, clams, or  
37 mussels by any natural or artificially controlled means.

- 1 (e) Long Haul Operations. Fishing a seine towed between two vessels.
- 2 (f) Peeler Crab. A blue crab that has a soft shell developing under a hard shell and having a
- 3 white, pink, or red-line or rim on the outer edge of the back fin or flipper.
- 4 (g) Possess. Any actual or constructive holding whether under claim of ownership or not.
- 5 (h) Recreational Purpose. A fishing activity that is not a commercial fishing operation as
- 6 defined in G.S. 113-168.
- 7 (i) Shellfish marketing from leases and franchises. The harvest of oysters, clams, scallops,
- 8 or mussels from privately held shellfish bottoms and lawful sale of those shellfish to the
- 9 public at large or to a licensed shellfish dealer.
- 10 (j) Shellfish planting effort on leases and franchises. The process of obtaining authorized
- 11 cultch materials, seed shellfish, and polluted shellfish stocks and the placement of those
- 12 materials on privately held shellfish bottoms for increased shellfish production.
- 13 (k) Shellfish production on leases and franchises:
- 14 (i) The culture of oysters, clams, scallops, or mussels on shellfish leases and
- 15 franchises from a sublegal harvest size to a marketable size.
- 16 (ii) The transplanting (relay) of oysters, clams, scallops or mussels from areas
- 17 closed due to pollution to shellfish leases and franchises in open waters and the
- 18 natural cleansing of those shellfish.
- 19 (l) Swipe Net Operations. Fishing a seine towed by one vessel.
- 20 (m) Transport. Ship, carry, or cause to be carried or moved by public or private carrier by
- 21 land, sea, or air.
- 22 (n) Use. Employ, set, operate, or permit to be operated or employed.
- 23 (3) Gear:
- 24 (a) Bunt Net. The last encircling net of a long haul or swipe net operation constructed of
- 25 small mesh webbing. The bunt net is used to form a pen or pound from which the catch
- 26 is dipped or bailed.
- 27 (b) Channel Net. A net used to take shrimp that is anchored or attached to the bottom at both
- 28 ends or with one end anchored or attached to the bottom and the other end attached to a
- 29 vessel.
- 30 (c) Commercial Fishing Equipment or Gear. All fishing equipment used in Coastal Fishing
- 31 Waters except:
- 32 (i) Cast nets;
- 33 (ii) Collapsible crab traps, a trap used for taking crabs with the largest open
- 34 dimension no larger than 18 inches and that by design is collapsed at all times
- 35 when in the water, except when it is being retrieved from or lowered to the
- 36 bottom;

- 1 (iii) Dip nets or scoops having a handle not more than eight feet in length and a hoop  
2 or frame to which the net is attached not exceeding 60 inches along the  
3 perimeter;
- 4 (iv) Gigs or other pointed implements which are propelled by hand, whether or not  
5 the implement remains in the hand;
- 6 (v) Hand operated rakes no more than 12 inches wide and weighing no more than  
7 six pounds and hand operated tongs;
- 8 (vi) Hook-and-line and bait-and-line equipment other than multiple-hook or  
9 multiple-bait trotline;
- 10 (vii) Landing nets used to assist in taking fish when the initial and primary method of  
11 taking is by the use of hook and line;
- 12 (viii) Minnow traps when no more than two are in use;
- 13 (ix) Seines less than 30 feet in length;
- 14 (x) Spears, Hawaiian slings or similar devices that propel pointed implements by  
15 mechanical means, including elastic tubing or bands, pressurized gas, or similar  
16 means.
- 17 (d) Corkline. The support structure a net is attached to that is nearest to the water surface  
18 when in use. Corkline length is measured from the outer most mesh knot at one end of  
19 the corkline following along the line to the outer most mesh knot at the opposite end of  
20 the corkline.
- 21 (e) Dredge. A device towed by engine power consisting of a frame, tooth bar or smooth bar,  
22 and catchbag used in the harvest of oysters, clams, crabs, scallops, or conchs.
- 23 (f) Fixed or stationary net. A net anchored or staked to the bottom, or some structure  
24 attached to the bottom, at both ends of the net.
- 25 (g) Fyke Net. An entrapment net supported by a series of internal or external hoops or  
26 frames, with one or more lead or leaders that guide fish to the net mouth. The net has one  
27 or more internal funnel-shaped openings with tapered ends directed inward from the  
28 mouth, through which fish enter the enclosure. The portion of the net designed to hold or  
29 trap fish is completely enclosed in mesh or webbing, except for the openings for fish  
30 passage into or out of the net (funnel area).
- 31 (h) Gill Net. A net set vertically in the water to capture fish by entanglement of the gills in  
32 its mesh as a result of net design, construction, mesh ~~size, length,~~ webbing diameter, or  
33 method in which it is used.
- 34 (i) Headrope. The support structure for the mesh or webbing of a trawl that is nearest to the  
35 water surface when in use. Headrope length is measured from the outer most mesh knot  
36 at one end of the headrope following along the line to the outer most mesh knot at the  
37 opposite end of the headrope.

- 1 (j) Hoop Net. An entrapment net supported by a series of internal or external hoops or  
2 frames. The net has one or more internal funnel-shaped openings with tapered ends  
3 directed inward from the mouth, through which fish enter the enclosure. The portion of  
4 the net designed to hold or trap the fish is completely enclosed in mesh or webbing,  
5 except for the openings for fish passage into or out of the net (funnel area).
- 6 (k) Lead. A mesh or webbing structure consisting of nylon, monofilament, plastic, wire, or  
7 similar material set vertically in the water and held in place by stakes or anchors to guide  
8 fish into an enclosure. Lead length is measured from the outer most end of the lead along  
9 the top or bottom line, whichever is longer, to the opposite end of the lead.
- 10 (l) Mechanical methods for clamming. Dredges, hydraulic clam dredges, stick rakes and  
11 other rakes when towed by engine power, patent tongs, kicking with propellers or  
12 deflector plates with or without trawls, and any other method that utilizes mechanical  
13 means to harvest clams.
- 14 (m) Mechanical methods for oystering. Dredges, patent tongs, stick rakes and other rakes  
15 when towed by engine power, and any other method that utilizes mechanical means to  
16 harvest oysters.
- 17 (n) Mesh Length. The ~~diagonal~~ distance from the inside of one knot to the outside of the  
18 ~~other opposite knot~~, when the net is stretched ~~hand-tight~~ hand-tight in a manner that  
19 closes the mesh opening.
- 20 (o) Pound Net Set. A fish trap consisting of a holding pen, one or more enclosures, lead or  
21 leaders, and stakes or anchors used to support the trap. The holding pen, enclosures, and  
22 lead(s) are not conical, nor are they supported by hoops or frames.
- 23 (p) Purse Gill Nets. Any gill net used to encircle fish when the net is closed by the use of a  
24 purse line through rings located along the top or bottom line or elsewhere on such net.
- 25 (q) Seine. A net set vertically in the water and pulled by hand or power to capture fish by  
26 encirclement and confining fish within itself or against another net, the shore or bank as a  
27 result of net design, construction, mesh ~~size,~~ length, webbing diameter, or method in  
28 which it is used.
- 29 (4) Fish habitat areas. The estuarine and marine areas that support juvenile and adult populations of  
30 fish species, as well as forage species utilized in the food chain. Fish habitats as used in this  
31 definition, are vital for portions of the entire life cycle, including the early growth and  
32 development of fish species. Fish habitats in all Coastal Fishing Waters, as determined through  
33 marine and estuarine survey sampling, include:
- 34 (a) Anadromous fish nursery areas. Those areas in the riverine and estuarine systems  
35 utilized by post-larval and later juvenile anadromous fish.
- 36 (b) Anadromous fish spawning areas. Those areas where evidence of spawning of  
37 anadromous fish has been documented in Division sampling records through direct

- 1 observation of spawning, capture of running ripe females, or capture of eggs or early  
2 larvae.
- 3 (c) Coral:
- 4 (i) Fire corals and hydrocorals (Class Hydrozoa);
- 5 (ii) Stony corals and black corals (Class Anthozoa, Subclass Scleractinia); or
- 6 (iii) Octocorals; Gorgonian corals (Class Anthozoa, Subclass Octocorallia), which  
7 include sea fans (*Gorgonia* sp.), sea whips (*Leptogorgia* sp. and *Lophogorgia*  
8 sp.), and sea pansies (*Renilla* sp.).
- 9 (d) Intertidal Oyster Bed. A formation, regardless of size or shape, formed of shell and live  
10 oysters of varying density.
- 11 (e) Live rock. Living marine organisms or an assemblage thereof attached to a hard  
12 substrate, excluding mollusk shells, but including dead coral or rock. Living marine  
13 organisms associated with hard bottoms, banks, reefs, and live rock include:
- 14 (i) Coralline algae (Division Rhodophyta);
- 15 (ii) *Acetabularia* sp., mermaid's fan and cups (*Udotea* sp.), watercress (*Halimeda*  
16 sp.), green feather, green grape algae (*Caulerpa* sp.) (Division Chlorophyta);
- 17 (iii) *Sargassum* sp., *Dictyopteris* sp., *Zonaria* sp. (Division Phaeophyta);
- 18 (iv) Sponges (Phylum Porifera);
- 19 (v) Hard and soft corals, sea anemones (Phylum Cnidaria), including fire corals  
20 (Class Hydrozoa), and Gorgonians, whip corals, sea pansies, anemones,  
21 *Solengastrea* (Class Anthozoa);
- 22 (vi) Bryozoans (Phylum Bryozoa);
- 23 (vii) Tube worms (Phylum Annelida), fan worms (*Sabellidae*), feather duster and  
24 Christmas treeworms (*Serpulidae*), and sand castle worms (*Sabellaridae*);
- 25 (viii) Mussel banks (Phylum Mollusca: Gastropoda); and
- 26 (ix) Acorn barnacles (Arthropoda: Crustacea: *Semibalanus* sp.).
- 27 (f) Nursery areas. Areas that for reasons such as food, cover, bottom type, salinity,  
28 temperature, and other factors, young finfish and crustaceans spend the major portion of  
29 their initial growing season. Primary nursery areas are those areas in the estuarine system  
30 where initial post-larval development takes place. These are areas where populations are  
31 uniformly early juveniles. Secondary nursery areas are those areas in the estuarine  
32 system where later juvenile development takes place. Populations are composed of  
33 developing sub-adults of similar size which have migrated from an upstream primary  
34 nursery area to the secondary nursery area located in the middle portion of the estuarine  
35 system.
- 36 (g) Shellfish producing habitats. Historic or existing areas that shellfish, such as clams,  
37 oysters, scallops, mussels, and whelks use to reproduce and survive because of such

1 favorable conditions as bottom type, salinity, currents, cover, and cultch. Included are  
2 those shellfish producing areas closed to shellfish harvest due to pollution.

3 (h) Strategic Habitat Areas. Locations of individual fish habitats or systems of habitats that  
4 provide exceptional habitat functions or that are particularly at risk due to imminent  
5 threats, vulnerability, or rarity.

6 (i) Submerged aquatic vegetation (SAV) habitat. Submerged lands that:

7 (i) are vegetated with one or more species of submerged aquatic vegetation  
8 including bushy pondweed or southern naiad (*Najas guadalupensis*), coontail  
9 (*Ceratophyllum demersum*), eelgrass (*Zostera marina*), horned pondweed  
10 (*Zannichellia palustris*), naiads (*Najas* spp.), redhead grass (*Potamogeton*  
11 *perfoliatus*), sago pondweed (*Stuckenia pectinata*, formerly *Potamogeton*  
12 *pectinatus*), shoalgrass (*Halodule wrightii*), slender pondweed (*Potamogeton*  
13 *pusillus*), water stargrass (*Heteranthera dubia*), water starwort (*Callitriche*  
14 *heterophylla*), waterweeds (*Elodea* spp.), widgeongrass (*Ruppia maritima*), and  
15 wild celery (*Vallisneria americana*). These areas may be identified by the  
16 presence of above-ground leaves, below-ground rhizomes, or reproductive  
17 structures associated with one or more SAV species and include the sediment  
18 within these areas; or

19 (ii) have been vegetated by one or more of the species identified in Sub-item  
20 (4)(i)(i) of this Rule within the past 10 annual growing seasons and that meet the  
21 average physical requirements of water depth (six feet or less), average light  
22 availability (secchi depth of one foot or more), and limited wave exposure that  
23 characterize the environment suitable for growth of SAV. The past presence of  
24 SAV may be demonstrated by aerial photography, SAV survey, map, or other  
25 documentation. An extension of the past 10 annual growing seasons criteria may  
26 be considered when average environmental conditions are altered by drought,  
27 rainfall, or storm force winds.

28 This habitat occurs in both subtidal and intertidal zones and may occur in isolated patches  
29 or cover extensive areas. In defining SAV habitat, the Marine Fisheries Commission  
30 recognizes the Aquatic Weed Control Act of 1991 (G.S. 113A-220 et. seq.) and does not  
31 intend the submerged aquatic vegetation definition, or this Rule or Rules 03K .0304 and  
32 .0404, to apply to or conflict with the non-development control activities authorized by  
33 that Act.

34 (5) Licenses, permits, leases and franchises, and record keeping:

35 (a) Assignment. Temporary transferal to another person of privileges under a license for  
36 which assignment is permitted. The person assigning the license delegates the privileges



- 1 permitted under the license to be exercised by the assignee, but retains the power to  
2 revoke the assignment at any time, and is still the responsible party for the license.
- 3 (b) Designee. Any person who is under the direct control of the permittee or who is  
4 employed by or under contract to the permittee for the purposes authorized by the permit.
- 5 (c) For Hire Vessel. As defined by G.S. 113-174, when the vessel is fishing in state waters  
6 or when the vessel originates from or returns to a North Carolina port.
- 7 ~~(d)~~ Logbook. Paper forms provided by the Division and electronic data files generated from  
8 software provided by the Division for the reporting of fisheries statistics by persons  
9 engaged in commercial or recreational fishing or for-hire operators.
- 10 ~~(d)~~(e) Holder. A person who has been lawfully issued in his or her name a license, permit,  
11 franchise, lease, or assignment.
- 12 ~~(e)~~(f) Land:
- 13 (i) For commercial fishing operations, when fish reach the shore or a structure  
14 connected to the shore.
- 15 (ii) For purposes of trip tickets, when fish reach a licensed seafood dealer, or where  
16 the fisherman is the dealer, when the fish reaches the shore or a structure  
17 connected to the shore.
- 18 (iii) For recreational fishing operations, when fish are retained in possession by the  
19 fisherman.
- 20 ~~(f)~~(g) Licensee. Any person holding a valid license from the Department to take or deal in  
21 marine fisheries resources.
- 22 ~~(g)~~(h) Master. Captain of a vessel or one who commands and has control, authority, or power  
23 over a vessel.
- 24 ~~(h)~~(i) New fish dealer. Any fish dealer making application for a fish dealer license who did not  
25 possess a valid dealer license for the previous license year in that name. For purposes of  
26 license issuance, adding new categories to an existing fish dealers license does not  
27 constitute a new dealer.
- 28 ~~(i)~~ ~~North Carolina Trip Ticket. Paper forms provided by the Division, and electronic data~~  
29 ~~files generated from software provided by the Division, for the reporting of fisheries~~  
30 ~~statistics that include quantity, method, and location of harvest.~~
- 31 (j) Office of the Division. Physical locations of the Division conducting license and permit  
32 transactions in Wilmington, Washington, Morehead City, Roanoke Island and Elizabeth  
33 City, North Carolina. Other businesses or entities designated by the Secretary to issue  
34 Recreational Commercial Gear Licenses or Coastal Recreational Fishing Licenses are not  
35 considered Offices of the Division.
- 36 (k) Responsible party. Person who coordinates, supervises, or otherwise directs operations  
37 of a business entity, such as a corporate officer or executive level supervisor of business

1 operations, and the person responsible for use of the issued license in compliance with  
2 applicable statutes and rules.

3 (l) Tournament Organizer. The person who coordinates, supervises, or otherwise directs a  
4 recreational fishing tournament and is the holder of the Recreational Fishing Tournament  
5 License.

6 (m) Transaction. Act of doing business such that fish are sold, offered for sale, exchanged,  
7 bartered, distributed, or landed.

8 (n) Transfer. Permanent transferal to another person of privileges under a license for which  
9 transfer is permitted. The person transferring the license retains no rights or interest  
10 under the license transferred.

11 (o) Trip Ticket. Paper forms provided by the Division and electronic data files generated  
12 from software provided by the Division for the reporting of fisheries statistics by licensed  
13 fish dealers.

14  
15 *History Note: Authority G.S. 113-134; 113-174; 143B-289.52;*  
16 *Eff. January 1, 1991;*  
17 *Amended Eff. March 1, 1995; March 1, 1994; October 1, 1993; July 1, 1993;*  
18 *Recodified from 15A NCAC 03I .0001 Eff. December 17, 1996;*  
19 *Amended Eff. April 1, 1999; August 1, 1998; April 1, 1997;*  
20 *Temporary Amendment Eff. May 1, 2000; August 1, 1999; July 1, 1999;*  
21 *Amended Eff. August 1, 2000;*  
22 *Temporary Amendment Eff. August 1, 2000;*  
23 *Amended Eff. May 1, 2015; April 1, 2011; April 1, 2009; October 1, 2008; December 1, 2007;*  
24 *December 1, 2006; September 1, 2005; April 1, 2003; April 1, 2001.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03I .0122

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 17, replace "Such requests" with "A request"*

*Line 28, what is the purpose of the clause "at the discretion of the Fisheries Director"? How is this decided? Consider defining or deleting.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03I .0122 is adopted with changes in 29:07 NCR 744 as follows:

2

3 **15A NCAC 03I .0122 USER ~~CONFLICTS~~ CONFLICT RESOLUTION**

4 (a) In order to address user conflicts, the Fisheries Director may, by proclamation, impose any or all of the  
5 following restrictions:

- 6 (1) specify time;
- 7 (2) specify ~~areas~~area;
- 8 (3) specify means and methods;
- 9 (4) specify seasons; and
- 10 (5) specify quantity.

11 This authority may be used based on the Fisheries Director's own findings or on the basis of a valid request in  
12 accordance with Paragraph (b) of this Rule. The Fisheries Director shall hold a public meeting in the area of the  
13 user conflict prior to issuance of a proclamation based on his or her own findings.

14 (b) Request for user conflict resolution:

15 (1) Any person(s) desiring user conflict resolution may make such request in writing addressed to the  
16 Director of the Division of Marine Fisheries, P.O. Box 769, 3441 Arendell St., Morehead City,  
17 NC 28557-0769. Such requests shall contain the following information:

- 18 (A) a map of the affected area including an inset vicinity map showing the location of the  
19 area with detail sufficient to permit on-site identification and location;
- 20 (B) identification of the user conflict causing a need for user conflict resolution;
- 21 (C) recommended solution for resolving user conflict; and
- 22 (D) name and address of the person(s) requesting user conflict resolution.

23 (2) Within 90 days of the receipt of the information required in Subparagraph (b)(1) of this Rule, the  
24 Fisheries Director shall review the information and determine if user conflict resolution is  
25 necessary. If user conflict resolution is not necessary, the Fisheries Director shall deny the  
26 request. If user conflict resolution is necessary, the Fisheries Director or designee shall hold a  
27 public meeting in the area of the user conflict. The requestor shall present his or her request at the  
28 public meeting. Other parties affected may participate at the discretion of the Fisheries Director.

29 (3) Following the public meeting as described in Subparagraph (b)(2), the Fisheries Director shall  
30 refer the users in the conflict for mediation or deny the request. If the user conflict cannot be  
31 resolved through mediation, the Fisheries Director shall submit for approval a proclamation to the  
32 Marine Fisheries Commission that addresses the conflict.

33 (4) Proclamations issued under this Rule shall suspend appropriate rules or portions of rules under the  
34 authority of the Marine Fisheries Commission as specified in the proclamation. The provisions of  
35 15A NCAC 03I .0102 terminating suspension of a rule pending the next Marine Fisheries  
36 Commission meeting and requiring review by the Marine Fisheries Commission at the next  
37 meeting shall not apply to proclamations issued under this Rule.

1

2 *History Note: Authority G. S. 113-134; 113-181; 113-182; 113-221.1; 143B-289.52;*

3 *Eff. May 1, 2015.*

1 15A NCAC 03J .0207 is amended as published in 29:07 NCR 744 as follows:

2

3 **15A NCAC 03J .0207**    ~~CAROLINA POWER AND LIGHT~~ **DUKE ENERGY PROGRESS BRUNSWICK**  
4                                    **NUCLEAR PLANT INTAKE CANAL**

5 It is unlawful to use any commercial fishing equipment in the ~~Carolina Power and Light~~ Duke Energy Progress  
6 Brunswick Nuclear Plant Intake Canal between the fish diversion screen and the ~~Carolina Power and Light~~ Duke  
7 Energy Progress Brunswick nuclear power plant ~~Nuclear Plant~~.

8

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

10                             *Eff. January 1, 1991;*

11                             *Amended Eff. May 1, 2015.*

1 15A NCAC 03J .0208 is amended as published in 29:07 NCR 744-745 as follows:

2

3 **15A NCAC 03J .0208 NEW RIVER**

4 (a) It is unlawful to use trawl nets except skimmer trawls upstream of the Highway 172 Bridge over New River.

5 (b) It is unlawful to use ~~trawl nets~~ skimmer trawls upstream of the Highway 172 Bridge over New River from 9:00  
6 P.M. through 5:00 A.M. ~~when opened by proclamation~~ from August 16 through November 30.

7

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

9 *Eff. August 1, 1998;*

10 *Amended Eff. May 1, 2015; August 1, 2004.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03J .0209

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 16, the phrase "river herring management areas" is capitalized in 15A NCAC 03R .0202, but not in this Rule. Please be consistent.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015



1 15A NCAC 03J .0209 is amended as published in 29:07 NCR 745 as follows:

2

3 **15A NCAC 03J .0209 ALBEMARLE SOUND/CHOWAN RIVER RIVER HERRING MANAGEMENT**  
4 **AREAS**

5 ~~(a) The Albemarle Sound Herring Management Area is defined as Albemarle Sound and all its joint water~~  
6 ~~tributaries; Currituck Sound; Roanoke and Croatan sounds and all their joint water tributaries, including Oregon~~  
7 ~~Inlet, north of a line beginning on the west shore at a point 35° 48.5015' N 75° 44.1228' W on Roanoke Marshes~~  
8 ~~Point; running southeasterly to the east shore to a point 35° 44.1710' N 75° 31.0520' W on the north point of~~  
9 ~~Eagles Nest Bay.~~

10 ~~(b) The Chowan River Herring Management Area is defined as that area northwest of a line beginning on the west~~  
11 ~~shore at a point 35° 59.9267' N 76° 41.0313' W on Black Walnut Point; running northeasterly to the east shore to a~~  
12 ~~point 36° 02.2140' N 76° 39.3240' W on Reedy Point, to the North Carolina/Virginia state line; including the~~  
13 ~~Meherrin River.~~

14 ~~(c) It is unlawful to use drift gill nets in the Albemarle Sound and Chowan River river herring management areas~~  
15 ~~with a mesh length less than three inches from January 1 through May 15, 15 in the Albemarle Sound and Chowan~~  
16 ~~River river herring management areas defined in 15A NCAC 03R .0202.~~

17

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

19 *Temporary Adoption Eff. May 1, 2000;*

20 *Eff. April 1, 2001;*

21 *Amended Eff. May 1, 2015; June 1, 2013; December 1, 2007.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03J .0301

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 6, is the phrase "Internal Waters" correct or should it be "Inland Waters"?*

*Line 8, add a comma after "Middle"*

*Line 24, add a comma after "operation"*

*Line 25, replace "which" with "that"*

*Line 28, replace "Such" with "The"*

*Line 29, delete the "or" at the end of the clause*

*Page 2, line 2, replace "are" with "shall be"*

*Page 3, line 17, place the terms "leads" and "leaders" in quotation marks to clearly identify the defined terms*

*Page 3, line 19, replace "is not" with "shall not be"*

*Page 3, line 28, add the amendment date of April 1, 2014. Please verify that the most recent version of the rule was used in the amendment process.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel

Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03J .0301 is amended with changes as published in 29:07 NCR 745-746 as follows:

2

3 **15A NCAC 03J .0301 POTS**

4 (a) It is unlawful to use pots except during time periods and in areas specified herein:

5 (1) In Coastal Fishing Waters from December 1 through May 31, except that all pots shall be removed  
6 from ~~internal waters~~ Internal Waters from January 15 through February 7. Fish pots upstream of  
7 U.S. 17 Bridge across Chowan River and upstream of a line across the mouth of Roanoke, Cashie,  
8 Middle and Eastmost Rivers to the Highway 258 Bridge are exempt from the January 15 through  
9 February 7 removal requirement. The Fisheries Director may, by proclamation, reopen various  
10 waters to the use of pots after January 19 if it is determined that such waters are free of pots.

11 (2) From June 1 through November 30, north and east of the Highway 58 Bridge at Emerald Isle:

12 (A) In areas described in 15A NCAC 03R .0107(a);

13 (B) To allow for the variable spatial distribution of crustacea and finfish, the Fisheries  
14 Director may, by proclamation, specify time periods for or designate the areas described  
15 in 15A NCAC 03R .0107(b); or any part thereof, for the use of pots.

16 (3) From May 1 through November 30 in the Atlantic Ocean and west and south of the Highway 58  
17 Bridge at Emerald Isle in areas and during time periods designated by the Fisheries Director by  
18 proclamation.

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

21 (b) It is unlawful to use pots:

22 (1) in any navigation channel marked by State or Federal agencies; or

23 (2) in any turning basin maintained and marked by the North Carolina Ferry Division.

24 (c) It is unlawful to use pots in a commercial fishing operation unless each pot is marked by attaching a floating  
25 buoy which shall be of solid foam or other solid buoyant material and no less than five inches in diameter and no  
26 less than five inches in length. Buoys may be of any color except yellow or hot pink or any combination of colors  
27 that include yellow or hot pink. The owner shall always be identified on the attached buoy by using engraved buoys  
28 or by engraved metal or plastic tags attached to the buoy. Such identification shall include one of the following:

29 (1) gear owner's current motorboat registration number; or

30 (2) gear owner's U.S. vessel documentation name; or

31 (3) gear owner's last name and initials.

32 (d) Pots attached to shore or a pier shall be exempt from Subparagraphs (a)(2) and (a)(3) of this Rule.

33 (e) It is unlawful to use shrimp pots with mesh lengths smaller than one and one-fourth inches stretch or five-  
34 eighths-inch bar.

35 (f) It is unlawful to use ~~eel-pots to take eels~~ with mesh ~~sizes-lengths~~ smaller than ~~one-inch by one-half inch unless~~  
36 ~~such pots contain~~ one-half inch by one-half inch, except until January 1, 2017 eel pots of any mesh length with an  
37 escape panel that is at least four inches square with a mesh ~~size-length~~ of one inch by one-half inch located in the

1 outside panel of the upper chamber of rectangular pots and in the rear portion of cylindrical pots, ~~except that not~~  
2 ~~more than two eel pots per fishing operation with a mesh of any size may be used to take eels for bait pots are~~  
3 ~~allowed.~~

4 (g) It is unlawful to use crab pots in ~~coastal fishing waters~~ Coastal Fishing Waters unless each pot contains no less  
5 than two unobstructed escape rings that are at least two and five-sixteenths inches inside diameter and located in the  
6 opposite outside panels of the upper chamber of the pot, except the following are exempt from the escape ring  
7 requirements:

- 8 (1) unbaited pots;
- 9 (2) pots baited with a male crab; and
- 10 (3) pots set in areas and during time periods described in 15A NCAC 03R .0118.

11 (h) The Fisheries Director may, by proclamation, exempt the escape ring requirements described in Paragraph (g) of  
12 this Rule in order to allow the harvest of mature female crabs and may impose any or all of the following  
13 restrictions:

- 14 (1) ~~specify areas;~~
- 15 (2) ~~specify time periods; and~~
- 16 (3) ~~specify means and methods.~~
- 17 (1) specify time;
- 18 (2) specify areas; area;
- 19 (3) specify means and methods;
- 20 (4) specify seasons; and
- 21 (5) specify quantity.

22 (i) It is unlawful to use more than 150 crab pots per vessel in Newport River.

23 (j) It is unlawful to remove crab pots from the water or remove crabs from crab pots between one hour after sunset  
24 and one hour before sunrise.

25 ~~(k) User Conflicts:~~

26 (1) ~~In order to address user conflicts, the Fisheries Director may by proclamation impose any or all of~~  
27 ~~the following restrictions:~~

- 28 (A) ~~specify areas;~~
- 29 (B) ~~specify time periods; and~~
- 30 (C) ~~specify means and methods.~~

31 ~~The Fisheries Director shall hold a public meeting in the affected area before issuance of such~~  
32 ~~proclamation.~~

33 (2) ~~Any person(s) desiring user conflict resolution may make such request in writing addressed to the~~  
34 ~~Director of the Division of Marine Fisheries, P.O. Box 769, 3441 Arendell St., Morehead City,~~  
35 ~~North Carolina 28557-0769. Such requests shall contain the following information:~~

- 36 (A) ~~a map of the affected area including an inset vicinity map showing the location of the~~  
37 ~~area with detail sufficient to permit on site identification and location;~~

1 ~~(B) — identification of the user conflict causing a need for user conflict resolution;~~

2 ~~(C) — recommended solution for resolving user conflict; and~~

3 ~~(D) — name and address of the person(s) requesting user conflict resolution.~~

4 ~~(3) — Upon the requestor's demonstration of a user conflict to the Fisheries Director and within 90 days~~  
5 ~~of the receipt of the information required in Subparagraph (k)(2) of this Rule, the Fisheries~~  
6 ~~Director shall issue a public notice of intent to address a user conflict. A public meeting shall be~~  
7 ~~held in the area of the user conflict. The requestor shall present his or her request at the public~~  
8 ~~meeting, and other parties affected may participate.~~

9 ~~(4) — The Fisheries Director shall deny the request or submit a proclamation that addresses the results of~~  
10 ~~the public meeting to the Marine Fisheries Commission for their approval.~~

11 ~~(5) — Proclamations issued under Subparagraph (k)(1) of this Rule shall suspend appropriate rules or~~  
12 ~~portions of rules under 15A NCAC 03R .0107 as specified in the proclamation. The provisions of~~  
13 ~~15A NCAC 03I .0102 terminating suspension of a rule pending the next Marine Fisheries~~  
14 ~~Commission meeting and requiring review by the Marine Fisheries Commission at the next~~  
15 ~~meeting shall not apply to proclamations issued under Subparagraph (k)(1) of this Rule.~~

16 ~~(k)~~ It is unlawful to use pots to take crabs unless the line connecting the pot to the buoy is non-floating.

17 ~~(m)~~(l) It is unlawful to use pots with leads or leaders to take shrimp. For the purpose of this Rule, leads or leaders  
18 are defined as any fixed or stationary net or device used to direct fish into any gear used to capture fish. Any device  
19 with leads or leaders used to capture fish is not a pot.

20  
21 *History Note: Authority G. S. 113-134; 113-173; 113-182; 113-221.1; 143B-289.52;*

22 *Eff. January 1, 1991;*

23 *Amended Eff. August 1, 1998; May 1, 1997; March 1, 1996; March 1, 1994; October 1, 1992;*

24 *September 1, 1991;*

25 *Temporary Amendment Eff. July 1, 1999;*

26 *Amended Eff. August 1, 2000;*

27 *Temporary Amendment Eff. September 1, 2000;*

28 *Amended Eff. May 1, 2015; September 1, 2005; August 1, 2004; August 1, 2002.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03K .0111

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 7, delete "also"*

*Line 7, should Rule 15A NCAC 03O .0501 specifically be cited or is the reference for all rules in the .0500 Subchapter?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03K .0111 is adopted as published in 29:07 NCR 746 as follows:

2

3 **15A NCAC 03K .0111 PERMITS TO USE MECHANICAL METHODS FOR SHELLFISH ON**  
4 **SHELLFISH LEASES OR FRANCHISES**

5 (a) Permits to Use Mechanical Methods for Shellfish on Shellfish Leases or Franchises shall be issued in  
6 compliance with the general rules governing all permits in 15A NCAC 03O .0500. The procedures and  
7 requirements for obtaining permits are also found in 15A NCAC 03O .0500.

8 (b) It is unlawful to harvest shellfish by the use of mechanical methods from shellfish leases or franchises without  
9 first obtaining a Permit to Use Mechanical Methods for Shellfish on Shellfish Leases or Franchises.

10

11 *History Note: Authority G.S. 113-134; 113-169.1; 113-182; 143B-289.52;*

12 *Eff. May 1, 2015.*

1 15A NCAC 03K .0206 is repealed as published in 29:07 NCR 746 as follows:

2

3 **15A NCAC 03K .0206 PERMITS TO USE MECHANICAL METHODS FOR OYSTERS OR CLAMS**  
4 **ON SHELLFISH LEASES OR FRANCHISES**

5

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

7 *Eff. October 1, 1992;*

8 *Temporary Amendment Eff. September 1, 2000;*

9 *Amended Eff. August 1, 2002;*

10 *Repealed Eff. May 1, 2015.*



1 15A NCAC 03K .0303 is repealed as published in 29:07 NCR 746-747 as follows:

2

3 **15A NCAC 03K .0303 PERMITS TO USE MECHANICAL METHODS FOR OYSTERS OR CLAMS**  
4 **ON SHELLFISH LEASES OR FRANCHISES REQUIREMENT**

5

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

7 *Eff. January 1, 1991;*

8 *Amended Eff. September 1, 1991;*

9 *Temporary Amendment Eff. September 1, 2000;*

10 *Amended Eff. August 1, 2002;*

11 *Repealed Eff. May 1, 2015.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03K .0501

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 10, delete "or all"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03K .0501 is amended as published in 29:07 NCR 747 as follows:

2

3 **15A NCAC 03K .0501 BAY SCALLOPS—SEASONS AND SCALLOP HARVEST LIMITS**

4 **MANAGEMENT**

5 ~~(a) The Fisheries Director may, by proclamation, specify open seasons and methods for the taking of bay scallops~~  
6 ~~during the following periods:~~

7 ~~(1) From the last Monday in January through the last Friday in May; and~~

8 ~~(2) From August 1 through September 15 by hand harvest methods only as described by~~  
9 ~~proclamation.~~

10 ~~(b) The Fisheries Director may, by proclamation, impose any or all of the following restrictions for any commercial~~  
11 ~~or recreational open season: bay scallop harvest from public bottom:~~

12 ~~(1) Specify number of days; specify time;~~

13 ~~(2) Specify areas; specify area;~~

14 ~~(3) Specify means and methods which may be employed in the taking; specify means and methods;~~

15 ~~(4) Specify time period; and specify open seasons for the taking of bay scallops during the period~~  
16 ~~beginning the last Monday in January and ending the last Friday in May;~~

17 ~~(5) specify size; and~~

18 ~~(5)(6) Specify the specify quantity, but shall not exceed possession of more than 20-15 standard U.S.~~  
19 ~~bushels per person per day or a total of 40-30 standard U.S. bushels in any combined commercial~~  
20 ~~fishing operation per day.~~

21

22 *History Note: Authority G.S. 113-134; 113-182; 113-201; 113-221.1; 143B-289.52;*

23 *Eff. January 1, 1991;*

24 *Amended Eff. May 1, 2015; February 1, 2008.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03K .0502

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*For Paragraph (b), was the intent to not exempt the time frame of "between sunset and sunrise" from this Rule?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03K .0502 is amended as published in 29:07 NCR 747 as follows:

2

3 **15A NCAC 03K .0502 TAKING BAY SCALLOPS AT NIGHT AND ON WEEKENDS**

4 (a) It is unlawful to take bay scallops between sunset and sunrise, or on Saturdays or Sundays, except as provided in  
5 15A NCAC 03K .0105.

6 (b) Bay scallops taken on Saturdays or Sundays from shellfish leases or franchises in accordance with G.S. 113-208  
7 are exempt from this Rule.

8

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

10 *Eff. January 1, 1991;*

11 *Temporary Amendment Eff. July 1, 1999;*

12 *Amended Eff. May 1, 2015; August 1, 2000.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03K .0507

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 5, add a comma after "purchase"*

*Line 10, is the clause "aboard a vessel" necessary? Is it lawful to possess the scallops on a dock or in a building? Please clarify.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03K .0507 is adopted as published in 29:07 NCR 747 as follows:

2

3 **15A NCAC 03K .0507    MARKETING SCALLOPS TAKEN FROM PRIVATE SHELLFISH BOTTOM**  
4 **LEASES OR FRANCHISES**

5 (a) It is unlawful to sell, purchase or possess scallops during the closed season without the lease or franchise  
6 holder delivering to the purchaser or other recipient a certification, on a form provided by the Division, that the  
7 scallops were taken from a valid shellfish lease or franchise. Certification forms shall be furnished by the Division  
8 to lease and franchise holders upon request.

9 (b) It is unlawful for lease or franchise holders or their designees to take or possess scallops from public bottom  
10 while possessing aboard a vessel scallops taken from shellfish leases or franchises.

11

12 *History Note:    Authority G.S. 113-134; 113-182; 113-201; 143B-289.52;*

13 *Eff. May 1, 2015.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03K .0508

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 4, add a comma after "purchase"*

*Lines 11 through 12, please cross-reference the rule that sets forth the conditions for the permit.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015



1 15A NCAC 03K .0508 is adopted with changes as published in 29:07 NCR 747 as follows:

2

3 **15A NCAC 03K .0508 SCALLOP SEASON AND HARVEST LIMIT ~~EXEMPTION~~ EXEMPTIONS**

4 The following exemptions and restrictions shall apply to the possession, sale, purchase or transport of scallops  
5 produced in an aquaculture operation:

6 (1) Possession and sale of scallops by a scallop aquaculture operation shall be exempt from  
7 restrictions set under 15A NCAC 03K .0501, .0504, and .0505.

8 (2) Purchase and possession of scallops from a scallop aquaculture operation shall be exempt from  
9 restrictions set under 15A NCAC 03K .0501, .0504, and .0505.

10 (3) It is unlawful for a person to possess, sell, purchase, or transport scallops described in Sub-Items  
11 (1) and (2) of this Rule unless in compliance with all conditions of the Aquaculture Operation  
12 Permit.

13

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

15 *Eff. May 1, 2015.*

1 15A NCAC 03L .0101 is amended as published in 29:07 NCR 747-748 as follows:

2

3 **15A NCAC 03L .0101 SEASONS~~SHRIMP HARVEST RESTRICTIONS~~**

4 ~~(a) It is unlawful to take shrimp with nets until the Fisheries Director, by proclamation, opens the season season in~~  
5 ~~various waters. Proclamations may specify any hours of day or night or both and any other conditions appropriate to~~  
6 ~~management of the fishery. If sampling indicates primarily undersized shrimp or juveniles of any other species of~~  
7 ~~major economic importance, the Fisheries Director may close such waters to shrimping and prohibit the use of nets~~  
8 ~~for any purpose except cast nets as provided in 15A NCAC 3L .0102. Prominent landmarks or other~~  
9 ~~permanent type markers shall be considered when establishing closure lines even if such lines extend beyond the~~  
10 ~~area of concern.~~

11 (b) The Fisheries Director may, by proclamation, impose any or all of the following restrictions on the taking of  
12 shrimp:

- 13 (1) specify time;
- 14 (2) specify area;
- 15 (3) specify means and methods;
- 16 (4) specify season;
- 17 (5) specify size; and
- 18 (6) specify quantity.

19

20 *History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;*  
21 *Eff. January 1, 1991;*  
22 *Amended Eff. May 1, 2015.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03L .0103

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 10, add a comma after "length"*

*Lines 13 and 25, replace "which" with "that"*

*Page 2, lines 1 through 5, is the intent of this language to incorporate the outside material in accordance with G.S 150B-21.6? If so, please add language to clarify the incorporation and indicate if future editions are included.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03L .0103 is amended as published in 29:07 NCR 748 as follows:

2

3 **15A NCAC 03L .0103 PROHIBITED NETS, MESH SIZES ~~LENGTHS~~ AND AREAS**

4 (a) It is unlawful to take shrimp with nets with mesh lengths less than the following:

5 (1) Trawl net - one and one-half inches;

6 (2) Fixed nets, channel nets, float nets, butterfly nets, and hand seines - one and one-fourth inches;  
7 and

8 (3) Cast net - no restriction.

9 (b) It is unlawful to take shrimp with a net constructed in such a manner as to contain an inner or outer liner of any  
10 mesh ~~size-length~~. Net material used as chafing gear shall be no less than four inches mesh length except that chafing  
11 gear with smaller mesh may be used only on the bottom one-half of the tailbag. Such chafing gear shall not be tied  
12 in a manner that forms an additional tailbag.

13 (c) It is unlawful to take shrimp with trawls which have a combined headrope of greater than 90 feet in ~~internal~~  
14 ~~coastal waters except~~ Internal Coastal Waters in the following areas:

15 (1) ~~Pamlico Sound;~~ North of the 35° 46.3000' N latitude line;

16 (2) Core Sound south of a line beginning at a point 34° 59.7942' N - 76° 14.6514' W on Camp Point;  
17 running easterly to a point 34° 58.7853' N - 76° 09.8922' W on Core Banks; to the South Carolina  
18 State Line;

19 ~~(2)(3)~~ Pamlico River downstream-upstream of a line from a point 35° 18.5882' N - 76° 28.9625' W at  
20 Pamlico Point; running northerly to a point 35° 22.3741' N - 76° 28.6905' W at Willow Point; and

21 ~~(3)(4)~~ Neuse River northeast-southwest of a line from a point 34° 58.2000' N - 76° 40.5167' W at  
22 Winthrop Point on the eastern shore of the entrance to ~~Adam's Creek~~ Adams Creek; running  
23 northerly to a point 35° 01.0744' N - 76° 42.1550' W at Windmill Point at the entrance of Greens  
24 Creek at Oriental.

25 (d) Effective January 1, 2017 it is unlawful to take shrimp with trawls which have a combined headrope of greater  
26 than 220 feet in Internal Coastal Waters in the following areas:

27 (1) Pamlico Sound south of the 35° 46.3000' N latitude line and north of a line beginning at a point  
28 34° 59.7942' N - 76° 14.6514' W on Camp Point; running easterly to a point 34° 58.7853' N - 76°  
29 09.8922' W on Core Banks;

30 (2) Pamlico River downstream of a line from a point 35° 18.5882' N - 76° 28.9625' W at Pamlico  
31 Point; running northerly to a point 35° 22.3741' N - 76° 28.6905' W at Willow Point; and

32 (3) Neuse River northeast of a line from a point 34° 58.2000' N - 76° 40.5167' W at Winthrop Point  
33 on the eastern shore of the entrance to Adams Creek; running northerly to a point 35° 01.0744' N -  
34 76° 42.1550' W at Windmill Point at the entrance of Greens Creek at Oriental.

35 ~~(d)(e)~~ It is unlawful to use a shrimp trawl in the areas described in 15A NCAC 03R .0114.

36 ~~(e)(f)~~ It is unlawful to use channel nets except as provided in 15A NCAC 03J .0106.

37 ~~(f)(g)~~ It is unlawful to use shrimp pots except as provided in 15A NCAC 03J .0301.

1 ~~(g)~~(h) It is unlawful to use a shrimp trawl that does not conform with the federal rule requirements for Turtle  
2 Excluder Devices (TED) as specified in 50 CFR Part 222.102 Definitions, 50 CFR Part 223.205 (a) and Part  
3 223.206 (d) Gear Requirements for Trawlers, and 50 CFR Part 223.207 Approved TEDs. Copies of these rules are  
4 available via the Code of Federal Regulations posted on the Internet at <http://www.gpoaccess.gov/cfr/index.html> and  
5 at the Division of Marine Fisheries, P.O. Box 769, Morehead City, North Carolina 28557 at no cost.

6  
7 *History Note: Authority G.S. 113-134; 113-182; 143B-289.52;*  
8 *Eff. January 1, 1991;*  
9 *Amended Eff. May 1, 2015; April 1, 2009; July 1, 2006.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03L .0105

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 12, what is the significance of the cited rule? The rule deals with open season and proclamations and does not appear to address the limits on shrimp. Please clarify.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03L .0105 is amended as published in 29:07 NCR 748 as follows:

2

3 **15A NCAC 03L .0105 RECREATIONAL SHRIMP LIMITS**

4 It is unlawful to:

5 (1) Possess from areas open to the harvest of shrimp more than 48 quarts, heads on or 30 quarts, heads  
6 off, of shrimp per person per day or if a vessel is used, per vessel per day for recreational purposes  
7 except as provided in 15A NCAC 03O .0303 (e) and (f).

8 ~~(2) Take or possess shrimp from areas closed to the taking of shrimp except two quarts of shrimp per  
9 person per day may be taken while fishing in a closed area with a cast net.~~

10 (2) Take or possess more than four quarts, heads on or two and one-half quarts, heads off, of shrimp  
11 per person per day with a cast net from areas closed to the taking of shrimp in accordance with  
12 15A NCAC 03L .0101.

13

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

15 *Eff. April 1, 2009;*

16 *Amended Eff. May 1, 2015; June 1, 2013.*

1 15A NCAC 03M .0101 is amended as published in 29:07 NCR 748-749 as follows:

2

3 **15A NCAC 03M .0101 MUTILATED FINFISH**

4 It is unlawful to possess aboard a vessel or while engaged in fishing ~~from the shore or a pier~~ any species of finfish  
5 that is subject to a size or harvest restriction without having head and tail attached, except:

6 (1) mullet when used for bait;

7 (2) ~~blueback herring, hickory shad and alewife~~ when used for bait provided that not more than two  
8 ~~fish~~ hickory shad per ~~boat~~ vessel or fishing operation may be cut for bait at any one time; and

9 (3) tuna possessed in a commercial fishing operation as provided in 15A NCAC 03M .0520.

10

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

12 *Eff. January 1, 1991;*

13 *Amended Eff. January 1, 1991;*

14 *Temporary Amendment Eff. May 1, 2001;*

15 *Amended Eff. May 1, 2015; April 1, 2011; July 1, 2006; August 1, 2002.*



REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03M .0510

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 9, should there be a reference to 15A NCAC 03 0301(f), as that deals with the use of pots. However, that rule only references "eels" and this Rule specifies "American eel." Please clarify.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03M .0510 is amended as published in 29:07 NCR 749 as follows:

2

3 **15A NCAC 03M .0510 AMERICAN EEL**

4 It is unlawful to:

5 (1) Possess, sell or take American eels less than ~~six~~nine inches in length;~~and~~

6 (2) Possess more than ~~50~~25 American eels per person per day for recreational ~~purposes~~purposes,  
7 except the master and each mate of for-hire vessels that hold a valid for-hire license may possess  
8 50 eels each per day; and

9 (3) Possess American eels from September 1 through December 31 except when taken by baited pots.

10

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

12 *Eff. July 1, 1993;*

13 *Temporary Amendment Eff. August 1, 2000;*

14 *Amended Eff. May 1, 2015; April 1, 2001.*

1 15A NCAC 03M .0513 is amended as published in 29:07 NCR 749 as follows:

2

3 **15A NCAC 03M .0513 RIVER HERRING**

4 It is unlawful to take or possess river herring ~~taken from coastal fishing waters unless the river herring season is~~  
5 ~~open~~ from North Carolina Coastal Fishing Waters. Possession of river herring from sources other than North  
6 Carolina Coastal Fishing Waters shall be limited to fish less than or equal to six inches total length aboard a vessel  
7 or while engaged in fishing.

8

9 *History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;*

10 *Eff. March 1, 1995;*

11 *Amended Eff. August 1, 1998;*

12 *Temporary Amendment Eff. May 1, 2000; August 1, 1999; July 1, 1999; March 1, 1999;*

13 *Amended Eff. May 1, 2015; October 1, 2008; December 1, 2007; April 1, 2001.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03O .0101

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 5, add a comma after "registrations"*

*Line 7, add a comma after "party"*

*Line 11, change the comma after "party" to a period and capitalize "acceptable"*

*Line 13, add a comma after "card)" and add a semicolon after "passport"*

*Line 15, is there no limit on the number of possible violations under the Blanket Coastal Recreational Fishing License?*

*Line 16, add a comma after "registration"*

*Lines 22 and 23, please cite to the authority making this failure "unlawful"*

*Line 28, add a comma after "endorsement"*

*Page 2, lines 20 through 25, does the specific stated years create a limitation? Is this still applicable?*

*Page 3, line 1, what is required in the application? Please clarify.*

*Page 3, lines 4 through 6, please cite to the authority making this failure "unlawful"*

*Page 3, lines 16 through 18, and lines 24 through 26, why does the information requested here differ slightly from Subparagraph (a)(2)? Please be consistent.*

*Page 3, lines 30 through 31, where are the fees located? Please add a cross-reference to a rule or statute.*

Abigail M. Hammond  
Commission Counsel

Date submitted to agency: Thursday, March 26, 2015

*Page 3, line 37, delete the “or” at the end of the clause*

*Page 4, lines 15 through 16, why does the statement here differ slightly from 15A NCAC 030 .0501(g)? Please be consistent.*

*Page 4, lines 17 through 19, it appears the justification for this requirement is G.S. 113-169.2(f). Please cross-reference the statute.*

*Page 4, line 24, add a comma after “party”*

*Page 4, line 26, add a comma after “endorsement”*

*Page 4, line 37, replace “is not” with “shall not be”*

*Page 5, line 2, add “or” between “endorsements, commercial”*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 15A NCAC 03O .0101 is amended as published in 29:07 NCR 749-751 as follows:

2

3 **15A NCAC 03O .0101 PROCEDURES AND REQUIREMENTS TO OBTAIN LICENSES,**  
4 **ENDORSEMENTS AND COMMERCIAL FISHING VESSEL REGISTRATIONS**

5 (a) To obtain any Marine Fisheries licenses, endorsements, commercial fishing vessel registrations except  
6 Recreational Fishing Tournament Licenses to Sell Fish and Land or Sell Licenses, the following information is  
7 required for the application by the licensee, a responsible party or person holding a power of attorney:

8 (1) Full name, physical address, mailing address, date of birth, and signature of the licensee on the  
9 application. If the licensee is not appearing before a license agent or a representative of the  
10 Division, the licensee's signature on the application shall be notarized;

11 (2) Current picture identification of licensee or responsible party; acceptable forms of picture  
12 identification are driver's license, state identification card, military identification card, resident  
13 alien card (green card) or passport or if purchased by mail, a copy thereof;

14 (3) Certification that the applicant does not have four or more marine or estuarine resource violations  
15 during the previous three years, except Blanket Coastal Recreational Fishing Licenses;

16 (4) Valid documentation papers or current motor boat registration or copy thereof when purchasing a  
17 commercial fishing vessel registration. If an application for transfer of documentation is pending,  
18 a copy of the pending application and a notarized bill of sale may be submitted;

19 (5) Current articles of incorporation and a current list of corporate officers when purchasing a license  
20 or commercial fishing vessel registration in a corporate name. In the case of incorporation of an  
21 individual fishing vessel, the name of the master of that vessel shall also be specified. It is  
22 unlawful to fail to notify the Morehead City Office of the Division of Marine Fisheries within five  
23 days of change of the master specified for that vessel;

24 ~~(6)~~ An affirmation of liability insurance and that the operator is knowledgeable of United States Coast  
25 Guard (USCG) safety requirements for the vessel(s) used in the operation in accordance with G.S.  
26 113-168.6 when purchasing a commercial fishing vessel registration with a for-hire endorsement.

27 ~~(6)(7)~~ If a partnership is established by a written partnership agreement, a current copy of such  
28 agreement shall be provided when purchasing a license, endorsement or commercial fishing vessel  
29 registration in a partnership name;

30 ~~(7)(8)~~ For nonresidents, certification of the state of residency;

31 ~~(8)(9)~~ In addition to the information required in G.S. 113-169.4, linear length of pier when purchasing an  
32 Ocean Fishing Pier License;

33 ~~(9)(10)~~ In addition to the information required in G.S. 113-171.1, current aircraft registration and list of  
34 operator(s) when purchasing a Spotter Plane License;

35 ~~(10)(11)~~ In addition, for fish dealers licenses, the physical address of the established location where  
36 business is conducted and, if different, the address where records are kept;

1           ~~(11)~~(12) When purchasing a Fish Dealer License with clam or oyster categories or a consolidated license,  
2           the applicant shall provide valid certification as a North Carolina certified shellfish dealer;

3           ~~(12) In addition, for the Ocean Fishing Pier Blanket Coastal Recreation Fishing License, a valid Ocean~~  
4           ~~Fishing Pier License issued in the name of the applicant or copy thereof.~~

5           (13) In addition, for the ~~For Hire~~ Blanket For-Hire Captain's Coastal Recreational Fishing License,  
6           License (CRFL), the applicant shall ~~provide~~ provide a valid certification from the USCG that  
7           allows carrying six or fewer passengers or a certification from the USCG that allows carrying  
8           more than six passengers; and

9           ~~(A) A valid certification from the United States Coast Guard (USCG) that allows carrying six~~  
10           ~~or fewer passengers or a certification from the USCG that allows carrying more than six~~  
11           ~~passengers; and~~

12           ~~(B) Valid documentation papers or current motor boat registration or copies thereof for the~~  
13           ~~vessel engaged as for hire. If an application for transfer of documentation is pending, a~~  
14           ~~copy of the pending application and a notarized bill of sale may be submitted.~~

15           (14) In addition, for the Blanket For-Hire Vessel CRFL or the Non-Blanket For-Hire Vessel License,  
16           valid documentation papers or current motor boat registration or copies thereof for the vessel  
17           engaged as for-hire. If an application for transfer of documentation is pending, a copy of the  
18           pending application and a notarized bill of sale may be submitted.

19 (b) License to Land Flounder from the Atlantic Ocean.

20           (1) To qualify for a License to Land Flounder from the Atlantic Ocean, the applicant shall:

21           (A) have landed in North Carolina at least 1,000 pounds of flounder from a single vessel each  
22           year from the Atlantic Ocean during any two of the 1992-93, 1993-94, 1994-95 license  
23           years for which the person had a vessel that was licensed to land in North Carolina; and

24           (B) have been licensed under G.S. 113-152 or 113-153 during any two of the 1992-93, 1993-  
25           94, or 1994-95 license years; and

26           (C) hold a valid Standard or Retired Standard Commercial Fishing License or valid Land or  
27           Sell License.

28           (2) It is lawful for a person to hold Licenses to Land Flounder from the Atlantic Ocean equal to the  
29           number of vessels that he owns that individually met the eligibility requirements of Parts (b)(1)(A)  
30           and (b)(1)(B) of this Rule.

31           (3) The License to Land Flounder from the Atlantic Ocean is only valid when used on the vessel  
32           specified at the time of license issuance.

33           (4) At the time of issuance, the applicant for the License to Land Flounder from the Atlantic Ocean  
34           shall specify the name of the master of the vessel for each License to Land Flounder from the  
35           Atlantic Ocean issued.

1 (5) Applicants for a License to Land Flounder from the Atlantic Ocean shall complete an application  
2 form provided by the Division of Marine Fisheries and submit it to the Morehead City Office of  
3 the Division of Marine Fisheries for processing.

4 (6) It is unlawful for the holder of the License to Land Flounder from the Atlantic Ocean to fail to  
5 notify the Morehead Office of the Division of Marine Fisheries within five days of change as to  
6 the master identified on the license.

7 (7) Licenses to Land Flounder from the Atlantic Ocean are issued for the current license year and  
8 expire on June 30.

9 (c) To obtain a Recreational Fishing Tournament License to Sell Fish, the tournament organizer shall apply with the  
10 Division of Marine Fisheries at least 30 days prior to the starting date of the tournament with the following required  
11 information:

12 (1) Full name, physical address, mailing address, date of birth, signature of the tournament organizer,  
13 name of tournament, and dates of tournament on the license application. If the licensee is not  
14 appearing before a representative of the Division, the licensee's signature shall be notarized on the  
15 application.

16 (2) Current picture identification of tournament organizer; acceptable forms of picture identification  
17 are driver's license, state identification card, military identification card, or passport, or if  
18 purchased by mail, a copy thereof.

19 (d) To obtain a Land or Sell License, the following information is required for a proper application:

20 (1) Full name, physical address, mailing address, date of birth, and signature of the responsible party  
21 or master for the vessel on the license application. If the licensee is not appearing before a  
22 representative of the Division, the licensee's signature on the application shall be notarized on the  
23 application;

24 (2) Current picture identification of responsible party or master; acceptable forms of picture  
25 identification are driver's license, state identification card, military identification card, or passport  
26 or if applying by mail, a copy thereof;

27 (3) Valid documentation papers or current motor boat registration or copy thereof when purchasing a  
28 commercial fishing vessel registration. If an application for transfer of documentation is pending,  
29 a copy of the pending application and a notarized bill of sale may be submitted.

30 Fees shall be based on the vessel's homeport as it appears on the U.S. Coast Guard documentation papers or the  
31 State in which the vessel is registered.

32 (e) Proof of residency in North Carolina for:

33 (1) Standard Commercial Fishing License or Retired Standard Commercial Fishing License shall  
34 require a notarized certification from the applicant that the applicant is a resident of the State of  
35 North Carolina as defined by G.S. 113-130(4); and

36 (A) a notarized certification from the applicant that a North Carolina State Income Tax  
37 Return was filed for the previous calendar or tax year as a North Carolina resident; or



- 1 (B) a notarized certification that the applicant was not required to file a North Carolina State  
2 Income Tax Return for the previous calendar or tax year; or
- 3 (C) military identification, military dependent identification and permanent change of station  
4 orders or assignment orders substantiating individual's active duty assignment at a  
5 military facility in North Carolina.
- 6 (2) All other types of licenses:
- 7 (A) North Carolina voter registration card; or
- 8 (B) Current North Carolina Driver's License; or
- 9 (C) Current North Carolina Certificate of Domicile; or
- 10 (D) Current North Carolina Identification Card issued by the North Carolina Division of  
11 Motor Vehicles; or
- 12 (E) Military identification, military dependent identification and permanent change of station  
13 orders or assignment orders substantiating individual's active duty assignment at a  
14 military facility in North Carolina.
- 15 (f) Applications submitted without complete and required information shall be deemed incomplete and shall not be  
16 considered further until resubmitted with all required information.
- 17 (g) It is unlawful for a license or registration holder to fail to notify the Division of Marine Fisheries within 30 days  
18 of a change of address.
- 19 (h) Licenses are available at Offices of the Division or by mail from the Morehead City Office, unless otherwise  
20 specified. In addition, Recreational Commercial Gear Licenses are available at Wildlife Service Agents who have  
21 been designated as agents of the Department.
- 22 (i) To renew any Marine Fisheries licenses, endorsements, and commercial fishing vessel registration, except  
23 Recreational Commercial Gear Licenses, the following is required for the renewal application by the licensee, a  
24 responsible party or person holding a power of attorney;
- 25 (1) The information required in Subparagraphs (a)(4), (a)(5), and (a)(6) of this Rule are only required  
26 if a change has occurred since the last issuance of license, endorsement or commercial fishing  
27 vessel registration.
- 28 (2) Certification that articles of incorporation and list of corporate officers, if incorporated, written  
29 partnership agreement, if written partnership, or documentation papers or motor boat registration  
30 previously provided for initial license purchase are still valid and current for renewal.
- 31 (3) Current and valid state driver's license or state identification picture identification numbers and  
32 expiration dates shall be verified on mail license renewal applications or any other electronic  
33 license renewal process, otherwise the licensee shall provide a photocopy for renewal by mail or  
34 visit a Division License Office and present a current and valid picture identification pursuant to  
35 Subparagraph (a)(2) of this Rule.
- 36 (4) The licensee's or responsible party's signature on the application shall certify all information as  
37 true and accurate. Notarization of signature on renewal applications is not required.

- 1 (5) The Division of Marine Fisheries may require current copies of documentation for licenses,  
2 endorsements, commercial fishing vessel registration on renewal when necessary to verify  
3 inconsistent information or the information cannot be verified by independent sources.
- 4 (6) If the linear length of the pier has not changed for the Ocean Fishing Pier License renewal, the  
5 responsible party shall certify that the length is accurate; otherwise, a Marine Patrol Officer's  
6 signature is required to certify the linear length before the license can be renewed.
- 7 (7) Certification that shellfish dealer certification by North Carolina previously provided for issuance  
8 of Fish Dealer License with clam or oyster categories or consolidated license is still valid and  
9 current for renewal.

10

11 *History Note: Authority G.S. 113-134; 113-168; 113-168.1-6; 113-169; 113-169.2-5; 113-171.1; 113-174.3;*  
12 *143B-289.52;*  
13 *Eff. January 1, 1991;*  
14 *Amended Eff. July 1, 1997; March 1, 1994;*  
15 *Temporary Amendment Eff. July 1, 1999;*  
16 *Amended Eff. August 1, 2000;*  
17 *Temporary Amendment Eff. April 1, 2001;*  
18 *Amended Eff. May 1, 2015; July 1, 2008; December 1, 2006; August 1, 2004; August 1, 2002.*

1 15A NCAC 03O .0106 is amended as published in 29:07 NCR 751-752 as follows:

2

3 **15A NCAC 03O .0106 DISPLAY OF LICENSES AND REGISTRATIONS**

4 (a) It is unlawful:

5 (1) For any person to use a vessel required to be registered under the provisions of G.S. 113-168.6 in a  
6 commercial fishing operation without a current commercial fishing vessel registration decal  
7 mounted on an exterior surface so as to be plainly visible when viewed from the port side; and

8 (2) To display any commercial fishing vessel registration decal not issued for the vessel displaying it.

9 (b) It is unlawful to fail to display any fish dealer's licenses required by G.S. 113-169.3, ocean fishing pier license  
10 required by ~~G.S. 113-169.4, or Ocean Fishing Pier Blanket Coastal Recreational Fishing License (CRFL) pursuant~~  
11 ~~to G.S. 113-174.4~~ G.S. 113-169.4 in prominent public view in each location subject to licensing.

12 (c) It is unlawful to fail to display a current For-Hire License decal on the exterior surface of the vessel so as to be  
13 visible when viewed from the port side while engaged in for-hire recreational fishing.

14

15 *History Note: Authority G.S. 113-168.6; 113-169.3; 113-169.4; 143B-289.52;*

16 *Eff. January 1, 1991;*

17 *Temporary Amendment Eff. July 1, 1999;*

18 *Amended Eff. May 1, 2015; December 1, 2006; August 1, 2000.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03O .0113

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 10, please clarify what electronic mail address is used for this Rule.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03O .0113 is amended with changes as published in 29:07 NCR 752 as follows:

2

3 **15A NCAC 03O .0113 OCEAN FISHING PIER ~~BLANKET COASTAL RECREATIONAL FISHING~~**  
4 **LICENSE REPORTING REQUIREMENTS**

5 ~~(a) The length of the pier used to determine the license fee for an Ocean Fishing Pier Blanket Coastal Recreational~~  
6 ~~Fishing License shall be obtained from the Ocean Fishing Pier License.~~

7 ~~(b) It is unlawful for the responsible party of the Ocean Fishing Pier ~~Blanket Coastal Recreational Fishing License~~~~  
8 ~~to fail to provide to the Division by the 10th of each month a daily count of anglers fishing from the licensed pier~~  
9 ~~from the previous month, including a daily count of zero for days when anglers did not fish. The information shall~~  
10 ~~be submitted on a paper form provided by the Division or via electronic mail.~~

11

12 *History Note: Authority G.S. 113-134; 113-169.4; 113-174.1; 143B-289.52;*

13 *Eff. April 1, 2011;*

14 *Amended Eff. May 1, 2015.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03O .0501

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 5, add a comma after "party"*

*Line 9, replace "Unexpired" with "Current"*

*Line 9, delete the clause "and, when applicable" and add "or"*

*Line 12, add a comma after "card)" and add a semicolon after "passport"*

*Line 21, add a comma after "address"*

*Page 2, line 25, place the term "beach seine" in quotation marks to clearly identify the defined term*

*Page 2, line 28, replace "are" with "shall be"*

*Page 3, line 12, add a comma after "modify"*

*Page 3, line 17, add "and" after "Director;"*

*Page 3, line 30, replace "is not" with "shall not be"*

*Page 3, lines 33 through 36, please cite to the authority making these failures "unlawful"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel

Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03O .0501 is amended as published in 29:07 NCR 752-754 as follows:

2

3 **15A NCAC 03O .0501 PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS**

4 (a) To obtain any Marine Fisheries permit, the following information is required for proper application from the  
5 applicant, a responsible party or person holding a power of attorney:

6 (1) Full name, physical address, mailing address, date of birth, and signature of the applicant on the  
7 application. If the applicant is not appearing before a license agent or the designated Division  
8 contact, the applicant's signature on the application shall be notarized;

9 (2) Unexpired picture identification of applicant, responsible party and, when applicable, person  
10 holding a power of attorney. Acceptable forms of picture identification are driver's license, North  
11 Carolina Identification card issued by the North Carolina Division of Motor Vehicles, military  
12 identification card, resident alien card (green card) or passport or if applying by mail, a copy  
13 thereof;

14 (3) Full names and dates of birth of designees of the applicant who will be acting under the requested  
15 permit where that type permit requires listing of designees;

16 (4) Certification that the applicant and his designees do not have four or more marine or estuarine  
17 resource convictions during the previous three years;

18 (5) For permit applications from business entities:

19 (A) Business Name;

20 (B) Type of Business Entity: Corporation, partnership, or sole proprietorship;

21 (C) Name, address and phone number of responsible party and other identifying information  
22 required by this Subchapter or rules related to a specific permit;

23 (D) For a corporation, current articles of incorporation and a current list of corporate officers  
24 when applying for a permit in a corporate name;

25 (E) For a partnership, if the partnership is established by a written partnership agreement, a  
26 current copy of such agreement shall be provided when applying for a permit; and

27 (F) For business entities, other than corporations, copies of current assumed name statements  
28 if filed and copies of current business privilege tax certificates, if applicable; and

29 (6) Additional information as required for specific permits.

30 (b) A permittee shall hold a valid Standard or Retired Standard Commercial Fishing License in order to hold a:

31 (1) Pound Net Permit;

32 (2) Permit to Waive the Requirement to Use Turtle Excluder Devices in the Atlantic Ocean; or

33 (3) Atlantic Ocean Striped Bass Commercial Gear Permit.

34 (c) A permittee and his designees shall hold a valid Standard or Retired Standard Commercial Fishing License with  
35 a Shellfish Endorsement or a Shellfish License in order to hold a:

36 (1) Permit to Transplant Prohibited (Polluted) Shellfish;

37 (2) Permit to Transplant Oysters from Seed Oyster Management Areas;

- 1 (3) Permit to Use Mechanical Methods for ~~Oysters or Clams~~ Shellfish on Shellfish Leases or
- 2 Franchises;
- 3 (4) Permit to Harvest Rangia Clams from Prohibited (Polluted) Areas; or
- 4 (5) Depuration Permit.

5 (d) A permittee shall hold a valid:

- 6 (1) Fish Dealer License in the proper category in order to hold Dealer Permits for Monitoring
- 7 Fisheries Under a Quota/Allocation for that category; and
- 8 (2) Standard Commercial Fishing License with a Shellfish Endorsement, Retired Standard
- 9 Commercial Fishing License with a Shellfish Endorsement or a Shellfish License in order to
- 10 harvest clams or oysters for depuration.

11 (e) Aquaculture Operations/Collection Permits:

- 12 (1) A permittee shall hold a valid Aquaculture Operation Permit issued by the Fisheries Director to
- 13 hold an Aquaculture Collection Permit.
- 14 (2) The permittee or designees shall hold appropriate licenses from the Division of Marine Fisheries
- 15 for the species harvested and the gear used under the Aquaculture Collection Permit.

16 (f) Atlantic Ocean Striped Bass Commercial Gear Permit:

17 (1) ~~Application for an Atlantic Ocean Striped Bass Commercial Gear Permit must be made prior to~~

18 ~~November 1 of each year. A person shall declare one of the following gears for an initial Atlantic~~

19 ~~Ocean Striped Bass Commercial Gear Permit. Upon application for an Atlantic Ocean Striped Bass~~

20 Commercial Gear Permit, a person shall declare one of the following gears for an initial permit

21 and at intervals of three consecutive license years thereafter:

- 22 (A) gill net;
- 23 (B) trawl; or
- 24 (C) beach seine.

25 For the purpose of this Rule, a beach seine is defined as a swipe net constructed of multi-filament

26 or multi-fiber webbing fished from the ocean beach that is deployed from a vessel launched from

27 the ocean beach where the fishing operation takes place.

28 Gear declarations are binding on the permittee for three consecutive license years without regard

29 to subsequent annual permit issuance.

30 (2) A person is not eligible for more than one Atlantic Ocean Striped Bass Commercial Gear Permit

31 regardless of the number of Standard Commercial Fishing Licenses, Retired Standard Commercial

32 Fishing Licenses or assignments held by the person.

33 ~~(3) The annual, nonrefundable permit fee is ten dollars (\$10.00).~~

34 ~~(g) For Hire Fishing Permit:~~

35 ~~(1) The permittee shall hold a valid certification from the United States Coast Guard (USCG) that~~

36 ~~allows carrying six or fewer passengers or a certification from the USCG that allows carrying~~

37 ~~more than six passengers;~~



1           ~~(2)~~ The permittee shall provide valid documentation papers or current motor boat registration or  
2           copies thereof for the vessel engaged as for hire. If an application for transfer of documentation is  
3           pending, a copy of the pending application and a notarized bill of sale may be submitted.

4           ~~(h)(g)~~ Applications submitted without complete and required information shall not be processed until all required  
5           information has been submitted. Incomplete applications shall be returned to the applicant with deficiency in the  
6           application so noted.

7           ~~(i)(h)~~ A permit shall be issued only after the application has been deemed complete by the Division of Marine  
8           Fisheries and the applicant certifies to abide by the permit general and specific conditions established under ~~15A~~  
9           ~~NCAC 03J .0501, 03J .0505, 03K .0103, 03K .0104, 03K .0107, 03K .0206, 03K .0303, 03K .0401, 03O .0502, and~~  
10          ~~03O .0503~~ 15A NCAC 03J .0501, .0505, 03K .0103, .0104, .0107, .0111, .0401, 03O .0502, and .0503 as applicable  
11          to the requested permit.

12          ~~(i)(i)~~ The Fisheries Director, or his agent may evaluate the following in determining whether to issue, modify or  
13          renew a permit:

- 14           (1)       Potential threats to public health or marine and estuarine resources regulated by the Marine  
15           Fisheries Commission;
- 16           (2)       Applicant's demonstration of a valid justification for the permit and a showing of responsibility as  
17           determined by the Fisheries Director;
- 18           (3)       Applicant's history of habitual fisheries violations evidenced by eight or more violations in 10  
19           years.

20          ~~(i)(j)~~ The Division of Marine Fisheries shall notify the applicant in writing of the denial or modification of any  
21          permit request and the reasons therefor. The applicant may submit further information, or reasons why the permit  
22          should not be denied or modified.

23          ~~(i)(k)~~ Permits are valid from the date of issuance through the expiration date printed on the permit. Unless otherwise  
24          established by rule, the Fisheries Director may establish the issuance timeframe for specific types and categories of  
25          permits based on season, calendar year, or other period based upon the nature of the activity permitted, the duration  
26          of the activity, compliance with federal or state fishery management plans or implementing rules, conflicts with  
27          other fisheries or gear usage, or seasons for the species involved. The expiration date shall be specified on the  
28          permit.

29          ~~(m)(l)~~ For permit renewals, the permittee's signature on the application shall certify all information as true and  
30          accurate. Notarization of signature on renewal applications is not required.

31          ~~(m)(m)~~ For initial or renewal permits, processing time for permits may be up to 30 days unless otherwise specified  
32          in this Chapter.

33          ~~(n)(n)~~ It is unlawful for a permit holder to fail to notify the Division of Marine Fisheries within 30 days of a change  
34          of name or address.

35          ~~(n)(o)~~ It is unlawful for a permit holder to fail to notify the Division of Marine Fisheries of a change of designee  
36          prior to use of the permit by that designee.

37          ~~(p)(p)~~ Permit applications are available at all Division Offices.

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*History Note: Authority G.S. 113-134; 113-169.1; 113-169.3; 113-182; 113-210; 143B-289.52;*  
*Temporary Adoption Eff. September 1, 2000; May 1, 2000;*  
*Eff. April 1, 2001;*  
*Temporary Amendment Eff. October 1, 2001;*  
*Amended Eff. May 1, 2015; April 1, 2011; April 1, 2009; July 1, 2008; December 1, 2007;*  
*September 1, 2005; April 1, 2003; August 1, 2002.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03O .0503

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Page 1, lines 12 through 17, is the intent of this language to incorporate the outside material in accordance with G.S 150B-21.6? If so, please add language to clarify the incorporation and indicate if future editions are included.*

*Line 26, add a comma after "permit"*

*Page 3, line 8, please clarify what "this area" is being referenced*

*Page 3, lines 14 through 17, is the intent of this language to incorporate the outside material in accordance with G.S 150B-21.6? If so, please add language to clarify the incorporation and indicate if future editions are included.*

*Page 4, line 1, add a comma after "proclamation"*

*Page 4, line 2, add a comma after "culture"*

*Page 5, lines 28 and 34, add a comma after "time"*

*Page 6, line 21, add the amendment date of April 1, 2014. Please verify that the most recent version of the rule was used in the amendment process.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03O .0503 is amended as published in 29:07 NCR 754-757 as follows:

2

3 **15A NCAC 03O .0503 PERMIT CONDITIONS; SPECIFIC**

4 (a) Horseshoe Crab Biomedical Use Permit:

5 (1) It is unlawful to use horseshoe crabs for biomedical purposes without first obtaining a permit.

6 (2) It is unlawful for persons who have been issued a Horseshoe Crab Biomedical Use Permit to fail  
7 to submit a report on the use of horseshoe crabs to the Division of Marine Fisheries due on  
8 February 1 of each year. Such reports shall be filed on forms provided by the Division and shall  
9 include a monthly account of the number of crabs harvested, statement of percent mortality up to  
10 the point of release, and a certification that harvested horseshoe crabs are solely used by the  
11 biomedical facility and not for other purposes.

12 (3) It is unlawful for persons who have been issued a Horseshoe Crab Biomedical Use Permit to fail  
13 to comply with the Atlantic States Marine Fisheries Commission Interstate Fishery Management  
14 Plan for Horseshoe Crab monitoring and tagging requirements for horseshoe crabs. Copies of this  
15 plan are available from the Atlantic States Marine Fisheries Commission or the Division of  
16 Marine Fisheries' Morehead City Headquarters Office, P.O. Box 769, 3441 Arendell St.,  
17 Morehead City, North Carolina 28557-0769.

18 (b) Dealers Permits for Monitoring Fisheries under a Quota/Allocation:

19 (1) During the commercial season opened by proclamation or rule for the fishery for which a Dealers  
20 Permit for Monitoring Fisheries under a Quota/Allocation permit is issued, it is unlawful for the  
21 fish dealers issued such permit to fail to:

22 (A) fax or send via electronic mail by noon daily, on forms provided by the Division, the  
23 previous day's landings for the permitted fishery to the dealer contact designated on the  
24 permit. Landings for Fridays or Saturdays shall be submitted on the following Monday.  
25 If the dealer is unable to fax or electronic mail the required information, the permittee  
26 shall call in the previous day's landings to the dealer contact designated on the permit but  
27 shall maintain a log furnished by the Division;

28 (B) submit the required log to the Division upon request or no later than five days after the  
29 close of the season for the fishery permitted;

30 (C) maintain faxes and other related documentation in accordance with 15A NCAC 03I  
31 .0114;

32 (D) contact the dealer contact designated on the permit daily regardless of whether or not a  
33 transaction for the fishery for which a dealer is permitted occurred; and

34 (E) record the permanent dealer identification number on the bill of lading or receipt for each  
35 transaction or shipment from the permitted fishery.

36 (2) Striped Bass Dealer Permit:

- 1 (A) It is unlawful for a fish dealer to possess, buy, sell, or offer for sale striped bass taken  
2 from the following areas without first obtaining a Striped Bass Dealer Permit validated  
3 for the applicable harvest area:
- 4 (i) Atlantic Ocean;
- 5 (ii) Albemarle Sound Management Area as designated in 15A NCAC 03R .0201;  
6 and  
7 (iii) the Joint and Coastal Fishing Waters of the Central/Southern Management Area  
8 as designated in 15A NCAC 03R .0201.
- 9 (B) No permittee shall possess, buy, sell, or offer for sale striped bass taken from the harvest  
10 areas opened by proclamation without having a North Carolina Division of Marine  
11 Fisheries issued valid tag for the applicable area affixed through the mouth and gill cover,  
12 or, in the case of striped bass imported from other states, a similar tag that is issued for  
13 striped bass in the state of origin. North Carolina Division of Marine Fisheries striped  
14 bass tags shall not be bought, sold, offered for sale, or transferred. Tags shall be obtained  
15 at the North Carolina Division of Marine Fisheries Offices. The Division of Marine  
16 Fisheries shall specify the quantity of tags to be issued based on historical striped bass  
17 landings. It is unlawful for the permittee to fail to surrender unused tags to the Division  
18 upon request.
- 19 (3) Albemarle Sound Management Area for River Herring Dealer Permit: It is unlawful to possess,  
20 buy, sell, or offer for sale river herring taken from the following area without first obtaining an  
21 Albemarle Sound Management Area for River Herring Dealer Permit: Albemarle Sound  
22 Management Area for River Herring as defined in ~~15A NCAC 03J .0209~~, 15A NCAC 03R .0202.
- 23 (4) Atlantic Ocean Flounder Dealer Permit:
- 24 (A) It is unlawful for a fish dealer to allow vessels holding a valid License to Land Flounder  
25 from the Atlantic Ocean to land more than 100 pounds of flounder from a single  
26 transaction at their licensed location during the open season without first obtaining an  
27 Atlantic Ocean Flounder Dealer Permit. The licensed location shall be specified on the  
28 Atlantic Ocean Flounder Dealer Permit and only one location per permit shall be allowed.
- 29 (B) It is unlawful for a fish dealer to possess, buy, sell, or offer for sale more than 100 pounds  
30 of flounder from a single transaction from the Atlantic Ocean without first obtaining an  
31 Atlantic Ocean Flounder Dealer Permit.
- 32 (5) Black Sea Bass North of Cape Hatteras Dealer Permit. It is unlawful for a fish dealer to purchase  
33 or possess more than 100 pounds of black sea bass taken from the Atlantic Ocean north of Cape  
34 Hatteras (35° 15.0321' N) per day per commercial fishing operation during the open season unless  
35 the dealer has a Black Sea Bass North of Cape Hatteras Dealer Permit.
- 36 (c) Blue Crab Shedding Permit: It is unlawful to possess more than 50 blue crabs in a shedding operation without  
37 first obtaining a Blue Crab Shedding Permit from the Division of Marine Fisheries.

- 1 (d) Permit to Waive the Requirement to Use Turtle Excluder Devices in the Atlantic Ocean:
- 2 (1) It is unlawful to trawl for shrimp in the Atlantic Ocean without Turtle Excluder Devices installed
- 3 in trawls within one nautical mile of the shore from Browns Inlet (34° 35.7000' N latitude) to
- 4 Rich's Inlet (34° 17.6000' N latitude) without a valid Permit to Waive the Requirement to Use
- 5 Turtle Excluder Devices in the Atlantic Ocean when allowed by proclamation from April 1
- 6 through November 30.
- 7 (2) It is unlawful to tow for more than 55 minutes from April 1 through October 31 and 75 minutes
- 8 from November 1 through November 30 in this area when working under this permit. Tow time
- 9 begins when the doors enter the water and ends when the doors exit the water.
- 10 (3) It is unlawful to fail to empty the contents of each net at the end of each tow.
- 11 (4) It is unlawful to refuse to take observers upon request by the Division of Marine Fisheries or the
- 12 National Marine Fisheries Service.
- 13 (5) It is unlawful to fail to report any sea turtle captured. Reports shall be made within 24 hours of the
- 14 capture to the Marine Patrol Communications Center by phone. All turtles taken incidental to
- 15 trawling shall be handled and resuscitated in accordance with requirements specified in 50 CFR
- 16 223.206, copies of which are available via the Internet at [www.nmfs.gov](http://www.nmfs.gov) and at the Division of
- 17 Marine Fisheries, 127 Cardinal Drive Extension, Wilmington, North Carolina 28405.
- 18 (e) Pound Net Set Permits. Rule 15A NCAC 03J .0505 sets forth the specific conditions for pound net set permits.
- 19 (f) Aquaculture Operations/Collection Permits:
- 20 (1) It is unlawful to conduct aquaculture operations utilizing marine and estuarine resources without
- 21 first securing an Aquaculture Operation Permit from the Fisheries Director.
- 22 (2) It is unlawful:
- 23 (A) to take marine and estuarine resources from Coastal Fishing Waters for aquaculture
- 24 purposes without first obtaining an Aquaculture Collection Permit from the Fisheries
- 25 Director.
- 26 (B) to sell, or use for any purpose not related to North Carolina aquaculture, marine and
- 27 estuarine resources taken under an Aquaculture Collection Permit.
- 28 (C) to fail to submit to the Fisheries Director an annual report due on December 1 of each
- 29 year on the form provided by the Division the amount and disposition of marine and
- 30 estuarine resources collected under authority of this permit.
- 31 (3) Lawfully permitted shellfish relaying activities authorized by 15A NCAC 03K .0103 and .0104
- 32 are exempt from requirements to have an Aquaculture Operation or Collection Permit issued by
- 33 the Fisheries Director.
- 34 (4) Aquaculture Operations/Collection Permits shall be issued or renewed on a calendar year basis.
- 35 (5) It is unlawful to fail to provide the Division of Marine Fisheries with a listing of all designees
- 36 acting under an Aquaculture Collection Permit at the time of application.
- 37 (g) Scientific or Educational Activity Permit:

- 1 (1) It is unlawful for institutions or agencies seeking exemptions from license, rule, proclamation or  
2 statutory requirements to collect, hold, culture or exhibit for scientific or educational purposes any  
3 marine or estuarine species without first obtaining a Scientific or Educational Activity Permit.
- 4 (2) The Scientific or Educational Activity Permit shall only be issued for scientific or educational  
5 purposes and for collection methods and possession allowances approved by the Division of  
6 Marine Fisheries.
- 7 (3) The Scientific or Educational Activity Permit shall only be issued for approved activities  
8 conducted by or under the direction of Scientific or Educational institutions as defined in Rule  
9 15A NCAC 03I .0101.
- 10 (4) It is unlawful for the responsible party issued a Scientific or Educational Activity Permit to fail to  
11 submit a report on collections and, if authorized, sales to the Division of Marine Fisheries due on  
12 December 1 of each year unless otherwise specified on the permit. The reports shall be filed on  
13 forms provided by the Division. Scientific or Educational Activity permits shall be issued on a  
14 calendar year basis.
- 15 (5) It is unlawful to sell marine or estuarine species taken under a Scientific or Educational Activity  
16 Permit without:
- 17 (A) the required license(s) for such sale;  
18 (B) authorization stated on the permit for such sale; and  
19 (C) providing the information required in Rule 15A NCAC 03I .0114 if the sale is to a  
20 licensed fish dealer.
- 21 (6) It is unlawful to fail to provide the Division of Marine Fisheries a listing of all designees acting  
22 under a Scientific or Educational Activity Permit at the time of application.
- 23 (7) The permittee or designees utilizing the permit shall call the Division of Marine Fisheries  
24 Communications Center at 800-682-2632 or 252-726-7021 not later than 24 hours prior to use of  
25 the permit, specifying activities and location.
- 26 (h) Under Dock Oyster Culture Permit:
- 27 (1) It is unlawful to cultivate oysters in containers under docks for personal consumption without first  
28 obtaining an Under Dock Oyster Culture Permit.
- 29 (2) An Under Dock Oyster Culture Permit shall be issued only in accordance with provisions set forth  
30 in G.S. 113-210(c).
- 31 (3) The applicant shall complete and submit an examination, with a minimum of 70 percent correct  
32 answers, based on an educational package provided by the Division of Marine Fisheries pursuant  
33 to G.S. 113-210(j). The examination demonstrates the applicant's knowledge of:
- 34 (A) the application process;  
35 (B) permit criteria;  
36 (C) basic oyster biology and culture techniques;  
37 (D) shellfish harvest area closures due to pollution;

- 1 (E) safe handling practices;
- 2 (F) permit conditions; and
- 3 (G) permit revocation criteria.
- 4 (4) Action by an Under Dock Oyster Culture Permit holder to encroach on or usurp the legal rights of
- 5 the public to access public trust resources in Coastal Fishing Waters shall result in permit
- 6 revocation.
- 7 (i) Atlantic Ocean Striped Bass Commercial Gear Permit:
- 8 (1) It is unlawful to take striped bass from the Atlantic Ocean in a commercial fishing operation
- 9 without first obtaining an Atlantic Ocean Striped Bass Commercial Gear Permit.
- 10 (2) It is unlawful to use a single Standard Commercial Fishing License, including assignments, to
- 11 obtain more than one Atlantic Ocean Striped Bass Commercial Gear Permit during a license year.
- 12 (j) Coastal Recreational Fishing License Exemption Permit:
- 13 (1) It is unlawful for the responsible party seeking exemption from recreational fishing license
- 14 requirements for eligible individuals to conduct an organized fishing event held in Joint or Coastal
- 15 Fishing Waters without first obtaining a Coastal Recreational Fishing License Exemption Permit.
- 16 (2) The Coastal Recreational Fishing License Exemption Permit shall only be issued for recreational
- 17 fishing activity conducted solely for the participation and benefit of one of the following groups of
- 18 eligible individuals:
- 19 (A) individuals with physical or mental limitations;
- 20 (B) members of the United States Armed Forces and their dependents, upon presentation of a
- 21 valid military identification card, for military appreciation;
- 22 (C) individuals receiving instruction on recreational fishing techniques and conservation
- 23 practices from employees of state or federal marine or estuarine resource management
- 24 agencies, or instructors affiliated with educational institutions; and
- 25 (D) disadvantaged youths.
- 26 For purposes of this Paragraph, educational institutions include high schools and other secondary
- 27 educational institutions.
- 28 (3) The Coastal Recreational Fishing License Exemption Permit is valid for the date(s), time and
- 29 physical location of the organized fishing event for which the exemption is granted and the time
- 30 period shall not exceed one year from the date of issuance.
- 31 (4) The Coastal Recreational Fishing License Exemption Permit shall only be issued when all of the
- 32 following, in addition to the information required in 15A NCAC 03O .0501, is submitted to the
- 33 Fisheries Director in writing a minimum of 30 days prior to the event:
- 34 (A) the name, date(s), time and physical location of the event;
- 35 (B) documentation that substantiates local, state, or federal involvement in the organized
- 36 fishing event, if applicable;
- 37 (C) the cost or requirements, if any, for an individual to participate in the event; and



1 (D) an estimate of the number of participants.

2 ~~(k) For Hire Fishing Permit:~~

3 ~~(1) It is unlawful to operate a For Hire Vessel unless the vessel operator possesses either the For Hire~~  
4 ~~Blanket Coastal Recreational Fishing License (CRFL) for the vessel as provided in 15A NCAC~~  
5 ~~03O .0112 or a Division of Marine Fisheries For Hire Fishing Permit for the vessel.~~

6 ~~(2) It is unlawful for a For Hire vessel operator to operate under the For Hire Fishing Permit without:~~

7 ~~(A) holding the USCG certification required in 15A NCAC 03O .0501(g)(1);~~

8 ~~(B) having the For Hire Fishing Permit for the vessel or copy thereof in possession and ready~~  
9 ~~at hand for inspection; and~~

10 ~~(C) having current picture identification in possession and ready at hand for inspection.~~

11 ~~(3) It is unlawful for the permittee to fail to notify the Division within five days of any changes to~~  
12 ~~information provided on the permit.~~

13 ~~(4) It is unlawful to fail to display a current For Hire Fishing Permit decal mounted on an exterior~~  
14 ~~surface of the vessel so as to be visible when viewed from the port side while engaged in for hire~~  
15 ~~recreational fishing.~~

16 ~~(5) The For Hire Fishing Permit is valid for one year from the date of issuance.~~

17

18 *History Note: Authority G.S. 113-134; 113-169.1; 113-169.3; 113-182; 113-210; 143B-289.52;*

19 *Temporary Adoption Eff. September 1, 2000; August 1, 2000; May 1, 2000;*

20 *Eff. April 1, 2001;*

21 *Amended Eff. May 1, 2015; April 1, 2009; July 1, 2008; January 1, 2008; September 1, 2005;*

22 *October 1, 2004; August 1, 2004; August 1, 2002.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03Q .0202

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Please review the following water bodies to ensure correct directional information:*

*Page 3, lines 22 through 24*

*Page 4, lines 21 through 23*

*Page 15, lines 4 through 7*

*Page 18, lines 23 through 25*

*Page 24, lines 29 through 33*

*Page 27, line 34 through 37*

*Page 29, lines 12 through 15; and lines 30 through 33*

*Page 30, lines 27 through 29*

*Page 45, line 13, add the amendment date of June 1, 2013. Please verify that the most recent version of the rule was used in the amendment process.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03Q .0202 is amended with changes as published in 29:07 NCR 757-795 as follows:

2

3 **15A NCAC 03Q .0202 DESCRIPTIVE BOUNDARIES FOR COASTAL-JOINT-INLAND WATERS**

4 Descriptive boundaries for Coastal-Joint-Inland Waters referenced in 15A NCAC 03Q .0201 are as follows:

5 (1) Beaufort County:

6 (a) Pamlico - Tar River - Inland Waters west and Coastal Waters east of a line beginning at a  
7 point on the north shore 35° 32.2167' N - 77° 02.8701' W; running southwesterly along  
8 the east side of the railroad bridge to a point on the south shore 35° 32.0267' N - 77°  
9 03.5179' W.

10 (i) All Manmade ~~tributaries~~ ~~Tributaries~~ - All manmade tributaries within Pamlico  
11 ~~Tar River in Beaufort County~~ ~~this waterbody~~ are designated as Joint.

12 (b) Pungo River - Inland Waters north and Joint Waters south of a line beginning at a point  
13 on the west shore 35° 34.2702' N - 76° 30.1354' W; running northeasterly to a point on  
14 the east shore 35° 34.3192' N - 76° 30.0238' W. Joint Waters east and Coastal Waters  
15 west of a line beginning at a point on the north shore 35° 32.0974' N - 76° 29.6067' W;  
16 running southerly to a point on the south shore 35° 30.2620' N - 76° 29.3843' W.

17 (i) Flax Pond Bay - All waters within this waterbody are designated as Coastal.

18 (ii) Upper Dowry Creek - Inland Waters north and Coastal Waters south of a line  
19 beginning at a point on the west shore 35° 31.8946' N - 76° 32.1231' W;  
20 running northeasterly to a point on the east shore 35° 31.9656' N - 76° 32.0114'  
21 W.

22 (iii) Lower Dowry Creek - Inland Waters north and Coastal Waters south of a line  
23 beginning at a point on the west shore 35° 32.4188' N - 76° 35.3924' W; running  
24 northeast to a point on the east shore 35° 32.4691' N - 76° 35.2748' W.

25 (iv) George Best Creek - All waters within this waterbody are designated as Coastal.

26 (v) Toms Creek - All waters within this waterbody are designated as Coastal.

27 (vi) Pantego Creek - Inland Waters north and Coastal Waters south of a line  
28 beginning at a point on the north shore 35° 31.9908' N - 76° 36.6105' W;  
29 running southerly along the Breakwater to a point 35° 31.6628' N - 76° 36.9840'  
30 W; running southwesterly to a point on the south shore 35° 31.5653' N - 76°  
31 37.3832' W.

32 (vii) Pungo Creek - Inland Waters west and Coastal Waters east of a line beginning at  
33 a point on the north shore 35° 29.9986' N - 76° 40.3564' W; running southerly to  
34 a point on the south shore 35° 29.8887' N - 76° 40.3262' W.

35 (A) Vale Creek - Inland Waters north and Coastal Waters south of a line  
36 beginning at a point on the west shore 35° 31.0370' N - 76° 38.9044'

- 1 W; running northeasterly to a point on the east shore 35° 31.0528' N -  
 2 76° 38.8536' W.
- 3 (B) Scotts Creek - Inland Waters north and Coastal Waters south of a line  
 4 beginning at a point on the west shore 35° 30.4264' N - 76° 40.1156'  
 5 W; running easterly to a point on the east shore 35° 30.4264' N - 76°  
 6 39.9430' W.
- 7 (C) Smith Creek - Inland Waters west and Coastal Waters east of a line  
 8 beginning at a point on the north shore 35° 30.2844' N - 76° 40.2941'  
 9 W; running southerly to a point on the south shore 35° 30.1982' N - 76°  
 10 40.2621' W.
- 11 (viii) Woodstock (Little) Creek - Inland Waters south and Coastal Waters north of a  
 12 line beginning at a point on the west shore 35° 30.5291' N - 76° 38.1600' W;  
 13 running easterly to a point on the east shore 35° 30.4852' N - 76° 38.0278' W.
- 14 (ix) Jordan Creek - Inland Waters west and Coastal Waters east of a line beginning  
 15 at a point on the north shore 35° 27.7256' N - 76° 36.2159' W; running southerly  
 16 to a point 35° 27.5587' N - 76° 36.2704' W; following the eastern shore to a  
 17 point 35° 27.4651' N - 76° 36.3294' W; running southerly to a point on the south  
 18 shore 35° 27.3429' N - 76° 36.4498' W.
- 19 (x) Satterthwaite Creek - Inland Waters northwest and Coastal Waters southeast of a  
 20 line beginning at a point on the north shore 35° 25.2994' N - 76° 35.4281' W;  
 21 running southerly to a point on the south shore 35° 25.1284' N - 76° 35.4949' W.
- 22 (xi) Wright Creek - Inland Waters southwest and Coastal Waters northeast of a line  
 23 beginning at a point on the west shore 35° 24.8664' N - 76° 35.4240' W; running  
 24 southeasterly to a point on the east shore 35° 24.7995' N - 76° 35.3086' W.
- 25 (c) North Creek - Joint Waters north and Coastal Waters south of a line beginning at a point  
 26 on the west shore 35° 25.1667' N - 76° 40.1042' W; running easterly to a point on the east  
 27 shore 35° 25.0971' N - 76° 39.6340' W.
- 28 (d) St. Clair Creek - Inland Waters north and Coastal Waters south of a line beginning at a  
 29 point on the west shore 35° 25.7691' N - 76° 42.6406' W; running easterly to a point on  
 30 the east shore 35° 25.7695' N - 76° 42.5967' W.
- 31 (e) Mixon Creek - Inland Waters north and Coastal Waters south of a line beginning at a  
 32 point on the west shore 35° 25.7601' N - 76° 46.5971' W; running easterly to a point 35°  
 33 25.7304' N - 76° 46.2547' W; following the southern shoreline to a point 35° 25.6878' N -  
 34 76° 46.2034' W; running southeasterly to a point 35° 25.6606' N - 76° 46.1892' W;  
 35 following the southern shoreline to a point 35° 25.6267' N - 76° 46.1494' W; running  
 36 southeasterly to a point on the east shore 35° 25.6166' N - 76° 46.1361' W.

- 1 (f) Bath Creek - Inland Waters north and Coastal Waters south of a line beginning at a point  
2 on the west shore 35° 27.1685' N - 76° 49.4087' W; running northeasterly to a point on  
3 the east shore 35° 27.2371' N - 76° 49.0969' W.
- 4 (g) Duck Creek - Inland Waters northeast and Coastal Waters southwest of a line beginning  
5 at a point on the west shore 35° 27.5395' N - 76° 52.0074' W; running southerly to a point  
6 on the east shore 35° 27.4401' N - 76° 51.9827' W.
- 7 (h) Mallard Creek - Inland Waters north and Coastal Waters south of a line beginning at a  
8 point on the west shore 35° 27.6461' N - 76° 53.6398' W; running easterly to a point on  
9 the east shore 35° 27.6425' N - 76° 53.5816' W.
- 10 (i) Upper Goose Creek - Inland Waters northeast and Coastal Waters southwest of a line  
11 beginning at a point on the west shore 35° 28.5346' N - 76° 56.0229' W; running  
12 southeasterly to a point on the east shore 35° 28.4014' N - 76° 55.8714' W.
- 13 (j) Broad Creek - Inland Waters north and Coastal Waters south of a line beginning at a  
14 point on the west shore 35° 29.1023' N - 76° 57.3738' W; running easterly to a point on  
15 the east shore 35° 29.1059' N - 76° 57.1188' W.
- 16 (k) Herring Run (Runyan Creek) - Inland Waters north and Coastal Waters south of a line  
17 beginning at a point on the west shore 35° 32.1615' N - 77° 02.3606' W; running  
18 southeasterly to a point on the east shore 35° 32.1340' N - 77° 02.3438' W.
- 19 (l) Chocowinity Bay - Inland Waters northwest and Coastal Waters southeast of a line  
20 beginning at a point on the west shore 35° 29.4751' N - 77° 01.8507' W; running  
21 northeasterly to a point on the east shore 35° 29.8780' N - 77° 01.3169' W.
- 22 (m) Calf Tree Creek - Inland Waters south and Coastal Waters north of a line beginning at a  
23 point on the north shore 35° 29.2268' N - 77° 01.2973' W; running southeasterly to a  
24 point on the south shore 35° 29.2115' N - 77° 01.2831' W.
- 25 (n) Hills Creek - Inland Waters south and Coastal waters north of a line beginning at a point  
26 on the west shore 35° 28.5227' N - 77° 00.2664' W; running easterly to a point on the east  
27 shore 35° 28.5193' N - 77° 00.2270' W.
- 28 (o) Blounts Creek - Inland Waters west and Coastal Waters east of a line beginning at a point  
29 on the north shore 35° 26.2010' N - 76° 58.1716' W; running southerly to a point on the  
30 south shore 35° 26.1369' N - 76° 58.1671' W.
- 31 (p) Nevil Creek - Inland Waters south and Coastal Waters north of a line beginning at a point  
32 on the west shore 35° 26.1117' N - 76° 54.5233' W; running southeasterly to a point on  
33 the east shore 35° 26.0966' N - 76° 54.5045' W.
- 34 (q) Barris Creek - Inland Waters south and Coastal Waters north of a line beginning at a  
35 point on the west shore 35° 24.8423' N - 76° 49.9928' W; running easterly to a point on  
36 the east shore 35° 24.8451' N - 76° 49.9745' W.

- 1 (r) Durham Creek - Inland Waters south and Coastal Waters north of a line beginning at a  
2 point on the west shore 35° 23.7824' N - 76° 49.3016' W; running easterly to a point on  
3 the east shore 35° 23.7821' N - 76° 48.8703' W.
- 4 (s) Huddles Cut - Inland Waters south and Coastal Waters north of a line beginning at a  
5 point on the west shore 35° 22.5817' N - 76° 44.8727' W; running easterly to a point on  
6 the east shore 35° 22.5782' N - 76° 44.8594' W.
- 7 (t) Huddy Gut - All waters within this waterbody are designated as Coastal.
- 8 (u) South Creek - Inland Waters south and ~~Coast-Coastal~~ Waters north of a line beginning at  
9 a point on the west shore 35° 18.9589' N - 76° 47.4298' W; running easterly to a point on  
10 the east shore 35° 18.9994' N - 76° 47.3007' W.
- 11 (i) Tooleys Creek - Inland Waters north and Coastal Waters south of a line  
12 beginning at a point on the west shore 35° 20.7080' N - 76° 44.8937' W; running  
13 northeasterly to a point on the east shore 35° 20.7440' N - 76° 44.8324' W.
- 14 (ii) Drinkwater Creek - Inland Waters north and Coastal Waters south of a line  
15 beginning at a point on the west shore 35° 20.1441' N - 76° 45.8262' W; running  
16 easterly to a point on the east shore 35° 20.1333' N - 76° 45.7530' W.
- 17 (iii) Jacobs Creek - Inland Waters northwest and Coastal Waters southeast of a line  
18 beginning at a point on the north shore 35° 20.1420' N - 76° 45.8395' W;  
19 running southwesterly to a point on the south shore 35° 20.0692' N - 76°  
20 45.8912' W.
- 21 (iv) Jacks Creek - Inland Waters north and Coastal Waters south of a line beginning  
22 at a point on the north shore 35° 19.5455' N - 76° 47.0155' W; running  
23 southwesterly to a point on the south shore 35° 19.4986' N - 76° 47.0741' W.
- 24 (v) Whitehurst Creek - Inland Waters west and Coastal Waters east of a line  
25 beginning at a point on the north shore 35° 19.2878' N - 76° 47.4778' W;  
26 running southerly to a point on the south shore 35° 19.2295' N - 76° 47.4430' W.
- 27 (vi) Little Creek - Inland Waters south and Coastal waters north of a line beginning  
28 at a point on the west shore 35° 18.9873' N - 76° 45.9292' W; running easterly to  
29 a point on the east shore 35° 19.0209' N - 76° 45.8258' W.
- 30 (vii) Short Creek - Inland Waters southeast and Coastal Waters northwest of a line  
31 beginning at a point on the north shore 35° 20.1228' N - 76° 44.6031' W;  
32 running southwesterly to a point on the south shore 35° 20.0527' N - 76°  
33 44.6667' W.
- 34 (viii) Long Creek - Inland Waters south and Coastal Waters north of a line beginning  
35 at a point on the west shore 35° 20.3050' N - 76° 44.3444' W; running  
36 northeasterly to a point on the east shore 35° 20.4185' N - 76° 43.8949' W.

- 1 (ix) Bond Creek - Inland Waters south and Coastal Waters north of a line beginning  
2 at a point on the west shore 35° 20.4231' N - 76° 42.0469' W; running  
3 southeasterly to a point on the east shore 35° 20.2539' N - 76° 41.8254' W.
- 4 (x) Muddy Creek - Inland Waters south and Coastal Waters north of a line  
5 beginning at a point on the west shore 35° 20.1523' N - 76° 41.2074' W; running  
6 northeasterly to a point on the east shore 35° 20.2413' N - 76° 41.0572' W.
- 7 (v) Davis Creek - Inland Waters south **and** Coastal Waters north of a line beginning at a point  
8 on the west shore 35° 20.7032' N - 76° 40.3404' W; running easterly to a point on the east  
9 shore 35° 20.7112' N - 76° 40.1637' W.
- 10 (w) Strawhorn Creek - Inland Waters south and Coastal Waters north of a line beginning at a  
11 point on the west shore 35° 20.4091' N - 76° 39.0998' W; running northeasterly to a point  
12 on the east shore 35° 20.4750' N - 76° 38.8874' W.
- 13 (x) Lower Goose Creek - All waters within this waterbody are designated as Coastal.
- 14 (i) Lower Spring Creek - Inland Waters west and Coastal Waters east of a line  
15 beginning at a point on the north shore 35° 19.7932' N - 76° 37.5347' W;  
16 running southerly to a point on the south shore 35° 19.4670' N - 76° 37.4134' W.
- 17 (ii) Peterson Creek - Inland Waters west and Coastal Waters east of a line beginning  
18 at a point on the west shore 35° 18.7722' N - 76° 37.5059' W; running  
19 northeasterly to a point on the east shore 35° 18.8406' N - 76° 37.4111' W.
- 20 (iii) Snode Creek - Inland Waters west and Coastal Waters east of a line beginning at  
21 a point on the north shore 35° 18.2787' N - 76° 37.4679' W; running  
22 southwesterly to a point on the south shore 35° 18.0821' N - 76° 37.5544' W.
- 23 (iv) Campbell Creek - Inland Waters west and Coastal Waters east of a line  
24 beginning at a point on the north shore 35° 17.1203' N - 76° 37.9248' W;  
25 running southerly to a point on the south shore 35° 16.8807' N - 76° 37.9101' W.
- 26 (A) Smith Creek - All waters within this waterbody are designated as  
27 Inland.
- 28 (v) Hunting Creek - Inland Waters south and Coastal Waters north of a line  
29 beginning at a point on the west shore 35° 16.7523' N - 76° 36.8138' W; running  
30 easterly to a point on the east shore 35° 16.6779' N - 76° 36.5885' W.
- 31 (2) Bertie County:
- 32 (a) Albemarle Sound - All waters **in within** this waterbody are designated as Coastal.
- 33 (i) All Manmade Tributaries - All manmade tributaries within this waterbody **for**  
34 **Bertie County** are designated as Joint.
- 35 (ii) Roanoke River - Joint Waters south and Coastal Waters north of a line  
36 beginning at a point on the west shore of the Roanoke River 35° 56.5068' N -

- 1 76° 41.8858' W; running easterly to a point on the east shore 35° 56.5324' N -  
2 76° 41.5896' W.
- 3 (A) Sandy Run (Norfleet Gut) - Inland Waters north and Joint Waters south  
4 of a line beginning at a point on the west shore 36° 10.1119' N - 77°  
5 17.5396' W; running northeasterly to a point on the east shore 36°  
6 10.1172' N - 77° 17.5316' W.
- 7 (B) Quinine - Inland Waters north and Joint Waters south of a line  
8 beginning at a point on the west shore 36° 09.6041' N - 77° 15.9091'  
9 W; running easterly to a point on the east shore 36° 09.6068' N - 77°  
10 15.8912' W.
- 11 (C) Wire Gut - Inland Waters north and Joint Waters south of a line  
12 beginning at a point on the west shore 36° 00.9580' N - 77° 13.0755'  
13 W; running easterly to a point on the east shore 36° 00.9542' N - 77°  
14 13.0320' W.
- 15 (D) Apple Tree Creek - Inland Waters east and Joint Waters west of a line  
16 beginning at a point on the north shore 36° 00.4174' N - 77° 12.3252'  
17 W; running southeasterly to a point on the south shore 36° 00.3987' N -  
18 77° 12.3088' W.
- 19 (E) Indian Creek - Inland Waters east and Joint Waters west of a line  
20 beginning at a point on the north shore 35° 59.0794' N - 77° 11.4926'  
21 W; running southerly to a point on the south shore 35° 59.0597' N - 77°  
22 11.4967' W.
- 23 (F) Coniott Creek - Inland Waters west and Joint Waters east of a line  
24 beginning at a point on the north shore 35° 56.6562' N - 77° 04.2860'  
25 W; running southwesterly to a point on the south shore 35° 56.6397' N  
26 - 77° 04.3066' W.
- 27 (G) Conine Creek - All waters ~~in~~-within this waterbody are designated as  
28 Joint.
- 29 (H) Old Mill Creek - Inland Waters north and Joint Waters south of a line  
30 beginning at a point on the west shore 35° 53.9483' N - 76° 55.3921'  
31 W; running southeasterly to a point on the east shore 35° 53.9378' N -  
32 76° 55.3710' W.
- 33 (I) Cut Cypress Creek - Inland Waters northeast and Joint Waters  
34 southwest of a line beginning at a point on the north shore 35° 51.9465'  
35 N - 76° 53.5762' W; running southeasterly to a point on the south shore  
36 35° 51.9229' N - 76° 53.5556' W.



- 1 (J) Broad Creek - Inland Waters west and Joint Waters east of a line  
 2 beginning at a point on the north shore  $35^{\circ} 52.5191' N - 76^{\circ} 50.4235'$   
 3 W; running southerly to a point on the south shore  $35^{\circ} 52.4262' N - 76^{\circ}$   
 4  $50.3791' W$ .
- 5 (K) **Unnamed** Thorofare - All waters within this waterbody are designated  
 6 as Joint.
- 7 (iii) Cashie River - Inland Waters west and Joint Waters east of a line beginning at a  
 8 point on the north shore  $35^{\circ} 54.7865' N - 76^{\circ} 49.0521' W$ ; running southerly to a  
 9 point on the south shore  $35^{\circ} 54.6691' N - 76^{\circ} 49.0553' W$ . Joint Waters south  
 10 and west and Coastal Waters north and east of a line beginning at a point on the  
 11 west shore  $35^{\circ} 56.2934' N - 76^{\circ} 44.1769' W$ ; running easterly to a point on the  
 12 north shore of an island in the mouth of the river  $35^{\circ} 56.2250' N - 76^{\circ} 43.9265'$   
 13 W. Joint Waters west and Coastal Waters east of a line beginning at a point on  
 14 the south shore of an island in the mouth of the river  $35^{\circ} 56.1254' N - 76^{\circ}$   
 15  $43.9846' W$ ; running southerly to a point on the south shore  $35^{\circ} 56.0650' N - 76^{\circ}$   
 16  $43.9599' W$ .
- 17 (A) Cashoke Creek - Inland Waters west and Joint Waters east of a line  
 18 beginning at a point on the north shore  $35^{\circ} 56.2934' N - 76^{\circ} 44.1769'$   
 19 W; running southwesterly to a point on the south shore  $35^{\circ} 56.2623' N$   
 20  $- 76^{\circ} 44.1993' W$ .
- 21 (B) Broad Creek - Inland Waters south and Joint Waters north of a line  
 22 beginning at a point on the west shore  $35^{\circ} 55.0568' N - 76^{\circ} 45.2632'$   
 23 W; running easterly to a point on the east shore  $35^{\circ} 55.0543' N - 76^{\circ}$   
 24  $45.1309' W$ .
- 25 (C) Grinnel Creek - Inland Waters east and Joint Waters west of a line  
 26 beginning at a point on the north shore  $35^{\circ} 55.3147' N - 76^{\circ} 44.5010'$   
 27 W; running southerly to a point on the south shore  $35^{\circ} 55.2262' N - 76^{\circ}$   
 28  $44.5495' W$ .
- 29 (iv) Middle River - All waters within this waterbody are designated **as** Joint.
- 30 (v) Eastmost River - Joint Waters south and Coastal Waters north of a line  
 31 beginning at a point on the west shore  $35^{\circ} 56.5024' N - 76^{\circ} 42.4877' W$ ; running  
 32 westerly to a point on the east shore  $35^{\circ} 56.4070' N - 76^{\circ} 42.7647' W$ .
- 33 (vi) Mud Gut - Inland Waters west and Joint Waters east of a line beginning at a  
 34 point on the north shore  $35^{\circ} 53.2880' N - 76^{\circ} 45.4463' W$ ; running  
 35 southwesterly to a point on the south shore  $35^{\circ} 53.2527' N - 76^{\circ} 45.4678' W$ .

- 1 (b) Black Walnut Swamp - Inland Waters west and Coastal Waters east of a line beginning at  
2 a point on the north shore 35° 59.4680' N - 76° 40.9556' W; running southerly to a point  
3 on the south shore 35° 59.3946' N - 76° 40.9629' W.
- 4 (c) Salmon Creek - Inland Waters southwest and Coastal Waters northeast of a line  
5 beginning at a point on the north shore 36° 00.4648' N - 76° 42.3513' W; running  
6 southeasterly to a point on the south shore 36° 00.3373' N - 76° 42.1499' W.
- 7 (d) Chowan River - Joint Waters northwest and Coastal Waters southeast of a line beginning  
8 at a point on the west shore 36° 02.3162' N - 76° 42.4896' W; running northeasterly to a  
9 point on the east shore 36° 03.1013' N - 76° 40.8732' W.
- 10 (i) Barkers Creek - Inland Waters west and Joint Waters east of a line beginning at  
11 a point on the north shore 36° 14.0709' N - 76° 44.2451' W; running southerly to  
12 a point on the south shore 36° 14.0492' N - 76° 44.2456' W.
- 13 (ii) Willow Branch - Inland Waters southwest and Joint Waters northeast of a line  
14 beginning at a point on the north shore 36° 04.7206' N - 76° 43.7667' W;  
15 running southeasterly to a point on the south shore 36° 04.7138' N - 76°  
16 43.7580' W.
- 17 (iii) Keel (Currituck) Creek - Inland Waters north and Joint Waters south of a line  
18 beginning at a point on the west shore 36° 14.1245' N - 76° 44.1961' W; running  
19 easterly to a point on the east shore 36° 14.0899' N - 76° 43.8533' W.
- 20 (3) Bladen County:
- 21 (a) Cape Fear River - Inland Waters north and Joint Waters south of a line beginning at a  
22 point on the west shore 34° 24.2628' N - 78° 17.6390' W; running northeasterly along the  
23 Lock and Dam # 1 to a point on the east shore 34° 24.2958' N - 78° 17.5634' W.
- 24 (i) Natmore Creek - Inland Waters north and Joint Waters south of a line beginning  
25 at a point on the west shore 34° 24.2841' N - 78° 16.4405' W; running easterly to  
26 a point on the east shore 34° 24.2852' N - 78° 16.4039' W.
- 27 (4) Brunswick County:
- 28 (a) Calabash River And Tributaries - All waters within this waterbody ~~in Brunswick County~~  
29 are designated as Coastal.
- 30 (b) Saucepan Creek - All waters within this waterbody are designated as Coastal.
- 31 (c) Shallotte River - Inland Waters northwest and Coastal Waters southeast of a line  
32 beginning at a point on the south shore 33° 58.3412' N - 78° 23.1948' W; running  
33 northeasterly to a point on the north shore 33° 58.3518' N - 78° 23.1816' W.
- 34 (i) Mill Dam Branch - All waters within this waterbody are designated as Coastal.
- 35 (ii) Squash Creek - All waters within this waterbody are designated as Coastal.
- 36 (iii) Mill Pond - All waters within this waterbody are designated as Coastal.

- 1 (iv) Charles Branch - Inland Waters north and Coastal Waters south of a line  
2 beginning at a point on the west shore 33° 58.6276' N - 78° 21.2919' W; running  
3 easterly to a point on the east shore 33° 58.6257' N - 78° 21.2841' W.
- 4 (v) Grisset Swamp - All waters within this waterbody are designated as Coastal.
- 5 (vi) Little Shallotte River And Tributaries - All waters within this waterbody are  
6 designated as Coastal.
- 7 (d) Lockwood Folly River - Inland Waters northeast and Coastal Waters southwest of a line  
8 beginning at a point on the north shore 34° 00.6550' N - 78° 15.8134' W; running  
9 southeasterly along the south side of NC Hwy 211 bridge to a point on the south shore  
10 34° 00.6285' N - 78° 15.7928' W.
- 11 (i) Stanberry Creek - All waters within this waterbody are designated as Coastal.
- 12 (ii) Pompeys Creek - All waters within this waterbody are designated as Coastal.
- 13 (iii) Maple Creek - All waters within this waterbody are designated as Coastal.
- 14 (iv) Rubys Creek - All waters within this waterbody are designated as Coastal.
- 15 (v) Big Doe Creek - All waters within this waterbody are designated as Coastal.
- 16 (vi) Lennons Creek - All waters within this waterbody are designated as Coastal.
- 17 (vii) Mercers Mill Pond Creek - Inland Waters north and Coastal Waters south of a  
18 line beginning at a point on the west shore 33° 57.7498' N - 78° 12.3532' W;  
19 running southeasterly to a point on the east shore 33° 57.7439' N - 78° 12.3440'  
20 W.
- 21 (e) Elizabeth River - All waters within this waterbody are designated as Coastal.
- 22 (i) Ash Creek - All waters within this waterbody are designated as Coastal.
- 23 (f) Beaverdam Creek - All waters within this waterbody are designated as Coastal.
- 24 (g) Dutchman Creek - All waters within this waterbody are designated as Coastal.
- 25 (i) Calf Gully Creek - All waters within this waterbody are designated as Coastal.
- 26 (ii) Jumpin Run - All waters within this waterbody are designated as Coastal.
- 27 (iii) Fiddlers Creek - All waters within this waterbody are designated as Coastal.
- 28 (h) Cape Fear River - Joint Waters north and Coastal Waters south of a line beginning at a  
29 point on the western side 34° 13.6953' N - 77° 57.2396' W; running southeasterly along  
30 the southern side of US 17-74-76 bridge to a point on the eastern side 34° 13.6214' N -  
31 77° 57.0341' W.
- 32 (i) ~~Carolina Power And Light~~ Duke Energy Progress Brunswick Nuclear Plant  
33 Intake Canal - All waters within this waterbody are designated as Coastal.
- 34 (ii) Walden Creek - All waters within this waterbody are designated as Coastal.
- 35 (iii) Orton Creek - Inland Waters west and Coastal Waters east of a line beginning at  
36 a point on the north shore 34° 02.8436' N - 77° 56.7498' W; running southerly to  
37 a point on the south shore 34° 02.8221' N - 77° 56.7439' W.

- 1 (iv) Lilliput Creek - Inland Waters west and Coastal Waters east of a line beginning  
2 at a point on the north shore 34° 04.1924' N - 77° 56.5361' W; running southerly  
3 to a point on the south shore 34° 04.1487' N - 77° 56.5447' W.
- 4 (v) Sandhill Creek - Inland Waters southwest and Coastal Waters northeast of a line  
5 beginning at a point on the north shore 34° 06.9584' N - 77° 57.0085' W;  
6 running southeasterly to a point on the south shore 34° 06.9371' N - 77°  
7 56.9943' W.
- 8 (vi) Town Creek - Inland Waters west and Coastal Waters east of a line beginning at  
9 a point on the north shore 34° 07.7492' N - 77° 57.3445' W; running southerly to  
10 a point on the south shore 34° 07.7034' N - 77° 57.3431' W.
- 11 (vii) Mallory Creek - Inland Waters west and Coastal Waters east of a line beginning  
12 at a point on the north shore 34° 09.9868' N - 77° 58.2023' W; running southerly  
13 to a point on the south shore 34° 09.9618' N - 77° 58.2133' W.
- 14 (viii) Brunswick River - Joint Waters northwest and Coastal Waters southeast of a line  
15 beginning at a point on the south shore 34° 10.7281' N - 77° 57.7793' W;  
16 running northeasterly to a point on the north shore 34° 10.9581' N - 77° 57.6452'  
17 W.
- 18 (A) Alligator ~~Creek~~ ~~Creek~~:  
19 ~~(I) For the southernmost entrance into the Brunswick River:~~  
20 ~~Southernmost entrance:~~ Inland Waters east and Joint Waters  
21 west of a line beginning at a point on the south shore 34°  
22 13.5040' N - 77° 58.6331' W; running northwesterly to a point  
23 on the north shore 34° 13.5472' N - 77° 58.6628' ~~W-W; and~~  
24 ~~(II) For the northernmost entrance into the Brunswick River:~~  
25 ~~Northernmost entrance:~~ Inland Waters east and Joint Waters  
26 west of a line beginning at a point on the south shore 34°  
27 14.4300' N - 77° 59.2346' W; running northerly to a point on  
28 the north shore 34° 14.4618' N - 77° 59.2300' W.
- 29 (B) Jackeys Creek - Inland Waters west and Joint Waters east of a line  
30 beginning at a point on the south shore 34° 11.9400' N - 77° 58.5859'  
31 W; running northerly to a point on the north shore 34° 11.9565' N - 77°  
32 58.5859' W.
- 33 (C) Sturgeon Creek - Inland Waters west and Joint Waters east of a line  
34 beginning at a point on the north shore 34° 14.6761' N - 77° 59.4145'  
35 W; running southerly to a point on the south shore 34° 14.6404' N - 77°  
36 59.4058' W.

- 1 (ix) Cartwheel Creek - Inland Waters west and Joint Waters east of a line beginning  
2 at a point on the north shore 34° 15.7781' N - 77° 59.3852' W; running southerly  
3 to a point on the south shore 34° 15.7564' N - 77° 59.3898' W.
- 4 (x) Indian Creek - Inland Waters west and Joint Waters east of a line beginning at a  
5 point on the north shore 34° 17.0441' N - 78° 00.3662' W; running  
6 southwesterly to a point on the south shore 34° 17.0006' N - 78° 00.3977' W.
- 7 (xi) Hood Creek - Inland Waters west and Joint Waters east of a line beginning at a  
8 point on the north shore 34° 20.3713' N - 78° 04.7492' W; running  
9 southwesterly to a point on the south shore 34° 20.3393' N - 78° 04.7373' W.
- 10 (xii) Northwest Creek - All waters within this waterbody are designated as Inland.
- 11 (5) Camden County:
- 12 (a) Albemarle Sound - All waters within this waterbody are designated as Coastal.
- 13 (i) All Manmade Tributaries - All ~~waters—manmade tributaries~~ within this  
14 waterbody are designated as Joint.
- 15 (ii) Pasquotank River - Inland Waters north and Joint Waters south of a line  
16 beginning at a point on the west shore 36° 18.0768' N - 76° 13.0979' W;  
17 running easterly along the south side of the Highway 158 Bridge to a point on  
18 the east shore 36° 18.0594' N - 76° 12.9620' W. Joint Waters west and Coastal  
19 Waters east of a line beginning at a point on the north shore 36° 11.4282' N -  
20 76° 01.2876' W; running southwesterly to a point on the south shore 36°  
21 08.7563' N - 76° 03.6991' W.
- 22 (A) Raymond Creek - Inland Waters north and Joint Waters south of a line  
23 beginning at a point on the west shore 36° 14.0746' N - 76° 03.3952'  
24 W; running easterly to a point on the east shore 36° 14.0711' N - 76°  
25 03.3668' W.
- 26 (B) Portohonk Creek - Inland Waters northeast and Joint Waters southwest  
27 of a line beginning at a point on the west shore 36° 15.0519' N - 76°  
28 05.2793' W; running southeasterly to a point on the east shore 36°  
29 15.0391' N - 76° 05.2532' W.
- 30 (C) Areneuse Creek - Inland Waters north and Joint Waters south of a line  
31 beginning at a point on the west shore 36° 17.3133' N - 76° 08.1655'  
32 W; running southeasterly to a point on the east shore 36° 17.1328' N -  
33 76° 07.6269' W.
- 34 (iii) North River - Inland Waters west and Joint Waters east of a line beginning at a  
35 point on the north shore 36° 18.7703' N - 75° 58.7384' W; running southerly to a  
36 point on the south shore 36° 18.4130' N - 75° 58.7228' W. Joint Waters north  
37 and Coastal Waters south of a line beginning at a point on the west shore 36°

- 1 09.8986' N - 75° 54.6771' W; running easterly to a point on the east shore 36°  
2 10.0108' N - 75° 52.0431' W.
- 3 (A) Wading Gut - Inland Waters south and Joint Waters north of a line  
4 beginning at a point on the west shore 36° 10.6054' N - 75° 55.9529'  
5 W; running southeasterly to a point on the east shore 36° 10.5777' N -  
6 75° 55.8654' W.
- 7 (B) Little Broad Creek - Inland Waters south and Joint Waters north of a  
8 line beginning at a point on the west shore 36° 11.6530' N - 75°  
9 57.2035' W; running southeasterly to a point on the east shore 36°  
10 11.5587' N - 75° 56.9160' W.
- 11 (C) Broad Creek - Inland Waters west and Joint Waters east of a line  
12 beginning at a point on the north shore 36° 12.2197' N - 75° 57.2685'  
13 W; running southerly to a point on the south shore 36° 11.6766' N - 75°  
14 57.2254' W.
- 15 (D) Hunting Creek - Inland Waters southwest and Joint Waters northeast of  
16 a line beginning at a point on the north shore 36° 15.0480' N - 75°  
17 57.5820' W; running southeasterly to a point on the south shore 36°  
18 14.9308' N - 75° 57.4635' W.
- 19 (E) Abel Creek - Inland Waters west and Joint Waters east of a line  
20 beginning at a point on the north shore 36° 15.9530' N - 75° 58.0348'  
21 W; running southerly to a point on the south shore 36° 15.8553' N - 75°  
22 58.0842' W.
- 23 (F) Back Landing Creek - Inland Waters northwest and Joint Waters  
24 southeast of a line beginning at a point on the north shore 36° 16.4746'  
25 N - 76° 07.6377' W; running southwesterly to a point on the south  
26 shore 36° 16.2030' N - 76° 57.8897' W.
- 27 (G) Public Creek - Inland Waters west and Joint Waters east of a line  
28 beginning at a point on the north shore 36° 17.2462' N - 75° 58.2774'  
29 W; running southerly to a point on the south shore 36° 17.2121' N - 75°  
30 58.2788' W.
- 31 (H) Cow Creek - Inland Waters west and Joint Waters east of a line  
32 beginning at a point on the north shore 36° 17.8667' N - 75° 58.3483'  
33 W; running southerly to a point on the marsh island 36° 17.7600' N -  
34 75° 58.3300' W; running southerly following the eastern shoreline of  
35 the island to a point 36° 17.7122' N - 75° 58.3273' W; running  
36 southwesterly to a point on the south shore 36° 17.6522' N - 75°  
37 58.3543' W.

- 1 (I) Great ~~Creek—Creek~~;
- 2 (I) Mouth: Inland Waters west and Joint Waters east of a line
- 3 beginning at a point on the north shore 36° 18.1045' N - 75°
- 4 58.4289' W; running southerly to a point on the south shore
- 5 36° 17 9882' N - 75° 58.4458' ~~W- W~~; and
- 6 (II) On north shore of Great Creek within the fourth tributary:
- 7 Inland Waters south and Joint Waters north of a line beginning
- 8 at a point on the west shore 36° 18.1729' N - 75° 58.9137' W;
- 9 running southeasterly to a point on the south shore 36°
- 10 18.1640' N - 75° 58.9022' W.
- 11 (J) Indiantown Creek - All waters within this waterbody are designated as
- 12 Inland.
- 13 (6) Carteret County:
- 14 (a) Neuse River - All waters ~~in~~-within this waterbody are designated as Coastal.
- 15 (i) Adams Creek - All waters ~~in~~-within this waterbody are designated as Coastal.
- 16 (A) Back (Black) Creek - All waters ~~in~~-within this waterbody are
- 17 designated as Coastal.
- 18 (B) Cedar Creek - All waters ~~in~~-within this waterbody are designated as
- 19 Coastal.
- 20 (ii) Garbacon Creek - All waters ~~in~~-within this waterbody are designated as Coastal.
- 21 (iii) South River - Inland Waters south and Coastal Waters north of a line beginning
- 22 at a point on the west shore 34° 53.5068' N - 76° 31.1233' W; running
- 23 northeasterly to a point on the east shore 34° 53.4494' N - 76° 31.3032' W.
- 24 (A) Big Creek - All waters ~~in~~-within this waterbody are designated as
- 25 Coastal.
- 26 (B) Southwest Creek - All waters ~~in~~-within this waterbody are designated
- 27 as Coastal.
- 28 (C) West Fork - All waters ~~in~~-within this waterbody are designated as
- 29 Inland.
- 30 (D) East Creek - All waters ~~in~~-within this waterbody are designated as
- 31 Inland.
- 32 (E) Eastman Creek - All waters ~~in~~-within this waterbody are designated as
- 33 Coastal.
- 34 (iv) Browns Creek - All waters ~~in~~-within this waterbody are designated as Coastal.
- 35 (b) North River - All waters ~~in~~-within this waterbody are designated as Coastal.
- 36 (i) Panter Cat Creek - All waters ~~in~~-within this waterbody are designated as Coastal.
- 37 (ii) Cypress Creek - All waters ~~in~~-within this waterbody are designated as Coastal.

- 1 (c) Newport River - Inland Waters west and Coastal Waters east of a line beginning at a  
2 point on the north shore 34° 45.2478' N - 76° 46.4479' W; running southerly to a point on  
3 the south shore 34° 45.1840' N - 76° 46.4488' W.
- 4 (i) Core Creek - All waters ~~in~~ within this waterbody are designated as Coastal.  
5 (ii) Harlowe Creek - All waters ~~in~~ within this waterbody are designated as Coastal.  
6 (iii) Bogue Sound And Tributaries - All waters ~~in this waterbody~~ within these  
7 ~~waterbodies~~ are designated as Coastal.
- 8 (d) White Oak River - Inland Waters north and Coastal Waters south of a line beginning at a  
9 point on the west shore 34° 48.1466' N -77° 11.4711' W; running easterly to a point on  
10 the east shore 34° 48.1620' N -77° 11.4244' W.
- 11 (i) Pettiford Creek - Inland Waters east and Coastal Waters west of a line beginning  
12 at a point on the north shore 34° 42.6935' N - 77° 04.0745' W; running along the  
13 west side of the Highway 58 bridge to a point on the south shore 34° 42.6569' N  
14 - 77° 04.0786' W.
- 15 (ii) Little Hadnotts Creek - Inland Waters north and Coastal Waters south of a line  
16 beginning at a point on the west shore 34° 45.0839' N - 77° 06.5931' W; running  
17 northerly to an easterly point on the east shore 34° 45.0867' N - 77° 06.5780' W.
- 18 (iii) Hadnotts Creek - Inland Waters east and Coastal Waters west of a line  
19 beginning at a point on the north shore 34° 45.9908' N - 77° 05.7847' W;  
20 running along the west side of the Highway 58 bridge to a point on the south  
21 shore 34° 45.9738' N - 77° 05.7810' W.
- 22 (iv) Neds Creek - All waters ~~in~~ within this waterbody are designated as Coastal.  
23 (v) Hunters Creek - Inland Waters north and Coastal Waters south of a line  
24 beginning at a point on the northwest shore 34° 47.1205' N - 77° 09.9462' W;  
25 running southeasterly to a point on the southeast shore 34° 47.0947' N -77°  
26 09.9160' W.
- 27 (7) Chowan County:
- 28 (a) Albemarle Sound - All waters within this waterbody ~~in Chowan County~~ are designated as  
29 Coastal.
- 30 (i) All Manmade Tributaries - All manmade tributaries ~~within this waterbody~~ are  
31 designated as Joint.
- 32 (ii) Yeopim River - Inland Waters west and Joint Waters east of a line beginning at  
33 a point on the north shore 36° 05.4526' N - 76° 27.7651' W; running southerly to  
34 a point on the south shore at Norcum Point 36° 05.1029' N - 76° 27.7120' W.  
35 Joint Waters west and Coastal Waters east of a line beginning at a point on the  
36 north shore 36° 04.7426' N - 76° 24.2536' W; running southwesterly to a point  
37 on the south shore 36° 04.1136' N - 76° 24.5365' W.



- 1 (iii) Queen Anne Creek - Inland Waters east and Coastal Waters west of a line  
2 beginning at a point on the north shore 36° 03.3757' N - 76° 36.3629' W;  
3 running southerly to a point on the south shore 36° 03.3551' N - 76° 36.3574' W.
- 4 (iv) Pembroke Creek (Pollock Swamp) - Inland Waters west and Coastal Waters east  
5 of a line beginning at a point on the west shore 36° 03.2819' N - 76° 37.0138'  
6 W; running northeasterly to a point on the east shore 36° 03.4185' N - 76°  
7 36.6783' W.
- 8 (v) Chowan River - Joint Waters northwest and Coastal Waters southeast of a line  
9 beginning at a point on the west shore 36° 02.3162' N - 76° 42.4896' W; running  
10 northeasterly to a point on the east shore 36° 03.1013' N - 76° 40.8732' W.
- 11 (A) Rocky Hock Creek - Inland Waters east and Joint Waters west of a line  
12 beginning on the west shore at a point 36° 06.5662' N - 76° 41.3108'  
13 W; running southeasterly to a point on the east shore at 36° 06.6406' N  
14 - 76° 41.4512' W.
- 15 (B) Dillard (Indian) Creek - Inland Waters east and Joint Waters west of a  
16 line beginning at a point on the north shore 36° 14.2234' N - 76°  
17 41.5901' W; running southerly to a point on the south shore 36°  
18 14.2023' N - 76° 41.5855' W.
- 19 (C) Stumpy Creek - Inland Waters east and Joint Waters west of a line  
20 beginning at a point on the north shore 36° 16.6440' N - 76° 40.4251'  
21 W; running southerly to a point on the south shore 36° 16.6255' N - 76°  
22 40.4196' W.
- 23 (D) Catherine (Warwick) Creek - Inland Waters northeast and Joint Waters  
24 southwest of a line beginning at a point on the west shore 36° 18.1011'  
25 N - 76° 41.1286' W; running southeasterly to a point on the east shore  
26 36° 17.9413' N - 76° 40.8627' W.
- 27 (8) Columbus County:
- 28 (a) Cape Fear River - All waters within this waterbody of Columbus County are designated  
29 as Joint.
- 30 (i) Livingston Creek - Inland Waters south and Joint Waters north of a line  
31 beginning at a point on the west shore 34° 21.1518' N - 78° 12.0358' W; running  
32 easterly to a point on the east shore 34° 21.1420' N - 78° 12.0018' W.
- 33 (ii) Waymans Creek - Inland Waters southwest and Joint Waters northeast of a line  
34 beginning at a point on the west shore 34° 22.9861' N - 78° 14.5266' W; running  
35 southeasterly to a point on the east shore 34° 22.9838' N - 78° 14.5236' W.
- 36 (9) Craven County:

- 1 (a) Neuse River - Inland Waters west and Joint Waters east of a line at Pitch Kettle Creek  
2 beginning at a point on the north shore 35° 16.9793' N - 77° 15.5529' W; running south to  
3 a point on the south shore 35° 16.9237' N - 77° 15.5461' W. Joint Waters northwest and  
4 Coastal Waters southeast of a line beginning at a point on the east shore 35° 07.7096' N -  
5 77° 01.6749' W; running southwesterly along the southern side of the Southern Railroad  
6 bridge to a point on the west shore 35° 07.1530' N - 77° 02.5570' W.
- 7 (i) Adams Creek - All waters ~~in~~-within this waterbody are designated as Coastal.  
8 (A) Back Creek - All waters ~~in~~-within this waterbody are designated as  
9 Coastal.
- 10 (ii) Courts Creek - Inland Waters east ~~and~~ Joint Waters west of a line beginning at a  
11 point on the north shore 34° 56.6958' N - 76° 42.7175' W; running  
12 southwesterly to a point on the south shore 34° 56.6606' N - 76° 42.7450' W.
- 13 (iii) Long Branch - Inland Waters south and Coastal Waters north of a line beginning  
14 on the west shore 34° 55.6189' N - 76° 43.8180' W; running easterly to a point  
15 on the east shore 34° 55.6175' N - 76° 43.7846' W.
- 16 (iv) Clubfoot Creek - All waters ~~in~~-within this waterbody are designated as Coastal.  
17 (A) Gulden Creek - All waters ~~in~~-within this waterbody are designated as  
18 Coastal.  
19 (B) Mitchell Creek - All waters ~~in~~-within this waterbody are designated as  
20 Coastal.  
21 (C) Morton Mill Pond - Inland Waters west and Coastal Waters east of a  
22 line beginning at a point on the north shore 34° 51.9245' N - 76°  
23 45.7754' W; running southerly to a point on the south shore 34°  
24 51.7799' N - 76° 45.8184' W.
- 25 (v) Hancock Creek - Coastal Waters east and Inland Waters west of a line beginning  
26 on the north shore at 34° 56.3420' N - 76° 51.2809' W; running southerly to a  
27 point on the south shore at 34° 56.2731' N - 76° 51.3034' W.
- 28 (vi) Slocum Creek - Inland Waters west and Coastal Waters east of a line beginning  
29 at a point on the north shore at 34° 57.1875' N - 76° 53.7648' W; running  
30 southwesterly to a point on the south shore 34° 57.1334' N - 76° 53.8069' W.
- 31 (vii) Scott Creek - Inland Waters west and Coastal Waters east of a line from a point  
32 on the north shore 35° 05.5723' N - 77° 02.0677' W; running southerly to a point  
33 on the south shore 35° 05.5316' N - 77° 02.0745' W.
- 34 (viii) Trent River - Inland Waters west and Joint Waters east of a line at Wilson Creek  
35 beginning at a point on the north shore 35° 04.05490' N - 77° 06.0987' W;  
36 running southerly to a point on the south shore 35° 04.3837' N - 77° 06.1230' W.  
37 Joint Waters west and Coastal Waters east of a line on the western side of the

- 1 Highway 70 Trent River Bridge beginning at a point on the north shore 35°  
 2 06.2136' N - 77° 02.1968' W; running southerly to a point on the south shore 35°  
 3 05.9351' N - 77° 02.2645' W.
- 4 (A) Brice Creek - Inland Waters south and Joint Waters north of a line  
 5 beginning at a point on the west shore 35° 04.5114' N - 77° 03.6433'  
 6 W; running easterly to a point on the east shore 35° 04.5634' N - 77°  
 7 03.4469' W.
- 8 (ix) Jack Smith Creek - Inland Waters southwest and Joint Waters northeast of a line  
 9 beginning on the west shore 35° 07.5482' N - 77° 03.1613' W; running  
 10 southeasterly to a point on the east shore 35° 07.5320' N - 77° 03.1338' W.
- 11 (x) Bachelor Creek - Inland Waters west and Joint Waters east of a line beginning at  
 12 a point on the north shore 35° 09.0099' N - 77° 04.5858' W; running southerly to  
 13 a point on the south shore 35° 08.9085' N - 77° 04.7172' W.
- 14 (xi) Dollys Gut - Inland Waters west and Joint Waters east of a line beginning at a  
 15 point on the north shore 35° 13.6303' N - 77° 09.9847' W; running southerly to a  
 16 point on the south shore 35° 13.5937' N - 77° 09.9778' W.
- 17 (xii) Greens ~~Thoroughfare~~ Thorofare:  
 18 (A) Easternmost entrance: Inland Waters northwest and Joint Waters  
 19 southeast of a line beginning at a point on the north shore 35° 13.7807'  
 20 N - 77° 09.9224' W; running southwesterly to a point on the south  
 21 shore 35° 13.7587' N - 77° 09.9728' ~~W~~ W: and  
 22 (B) Westernmost entrance: Inland Waters south and Joint Waters north of a  
 23 line beginning on the west shore 35° 14.1398' N - 77° 11.5530' W;  
 24 running easterly to a point on the east shore 35° 14.1481' N - 77°  
 25 11.5036' W.
- 26 (xiii) Greens Creek - Inland Waters west and Joint Waters east of a line beginning on  
 27 the north shore 35° 14.1883' N - 77° 11.8862' W; running southeasterly to a  
 28 point on the south shore 35° 14.1389' N - 77° 11.7535' W.
- 29 (xiv) Turkey Quarter Creek - Inland Waters south and Joint Waters north of a line  
 30 beginning at a point on the west shore 35° 15.6738' N - 77° 14.6823' W; running  
 31 southeasterly to a point on the east shore 35° 15.6534' N - 77° 14.6470' W.
- 32 (xv) Pitch Kettle Creek - All waters within this waterbody are designated as Inland.
- 33 (xvi) Taylors Creek - Inland Waters west and Joint Waters east of a line beginning at  
 34 a point on the north shore 35° 14.3719' N - 77° 10.8050' W; running  
 35 southwesterly to a point on the south shore 35° 14.3300' N - 77° 10.8352' W.
- 36 (xvii) Pine Tree Creek - Inland Waters west and Joint Waters east of a line beginning  
 37 at a point on the north shore 35° 12.6663' N - 77° 07.4285' W; running

1 southwesterly to a point on the south shore 35° 12.7033' N - 77° 07.3594' W.  
2 Inland Waters north and Joint Waters south of a line beginning at a point on the  
3 west shore 35° 12.8553' N - 77° 07.8300' W; running easterly to a point on the  
4 east shore 35° 12.8372' N - 77° 07.7934' W. Inland Waters north and Joint  
5 Waters south of a line beginning at a point on the west shore 35° 13.2012' N -  
6 77° 08.7753' W; running southeasterly to a point on the east shore 35° 13.1714'  
7 N - 77° 08.7071' W.

8 (xviii) ~~Stumpy Creek - Creek:~~

9 (A) ~~Southern - Southernmost~~ entrance: Inland Waters northwest and Joint  
10 Waters southeast of a line beginning at a point on the north shore 35°  
11 11.5752' N - 77° 06.1866' W; running southwesterly to a point on the  
12 south shore 35° 11.5550' N - 77° 06.2411' ~~W - W; and~~

13 (B) ~~Northern - Northernmost~~ entrance: Inland Waters north and Joint Waters  
14 south of a line beginning at a point on the west shore 35° 11.9377' N -  
15 77° 06.7263' W; running southeasterly to a point on the south shore 35°  
16 11.9169' N - 77° 06.7044' W.

17 (xix) Swift Creek - Inland Waters north and Joint Waters south of a line beginning at  
18 a point on the west shore 35° 11.5972' N - 77° 06.0562' W; running easterly to a  
19 point on the east shore 35° 11.5816' N - 77° 05.9861' W.

20 (xx) Mill Creek - Inland Waters east and Joint Waters west of a line beginning at a  
21 point on the north shore 35° 08.5041' N - 77° 02.3400' W; running south easterly  
22 to a point on the south shore 35° 08.4711' N - 77° 02.3176' W.

23 (xxi) Duck Creek - Inland Waters north and Coastal Waters south of a line beginning  
24 at a point on the north shore 35° 05.7648' N - 77° 00.5191' W; running south  
25 easterly to a point on the south shore at 35° 05.6803' N - 77° 00.4179' W.

26 (xxii) Northwest Creek - Inland Waters north and Coastal Waters south of a line  
27 beginning at a point on the west shore 35° 03.5096' N - 76° 58.2604' W; running  
28 northeasterly to a point on the east shore at 35° 03.5948' N - 76° 58.0297' W.

29 (xxiii) Upper Broad Creek - Inland Waters north and Coastal Waters south of a line  
30 beginning at a point on the west shore 35° 04.5050' N - 76° 56.5269' W; running  
31 easterly along the Tidelands EMC power lines to a point on the east shore at 35°  
32 04.4705' N - 76° 56.2115' W.

33 (10) Currituck County:

34 (a) Albemarle Sound - All waters within ~~Albemarle Sound in Currituck County - this~~  
35 ~~waterbody~~ are designated as Coastal.

- 1 (i) All Manmade Tributaries - All ~~Manmade Tributaries to Albemarle Sound in~~  
2 ~~Currituck County manmade tributaries within this waterbody~~ are designated as  
3 Joint.
- 4 (ii) North River - Inland Waters west and Joint Waters east of a line beginning at a  
5 point on the north shore 36° 18.7703' N - 75° 58.7384' W; running southerly to a  
6 point on the south shore 36° 18.4130' N - 75° 58.7228' W. Joint Waters north  
7 and Coastal Waters south of a line beginning on the west shore 36° 09.8986' N -  
8 75° 54.6771' W; running easterly to a point on the east shore 36° 10.0108' N -  
9 75° 52.0431' W.
- 10 (A) Duck Creek - Inland Waters northeast and Joint Waters southwest of a  
11 line beginning at a point on the west shore 36° 12.4056' N - 75°  
12 54.2967' W; running southeasterly to a point on the east shore 36°  
13 12.1865' N - 75° 54.0298' W.
- 14 (B) Barnett Creek - Inland Waters northeast and Joint Waters southwest of  
15 line beginning at a point on the north shore 36° 14.2405' N - 75°  
16 55.0112' W; running southeasterly to a point on the south shore 36°  
17 14.0956' N - 75° 54.9774' W.
- 18 (C) Lutz Creek - Inland Waters northeast and Joint Waters southwest of a  
19 line beginning at a point on the north shore 36° 14.7397' N - 75°  
20 55.4914' W; running southeasterly to a point on the east shore 36°  
21 14.4948' N - 75° 55.1989' W.
- 22 (D) ~~Goose Pond—Goose Creek:~~
- 23 (I) ~~Southernmost entrance:~~ Inland Waters north and Joint Waters  
24 south of a line beginning at a point on the west shore 36°  
25 15.5152' N - 75° 57.0936' W; running easterly to a point on  
26 the east shore 36° 15.4016' N - 75° 56.7842' ~~W.~~ ~~Also south~~  
27 ~~W; and~~
- 28 (II) ~~Northernmost entrance: Inland Waters south and Joint Waters~~  
29 ~~north~~ of a line beginning at a point on the west shore 36°  
30 16.0334' N - 75° 57.1018' W; running easterly to a point on  
31 the east shore 36° 16.0301' N - 75° 57.0629' W.
- 32 (E) Deep Creek - Inland Waters east and Joint Waters west of a line  
33 beginning at a point on the north shore 36° 17.1576' N - 75° 56.7594'  
34 W; running southerly to a point on the south shore 36° 16.9846' N - 75°  
35 56.6802' W.
- 36 (F) Narrow Ridges Creek - Inland Waters east and Joint Waters west of a  
37 line beginning at a point on the north shore 36° 18.3249' N - 75°

- 1 57.8910' W; running southerly to a point on the south shore 36°  
2 18.1388' N - 75° 57.9029' W.
- 3 (G) Bump Landing Creek - Inland Waters east and Joint Waters west of a  
4 line beginning at a point on the north shore 36° 19.3757' N - 75°  
5 57.9057' W; running southerly to a point on the south shore 36°  
6 19.2496' N - 75° 57.9107' W.
- 7 (H) Taylor Bay - All waters within ~~Taylor Bay~~ this waterbody are  
8 designated as Joint.
- 9 (I) Intracoastal Waterway From Taylor Bay To Coinjock Bay - All waters  
10 within ~~the IWW~~ this part of the Intracoastal Waterway are designated  
11 as Joint.
- 12 (J) Indiantown Creek - All waters within this waterbody are designated as  
13 Inland.
- 14 (b) Currituck Sound - Joint Waters north and Coastal Waters south of a line beginning at a  
15 point on the west shore of Currituck Sound 36° 04.8195' N - 75° 47.4101' W; running  
16 easterly to a point on the east shore 36° 05.5739' N - 75° 44.5729' W.
- 17 (i) All Manmade Tributaries - All manmade tributaries within this waterbody are  
18 designated as Joint.
- 19 (ii) Coinjock Bay - All waters within this waterbody are designated as Joint.
- 20 (iii) Nelson (Nells) ~~Creek~~ Creek:
- 21 (A) Northern-Northernmost entrance: Inland Waters south and Joint Waters  
22 north of a line beginning at a point on the west shore 36° 16.5806' N -  
23 75° 52.1168' W; running northeasterly to a point on the east shore 36°  
24 16.6410' N - 75° 51.9580' ~~W~~ W; and
- 25 (B) Southern-Southernmost entrance: Inland Waters west and Joint Waters  
26 east of a line beginning at a point on the north shore 36° 15.9816' N -  
27 75° 51.7245' W; running southerly to a point on the south shore 36°  
28 15.8640' N - 75° 51.6897' W.
- 29 (iv) Hog Quarter ~~Creek~~ Creek:
- 30 (A) Northernmost entrance: Inland Waters west and Joint Waters east of a  
31 line beginning at a point on the north shore 36° 07.7400' N - 75°  
32 48.6254' W; running southerly to a point on the south shore 36°  
33 07.7210' N - 75° 48.6135' ~~W~~ W; and
- 34 (B) Southernmost entrance: Inland Waters west and Joint Waters east of a  
35 line beginning at a point on the north shore 36° 07.4118' N - 75°  
36 48.4986' W; running southerly to a point on the south shore 36°  
37 07.3532' N - 75° 48.5110' W.

- 1 (v) Parkers Creek - Inland Waters northwest and Joint Waters southeast of a line  
2 beginning on the west shore  $36^{\circ} 22.1079' N - 75^{\circ} 55.5459' W$ ; running  
3 northeasterly to a point on the east shore  $36^{\circ} 22.1607' N - 75^{\circ} 55.4512' W$ .  
4 Inland Waters south and Joint Waters north of a line beginning at a point on the  
5 west shore  $36^{\circ} 22.3928' N - 75^{\circ} 55.6970' W$ ; running northeasterly to a point on  
6 the east shore  $36^{\circ} 22.4011' N - 75^{\circ} 55.6782' W$ .
- 7 (vi) North Landing River - All waters **in-within** this waterbody are designated as  
8 Joint.
- 9 (A) Northwest River - Inland Waters west and Joint Waters east of a line  
10 beginning at a point on the north shore of  $36^{\circ} 30.8374' N - 76^{\circ} 04.8770'$   
11  $W$ ; running southerly to a point on the south shore  $36^{\circ} 30.7061' N - 76^{\circ}$   
12  $04.8916' W$ .
- 13 (I) Gibbs Canal - Inland Waters west and Joint Waters east of a  
14 line beginning at a point on the north shore  $36^{\circ} 32.2322' N -$   
15  $76^{\circ} 01.8923' W$ ; running southerly to a point on the south  
16 shore  $36^{\circ} 32.1997' N - 76^{\circ} 01.8937' W$ .
- 17 (II) Tull Creek - Inland Waters southwest and Joint Waters  
18 northeast of a line beginning at a point on the north shore  $36^{\circ}$   
19  $30.0991' N - 76^{\circ} 04.8587' W$ ; running southeasterly to a point  
20 on the south shore  $36^{\circ} 29.9599' N - 76^{\circ} 04.7126' W$ .
- 21 (B) West Landing - Inland Waters north and Joint Waters south of a line  
22 beginning at a point on the west shore  $36^{\circ} 30.9867' N - 76^{\circ} 02.5868'$   
23  $W$ ; running easterly to a point on the east shore  $36^{\circ} 31.0045' N - 76^{\circ}$   
24  $02.3780' W$ .
- 25 (11) Dare County:
- 26 (a) Alligator River - Coastal Waters north and Joint Waters south of a line beginning at a  
27 point on the west shore  $35^{\circ} 54.2903' N - 76^{\circ} 01.6818' W$ ; running along the south side of  
28 the US 64 bridge to a point on the east shore  $35^{\circ} 53.6835' N - 75^{\circ} 58.8578' W$ .
- 29 (i) Whipping Creek - Inland Waters east and Joint Waters west of a line beginning  
30 at a point on the north shore  $35^{\circ} 41.3930' N - 76^{\circ} 00.2481' W$ ; running southerly  
31 to a point on the south shore  $35^{\circ} 41.3717' N - 76^{\circ} 00.2554' W$ .
- 32 (ii) Swan Creek and Lake - Inland Waters east and Joint Waters west of a line  
33 beginning at a point on the north shore  $35^{\circ} 40.2674' N - 76^{\circ} 00.7360' W$ ;  
34 running southerly to a point on the south shore  $35^{\circ} 40.2420' N - 76^{\circ} 00.7548' W$ .
- 35 (iii) Milltail Creek - Inland Waters east and Joint Waters west of a line beginning at  
36 a point on the north shore  $35^{\circ} 50.5192' N - 75^{\circ} 58.6134' W$ ; running southerly to  
37 a point on the south shore  $35^{\circ} 50.4956' N - 75^{\circ} 58.6158' W$ .

- 1 (iv) Laurel Bay Lake (Creek) - Inland Waters east and Joint Waters west of a line  
2 beginning at a point on the north shore 35° 52.4036' N - 75° 58.8560' W;  
3 running southerly to a point on the south shore 35° 52.3960' N - 75° 58.8528' W.
- 4 (v) East Lake - Coastal Waters west and Inland Waters east of a line beginning at a  
5 point on the north shore 35° 56.1676' N - 75° 55.2603' W; running southerly to a  
6 point on the south shore 35° 55.4727' N - 75° 55.5043' W. Joint Waters north  
7 and Inland Waters south of a line beginning at a point on the west shore 35°  
8 58.6402' N - 75° 52.1855' W; running easterly to a point on the east shore 35°  
9 58.5887' N - 75° 51.7080' W.
- 10 (b) Albemarle Sound - All waters ~~in within~~ this waterbody ~~in Dare County~~ are designated as  
11 Coastal.
- 12 (i) All Manmade Tributaries - All manmade tributaries ~~in Dare County for within~~  
13 this waterbody are designated as Joint.
- 14 (ii) Kitty Hawk Bay - Joint Waters north and Coastal Waters south of a line  
15 beginning at a point on the west shore 36° 03.1967' N - 75° 44.3087' W; running  
16 easterly to a point on the east shore 36° 03.1871' N - 75° 44.2716' W. Joint  
17 Waters east and Coastal Waters west of a line beginning at a point on the north  
18 shore 36° 03.1338' N - 75° 44.2423' W; running southerly to a point on the south  
19 shore 36° 03.0919' N - 75° 44.2533' W. Joint Waters east and Coastal Waters  
20 west of a line beginning at a point on the north shore 36° 02.9960' N - 75°  
21 44.2840' W; running southerly to a point on the south shore 36° 02.9592' N - 75°  
22 44.2291' W. Joint Waters east and Coastal Waters west of a line beginning at a  
23 point on the north shore 36° 02.4964' N - 75° 44.2089' W; running southerly to a  
24 point on the south shore 36° 01.3270' N - 75° 43.6422' W.
- 25 (iii) Peter Mashoes Creek - Inland Waters west and Coastal Waters east of a line  
26 beginning at a point on the north shore 35° 57.2344' N - 75° 48.3087' W;  
27 running southerly to a point on the south shore 35° 56.7805' N - 75° 48.3563' W.
- 28 (iv) Tom Mann Creek - Inland Waters south and Coastal Waters north of a line  
29 beginning at a point on the west shore 35° 58.5296' N - 75° 52.8982' W; running  
30 easterly to a point on the east shore 35° 58.5175' N - 75° 53.6851' W.
- 31 (v) Collington Harbor - Joint Waters east and Coastal Waters west of a line  
32 beginning at a point on the north shore 36° 01.0828' N - 75° 43.6070' W;  
33 running southerly to a point on the south shore 36° 01.0510' N - 75° 43.6015' W.
- 34 (c) Croatan Sound - All waters ~~in within~~ this waterbody ~~in Dare County~~ are designated as  
35 Coastal.
- 36 (i) All Manmade Tributaries - All ~~waters in manmade tributaries within~~ this  
37 waterbody are designated as Joint.



- 1 (ii) Spencer Creek - Inland Waters west and Coastal Waters east of a line beginning  
2 at a point on the north shore 35° 51.4205' N - 75° 45.0645' W; running southerly  
3 to a point on the south shore 35° 51.3876' N - 75° 45.0640' W. Inland Waters  
4 west and Coastal Waters east of a line beginning at a point on the north shore  
5 35° 51.5597' N - 75° 45.0141' W; running southerly to a point on the south shore  
6 35° 51.4624' N - 75° 45.0498' W. Inland Waters west and Coastal Waters east of  
7 a line beginning at a point on the north shore 35° 51.6783' N - 75° 44.9125' W;  
8 running southerly to a point on the south shore 35° 51.5693' N - 75° 45.0109' W.
- 9 (iii) Calahan Creek (Callaghan Creek) - Inland Waters west and Coastal Waters east  
10 of a line beginning at a point on the north shore 35° 51.1312' N - 75° 45.1327'  
11 W; running southwesterly to a point on the south shore 35° 51.0953' N - 75°  
12 45.1629' W.
- 13 (d) Roanoke Sound - All waters ~~in~~-within this waterbody ~~in Dare County~~ are designated as  
14 Coastal.
- 15 (i) Buzzard Bay - Joint Waters north and Coastal Waters south of a line beginning  
16 at a point on the west shore 35° 59.6662' N - 75° 41.8400' W; running easterly to  
17 a point on the east shore 35° 59.4376' N - 75° 40.5770' W.
- 18 (e) Pamlico Sound - All waters ~~in~~-within this waterbody ~~in Dare County~~ are designated as  
19 Coastal.
- 20 (i) Stumpy Point Bay - All waters ~~in~~-within this waterbody are designated as  
21 Coastal.
- 22 (A) All Manmade Tributaries - All ~~waters in~~-manmade tributaries within  
23 this waterbody are designated as Joint.
- 24 (ii) Long Shoal River - Inland Waters north and Coastal Waters south of a line  
25 beginning at a point on the west shore 35° 38.7661' N - 75° 53.4429' W; running  
26 easterly to a point on the east shore 35° 38.7641' N - 75° 53.4159' ~~W-W~~.
- 27 (A) All Manmade Tributaries - All ~~waters in~~-manmade tributaries within  
28 this waterbody are designated as Joint.
- 29 (B) Pains Bay - All waters ~~in~~-within this waterbody are designated as  
30 Coastal.
- 31 (I) Pains Creek - Inland Waters north and Coastal Waters south of  
32 a line beginning at a point on the west shore 35° 36.4464' N -  
33 75° 49.0420' W; running easterly to a point on the east shore  
34 35° 36.4439' N - 75° 49.0324' W.
- 35 (C) Deep Creek - Inland Waters north and Coastal Waters south of a line  
36 beginning at a point on the west shore 35° 37.8971' N - 75° 51.3125'

- 1 W; running easterly to a point on the east shore 35° 37.8840' N - 75°  
2 51.2928' W.
- 3 (f) Currituck Sound - Joint Waters north and Coastal Waters south of a line beginning at a  
4 point on the west shore 36° 04.8195' N - 75° 47.4101' W; running easterly to a point on  
5 the east shore 36° 05.5739' N - 75° 44.5729' W.
- 6 (i) All Manmade Tributaries - All manmade tributaries **within this waterbody** are  
7 designated as Joint.
- 8 (ii) Martin Point Creek (Jean Guite Creek) - Inland Waters south **and** Joint Waters  
9 north of a line beginning at a point on the west shore 36° 07.6716' N - 75°  
10 44.9656' W; running easterly to a point on the east shore 36° 07.7568' N - 75°  
11 44.6823' W.
- 12 (12) Gates County:
- 13 (a) Chowan River - All waters within this waterbody **for Gates County** are designated as  
14 Joint.
- 15 (i) Catherine (Warwick) Creek - Inland Waters northeast and Joint Waters  
16 southwest of a line beginning at a point on the west shore 36° 18.1011' N - 76°  
17 41.1286' W; running southeasterly to a point on the east shore 36° 17.9413' N -  
18 76° 40.8627' W.
- 19 (ii) Bennetts Creek - Inland Waters north and Joint Waters south of a line beginning  
20 at a point on the west shore 36° 18.3499' N - 76° 42.0286' W; running  
21 northeasterly to a point on the east shore 36° 18.4057' N - 76° 41.6986' W.
- 22 (iii) Beef Creek - Inland Waters north and Joint Waters south of a line beginning at a  
23 point on the west shore 36° 20.3235' N - 76° 44.6401' W; running easterly to a  
24 point on the east shore 36° 20.3070' N - 76° 44.5797' W.
- 25 (iv) Sarem Creek - Inland Waters east and Joint Waters west of a line beginning at a  
26 point on the north shore 36° 21.7259' N - 76° 46.4085' W; running southerly to a  
27 point on the south shore 36° 21.6748' N - 76° 46.4392' W.
- 28 (v) Shingle (Island) **Creek—Creek:**
- 29 **(A) Westernmost entrance:** Inland Waters north and Joint Waters south of a  
30 line beginning at a point on the north shore **of the westernmost entrance**  
31 **into Chowan River** 36° 21.8449' N - 76° 48.0940' W; running  
32 southeasterly to a point on the south shore 36° 21.7831' N - 76°  
33 48.0427' W. **At the easternmost entrance to the creek: W; and**
- 34 **(B) Easternmost entrance:** Inland Waters north and Joint Waters south of a  
35 line beginning at a point on the west shore 36° 21.8469' N - 76°  
36 47.2668' W; running northeasterly to a point on the east shore 36°  
37 21.9062' N - 76° 47.1862' W.

- 1 (vi) Barnes Creek - Inland Waters north and Joint Waters south of a line beginning at  
2 a point on the western shore 36° 21.8820' N - 76° 48.6419' W; running easterly  
3 to a point on the east shore 36° 21.8978' N - 76° 48.5902' W.
- 4 (vii) Spikes Creek - Inland Waters northwest and Joint Waters southeast of a line  
5 beginning at a point on the west shore 36° 22.6515' N - 76° 50.8882' W; running  
6 northeasterly to a point on the east shore 36° 22.6684' N - 76° 50.8493' W.
- 7 (viii) Buckhorn Creek (Run Off Swamp) - Inland Waters north and Joint Waters south  
8 of a line beginning at a point on the west shore 36° 22.9682' N - 76° 51.9172'  
9 W; running easterly to a point on the east shore 36° 22.9614' N - 76° 51.8870'  
10 W.
- 11 (ix) Mud Creek - Inland Waters north and Joint Waters south of a line beginning at a  
12 point on the west shore 36° 23.5134' N - 76° 53.9131' W; running easterly to a  
13 point on the east shore 36° 23.5132' N - 76° 53.8815' W.
- 14 (x) Somerton Creek - Inland Waters north and Joint Waters south of a line  
15 beginning at a point on the west shore 36° 31.7177' N - 76° 54.8327' W; running  
16 easterly to a point on the east shore 36° 31.7143' N - 76° 54.7810' W.
- 17 (13) Halifax County:
- 18 (a) Roanoke River - Inland Waters northwest and Joint Waters southeast of a line beginning  
19 at a point on the west shore 36° 12.5264' N - 77° 23.0223' W; running northeasterly along  
20 the south side of the Highway 258 Bridge to a point on the east shore 36° 12.5674' N -  
21 77° 22.9724' W.
- 22 (i) Kehukee Swamp - Inland Waters west and Joint Waters east of a line beginning  
23 at a point on the north shore 36° 05.1942' N - 77° 18.9596' W; running  
24 southwesterly to a point on the south shore 36° 05.1670' N - 77° 18.9761' W.
- 25 (ii) Clarks Canal - Inland Waters north and Joint Waters south of a line of a line  
26 beginning at a point on the west shore 36° 04.6165' N - 77° 19.5817' W; running  
27 easterly to a point on the east shore 36° 04.6215' N - 77° 19.5643' W.
- 28 (14) Hertford County:
- 29 (a) Chowan River - All waters within this waterbody ~~for Hertford County~~ are designated as  
30 Joint.
- 31 (i) Keel (Currituck) Creek - Inland Waters north and Joint Waters south of a line  
32 beginning at a point on the west shore 36° 14.1245' N - 76° 44.1961' W; running  
33 easterly to a point on the east shore 36° 14.0899' N - 76° 43.8533' W.
- 34 (ii) Swain Mill (Taylor Pond) Creek - Inland Waters west and Joint Waters east of a  
35 line beginning at a point on the north shore 36° 18.5808' N - 76° 43.4729' W;  
36 running southerly to a point on the south shore 36° 18.5616' N - 76° 43.4706' W.

- 1 (iii) Goose Creek - Inland Waters west and Joint Waters east of a line beginning at a  
2 point on the north shore 36° 19.5838' N - 76° 44.5971' W; running southerly to a  
3 point on the south shore 36° 19.5375' N - 76° 44.5925' W.
- 4 (iv) Wiccacon River - Inland Waters west and Joint Waters east of a line beginning  
5 at a point on the north shore 36° 20.5439' N - 76° 45.4550' W; running  
6 southeasterly to a point on the south shore 36° 20.4684' N - 76° 45.3392' W.
- 7 (v) Hodges Creek - Inland Waters west and Joint Waters east of a line beginning at  
8 a point on the north shore 36° 21.2459' N - 76° 46.3421' W; running southerly to  
9 a point on the south shore 36° 21.1823' N - 76° 46.3243' W.
- 10 (vi) Catherine Creek - Inland Waters south and Joint Waters north of a line  
11 beginning at a point on the west shore 36° 22.9579' N - 76° 53.1994' W; running  
12 southeasterly to a point on the east shore 36° 22.9456' N - 76° 53.1742' W.
- 13 (vii) Harris (Hares) Mill Creek - All waters within this waterbody are designated as  
14 Inland.
- 15 (viii) Meherrin River - All waters within this waterbody are designated as Joint.
- 16 (A) Potecasi Creek - Inland Waters southwest and Joint Waters northeast of  
17 a line beginning at a point on the west shore 36° 26.1234' N - 76°  
18 57.5262' W; running southeasterly to a point on the east shore 36°  
19 26.1005' N - 76° 57.4960' W.
- 20 (B) Liverman Creek - Inland Waters north and Joint Waters south of a line  
21 beginning at a point on the west shore 36° 26.7244' N - 76° 58.2797'  
22 W; running easterly to a point on the east shore 36° 26.7086' N - 76°  
23 58.2499' W.
- 24 (C) Vaughan's Creek - Inland Waters west and Joint Waters east of a line  
25 beginning at a point on the north shore 36° 28.3541' N - 77° 05.6259'  
26 W; running southerly to a point on the south shore 36° 28.3307' N - 77°  
27 05.6369' W.
- 28 (D) Banks Creek - All waters ~~in~~ within this waterbody are designated as  
29 Inland.
- 30 (ix) Buckhorn Creek - Inland Waters north and Joint Waters south of a line  
31 beginning at a point on the west shore 36° 31.9519' N - 76° 55.2580' W; running  
32 easterly to a point on the east shore 36° 31.9628' N - 76° 55.2429' W.
- 33 (15) Hyde County:
- 34 (a) Pamlico Sound - All waters within this waterbody ~~in Hyde County~~ are designated as  
35 Coastal.
- 36 (i) Pungo River - Inland Waters north and Joint Waters south of a line beginning at  
37 a point on the west shore 35° 34.2702' N - 76° 30.1354' W; running

- 1 northeasterly to a point on the east shore 35° 34.3192' N - 76° 30.0238' W. Joint  
2 Waters east and Coastal Waters west of a line beginning at a point on the north  
3 shore 35° 32.0974' N - 76° 29.6067' W; running southerly to a point on the south  
4 shore 35° 30.2620' N - 76° 29.3843' W.
- 5 (A) Rutman Creek - Inland Waters north and Joint Waters south of a line  
6 beginning at a point on the west shore 35° 33.1874' N - 76° 27.4090'  
7 W; running easterly to a point 35° 33.1759' N - 76° 27.2525' W;  
8 running northeasterly to a point on the east shore 35° 33.2455' N - 76°  
9 26.9119' W.
- 10 (B) Wilkerson Creek - Inland Waters south and Joint Waters north of a line  
11 beginning at a point on the west shore 35° 33.1251' N - 76° 27.2328'  
12 W; running northerly to a point 35° 33.1553' N - 76° 27.2447' W;  
13 running easterly to a point on the east shore 35° 33.3286' N - 76°  
14 26.2019' W.
- 15 (C) ~~Atlantic~~ Intracoastal Waterway From Wilkerson Creek To Alligator  
16 River At Winn Bay - All waters within this part of the Intracoastal  
17 Waterway are designated as Joint.
- 18 (D) Horse Island Creek - Inland Waters east and Joint Waters west of a line  
19 beginning at a point on the north shore 35° 32.1965' N - 76° 28.0462'  
20 W; running southerly to a point on the south shore 35° 32.1480' N - 76°  
21 28.0705' W.
- 22 (E) Tarklin Creek - Inland Waters east and Joint Waters west of a line  
23 beginning at a point on the north shore 35° 31.1553' N - 76° 28.1478'  
24 W; running southeasterly to a point on the south shore 35° 31.0974' N -  
25 76° 28.0984' W.
- 26 (F) Scranton Creek - Inland Waters east and Joint Waters west of line  
27 beginning at a point on the north shore 35° 30.0080' N - 76° 26.7759'  
28 W; running southerly to a point on the south shore 35° 29.9574' N - 76°  
29 26.7750' W.
- 30 (G) Smith Creek - Inland Waters south and Coastal Waters north of a line  
31 beginning at a point on the west shore 35° 30.2812' N - 76° 29.7546'  
32 W; running southeasterly to a point on the east shore 35° 30.1904' N -  
33 76° 29.4657' W.
- 34 (H) Fishing Creek - Inland Waters east and Coastal Waters west of a line  
35 beginning at a point on the west shore 35° 30.2400' N - 76° 35.0143'  
36 W; running southeasterly to a point on the east shore 35° 30.0645' N -  
37 76° 34.8211' W.

- 1 (I) Slades Creek - All waters within this waterbody are designated as  
2 Coastal.
- 3 (J) Fortescue Creek - All waters within this waterbody are designated as  
4 Coastal.
- 5 (ii) Rose Bay - All waters within this waterbody are designated as Coastal.
- 6 (A) Rose Bay Creek - All waters within this waterbody are designated as  
7 Coastal.
- 8 (B) Rose Bay Canal - Inland Waters east and Joint Waters west of a line  
9 beginning at a point on the north shore  $35^{\circ} 28.5607' N - 76^{\circ} 19.6545'$   
10  $W$ ; running southerly to a point on the south shore  $35^{\circ} 28.5509' N - 76^{\circ}$   
11  $19.6572' W$ . Joint Waters north and Coastal Waters south of a line  
12 beginning at a point on the west shore  $35^{\circ} 27.8491' W - 76^{\circ} 24.2198'$   
13  $W$ ; running easterly to a point on the east shore  $35^{\circ} 27.8404' N - 76^{\circ}$   
14  $24.2065' W$ .
- 15 (iii) Swan Quarter Bay - All waters within this waterbody are designated as Coastal.
- 16 (A) Oyster Creek - All waters within this waterbody are designated as  
17 Coastal.
- 18 (iv) Juniper Bay - All waters within this waterbody are designated as Coastal.
- 19 (A) Juniper Bay Creek - Joint Waters east and Coastal Waters west of a line  
20 beginning at a point on the north shore  $35^{\circ} 23.2472' N - 76^{\circ} 14.8754'$   
21  $W$ ; running southwesterly to a point on the south shore  $35^{\circ} 23.1738' N$   
22  $- 76^{\circ} 14.9794' W$ .
- 23 (B) Juniper Bay Creek Canal - Inland Waters north and Joint Waters south  
24 of a line beginning at a point on the west shore  $35^{\circ} 23.8618' N - 76^{\circ}$   
25  $13.1044' W$ ; running easterly to a point on the east shore  $35^{\circ} 23.8677'$   
26  $N - 76^{\circ} 13.0888' W$ .
- 27 (v) Lake Mattamuskeet - All waters ~~in~~-within this waterbody are designated as  
28 Inland.
- 29 (A) Outfall Canal - Inland Waters north and Joint Waters south of a line  
30 beginning at a point on the west shore  $35^{\circ} 26.6017' N - 76^{\circ} 10.1715'$   
31  $W$ ; running easterly to a point on the east shore  $35^{\circ} 26.6093' N - 76^{\circ}$   
32  $10.1513' W$ . Joint Waters north and Coastal waters south of a line  
33 beginning at a point on the west shore  $35^{\circ} 21.4945' N - 76^{\circ} 06.5336'$   
34  $W$ ; running northeasterly to a point on the east shore  $35^{\circ} 21.5480' N -$   
35  $76^{\circ} 06.4819' W$ .
- 36 (B) Lake Landing Canal - Inland Waters north and Joint Waters south of a  
37 line beginning at a point on the west shore  $35^{\circ} 28.7878' N - 76^{\circ}$

- 1 04.5867' W; running easterly to a point on the east shore 35° 28.7910'  
2 N - 76° 04.5726' W. Joint Waters north and Coastal Waters south of a  
3 line beginning at a point on the west 35° 25.9529' N - 76° 03.6785' W;  
4 running easterly to a point on the east shore 35° 25.9568' N - 76°  
5 03.6566' W. Joint Waters north and Coastal Waters south of a line  
6 beginning at a point on the west shore 35° 25.9666' N - 76° 03.5856'  
7 W; running easterly to a point on the east shore 35° 25.9819' N - 76°  
8 03.5600' W.
- 9 (C) Waupopin Canal - Inland Waters west and Joint Waters east of a line  
10 beginning at a point on the north shore 35° 31.8413' N - 76° 01.7779'  
11 W; running southerly to a point on the south shore 35° 31.8283' N - 76°  
12 01.7637' W. Joint Waters west and Coastal Waters east of a line  
13 beginning at a point on the west shore 35° 31.5557' N - 75° 58.8725'  
14 W; running easterly to a point on the east shore 35° 31.5648' N - 75°  
15 58.8555' W.
- 16 (D) Rattlesnake Canal - Joint Waters north and Coastal Waters south of a  
17 line beginning at a point on the west shore 35° 26.6965' N - 76°  
18 00.8079' W; running easterly to a point on the east shore 35° 26.7116'  
19 N - 76° 00.7749' W.
- 20 (E) All Other Manmade Tributaries To Lake Mattamuskeet - All **other**  
21 manmade tributaries **of within** this waterbody are designated as Inland.
- 22 (vi) Middletown Creek - All waters within this waterbody are designated as Coastal.
- 23 (vii) Long Shoal River - Inland Waters north and Coastal Waters south of a line  
24 beginning at a point on the west shore 35° 38.7661' N - 75° 53.4429' W; running  
25 easterly to a point on the east shore 35° 38.7641' N - 75° 53.4159' W.
- 26 (A) All Manmade Tributaries - All manmade tributaries **of within** this  
27 waterbody are designated as Joint.
- 28 (B) Broad Creek - All waters within this waterbody are designated as  
29 Coastal.
- 30 (C) Flag Creek - Inland Waters west and Coastal Waters east of a line  
31 beginning at a point on the west shore 35° 37.3782' N - 75° 53.0699'  
32 W; running easterly to a point on the east shore 35° 37.3894' N - 75°  
33 53.0593' W.
- 34 (D) Cumberland Creek - Inland Waters west and Coastal Waters east of a  
35 line beginning at a point on the north shore 35° 38.3026' N - 75°  
36 53.3010' W; running southerly to a point on the south shore 35°  
37 38.2692' N - 75° 53.3038' W.

- 1 (b) Alligator River - Inland Waters west and Joint Waters east of a line beginning at a point  
2 on the north shore at Cherry Ridge Landing 35° 42.2172' N - 76° 08.4686' W; running  
3 southerly to a point on the south shore 35° 42.1327' N - 76° 08.5002' W.  
4 (i) Swan Creek and Lake - All waters within this waterbody are designated as  
5 Inland.
- 6 (16) Jones County:
- 7 (a) White Oak River - Inland Waters north and Coastal Waters south of a line beginning at a  
8 point on the west shore 34° 48.1466' N - 77° 11.4711' W; running easterly to a point on  
9 the east shore 34° 48.1620' N - 77° 11.4244' W.
- 10 (i) Grants Creek - All waters within this waterbody are designated as Inland.
- 11 (ii) Hunters Creek - Inland Waters north and Coastal Waters south of a line  
12 beginning at a point on the northwest shore 34° 47.1205' N - 77° 09.9462' W;  
13 running southeasterly to a point on the southeast shore 34° 47.0947' N - 77°  
14 09.9160' W.
- 15 (17) Martin County:
- 16 (a) Roanoke River - All waters within this waterbody ~~in Martin County~~ are designated as  
17 Joint.
- 18 (i) Prices Gut - Inland Waters west and Joint Waters east of a line beginning at a  
19 point on the north shore 35° 57.3701' N - 77° 11.9815' W; running southerly to a  
20 point on the south shore 35° 57.3552' N - 77° 11.9796' W.
- 21 (ii) Rainbow Gut - Inland Waters south and Joint Waters north of a line beginning at  
22 a point on the west shore 35° 55.9334' N - 77° 11.3246' W; running easterly to a  
23 point on the east shore 35° 55.9275' N - 77° 11.3136' W.
- 24 (iii) Conoho Creek - Inland Waters north and Joint Waters south of a line beginning  
25 at a point on the west shore 35° 52.5439' N - 77° 02.6673' W; running easterly to  
26 a point on the east shore 35° 52.5407' N - 77° 02.6280' W.
- 27 (iv) Sweetwater Creek - Inland Waters east and Joint Waters west of a line  
28 beginning at a point on the west shore 35° 51.6464' N - 77° 00.5090' W; running  
29 southeasterly to a point on the east shore 35° 51.6252' N - 77° 00.4879' W.
- 30 (A) Peter Swamp - All waters within this waterbody are designated as  
31 Inland.
- 32 (v) Devils Gut - All waters ~~in~~-within this waterbody are designated as Joint.
- 33 (A) Upper Deadwater Creek - All waters ~~in~~-within this waterbody are  
34 designated as Joint.
- 35 (B) Lower Deadwater Creek - All waters ~~in~~-within this waterbody are  
36 designated as Joint.



- 1 (C) Gardner Creek - Inland Waters south and Joint Waters north of a line  
 2 beginning at a point on the west shore 35° 50.1599' N - 76° 56.0211'  
 3 W; running easterly to a point on the east shore 35° 50.1633' N - 76°  
 4 55.9899' W.
- 5 (vi) Roses Creek - Inland Waters southeast and Joint Waters northwest of a line  
 6 beginning at a point on the north shore 35° 50.1683' N - 76° 50.9664' W;  
 7 running southwesterly to a point on the south shore 35° 50.1363' N - 76°  
 8 56.9907' W.
- 9 (vii) Welch Creek - Inland Waters south and Joint Waters north of a line beginning at  
 10 a point on the western shore 35° 51.8458' N - 76° 45.8381' W; running easterly  
 11 along the shoreline and across the mouths of the three creek entrances to a point  
 12 on the east shore 35° 51.8840' N - 76° 45.6207' W.
- 13 (18) New Hanover County:
- 14 (a) Cape Fear River - Joint Waters north and Coastal Waters south of a line beginning at a  
 15 point on the western side 34° 13.6953' N - 77° 57.2396' W; running southeasterly along  
 16 the southern side of US 17-74-76 bridge to a point on the eastern side 34° 13.6214' N -  
 17 77° 57.0341' W.
- 18 (i) Lords Creek - Inland Waters east and Coastal Waters west of a line beginning at  
 19 a point on the north shore 34° 05.1562' N - 77° 55.3816' W; running southerly to  
 20 a point on the south shore 34° 05.1303' N - 77° 55.4008' W.
- 21 (ii) Todds Creek - Inland Waters east and Coastal Waters west of a line beginning at  
 22 a point on the north shore 34° 07.4791' N - 77° 55.5175' W; running  
 23 southeasterly to a point on the south shore 34° 07.4578' N - 77° 55.5116' W.
- 24 (iii) Barnards Creek - Inland Waters east and Coastal Waters west of a line  
 25 beginning at a point on the north shore 34° 09.4347' N - 77° 56.5969' W;  
 26 running southerly to a point on the south shore 34° 09.3887' N - 77° 56.5791' W.
- 27 (iv) Greenfield Lake Outlet - ~~Greenfield Lake Outlet~~ Inland Waters east and Coastal  
 28 Waters west of a line beginning at a point on the north shore 34° 12.7210' N -  
 29 77° 57.2058' W; running southerly to a point on the south shore 34° 12.7075' N -  
 30 77° 57.2085' W.
- 31 (v) Tommer ~~Creek~~ Creek;
- 32 ~~(A) For the southernmost entrance into the Cape Fear: Southernmost~~  
 33 ~~entrance:~~ Inland Waters northwest and Joint Waters southwest of a line  
 34 beginning at a point on the west shore 34° 15.6397' N - 77° 58.9608'  
 35 W; running northeasterly to a point on the east shore 34° 15.6589' N -  
 36 77° 58.9338' ~~W.~~ W; and

- 1 ~~(B) For the northernmost entrance into the Cape Fear: Northernmost~~  
2 ~~entrance:~~ Inland Waters south and Joint Waters north of a line  
3 beginning at a point on the west shore  $34^{\circ} 16.6630' N - 77^{\circ} 59.4699'$   
4 W; running northeasterly to a point on the east shore  $34^{\circ} 16.6767' N -$   
5  $77^{\circ} 59.4506' W$ .
- 6 (vi) Catfish Creek - Inland Waters east and Joint Waters west of a line beginning at a  
7 point on the north shore  $34^{\circ} 16.7546' N - 77^{\circ} 59.3751' W$  ; running southeasterly  
8 to a point on the south shore  $34^{\circ} 16.7118' N - 77^{\circ} 59.3870' W$ .
- 9 (vii) Northeast Cape Fear River - Inland Waters north and Joint Waters south of a  
10 line beginning at a point on the west side  $34^{\circ} 26.5658' N - 77^{\circ} 50.0871' W$  ;  
11 running northeasterly along the southern side of NC 210 bridge to a point on the  
12 east side  $34^{\circ} 26.6065' N - 77^{\circ} 49.9955' W$ .
- 13 (A) Smiths Creek - Inland Waters east and Joint Waters west of a line  
14 beginning at a point on the north shore  $34^{\circ} 16.0366' N - 77^{\circ} 56.8405'$   
15 W; running southeasterly to a point on the south shore  $34^{\circ} 15.9919' N -$   
16  $77^{\circ} 56.7961' W$ .
- 17 (B) Ness Creek - Inland Waters east and Joint Waters west of a line  
18 beginning at a point on the north shore  $34^{\circ} 17.1741' N - 77^{\circ} 57.2460'$   
19 W; running southeasterly to a point on the south shore  $34^{\circ} 17.1494' N -$   
20  $77^{\circ} 57.2044' W$ .
- 21 (C) Dock Creek - Inland Waters east and Joint Waters west of a line  
22 beginning at a point on the north shore  $34^{\circ} 18.1274' N - 77^{\circ} 57.3847'$   
23 W; running southwesterly to a point on the south shore  $34^{\circ} 18.1173' N$   
24  $- 77^{\circ} 57.3678' W$ .
- 25 (D) Fishing Creek - Inland Waters east and Joint Waters west of a line  
26 beginning at a point on the north shore  $34^{\circ} 19.1613' N - 77^{\circ} 57.2460'$   
27 W; running southwesterly to a point on the south shore  $34^{\circ} 19.1331' N$   
28  $- 77^{\circ} 57.2245' W$ .
- 29 (E) Prince George Creek - Inland Waters south and Joint Waters north of a  
30 line beginning at a point on the west shore  $34^{\circ} 21.8481' N - 77^{\circ}$   
31  $57.0066' W$ ; running northeasterly to a point on the east shore  $34^{\circ}$   
32  $21.8778' N - 77^{\circ} 57.9755' W$ .
- 33 (F) Sturgeon Creek - Inland Waters south and Joint Waters north of a line  
34 beginning at a point on the west shore  $34^{\circ} 22.6796' N - 77^{\circ} 51.6018'$   
35 W; running northeasterly to a point on the east shore  $34^{\circ} 22.6931' N -$   
36  $77^{\circ} 51.5776' W$ .

- 1 (G) Island Creek - Inland Waters east and Joint Waters west of a line  
 2 beginning at a point on the south shore 34° 23.2509' N - 77° 47.3377'  
 3 W ; running northeasterly to a point on the north shore 34° 23.3322' N -  
 4 77° 49.3208' W.
- 5 (19) Northampton County:
- 6 (a) Roanoke River - Inland Waters northwest and Joint Waters southeast of a line beginning  
 7 at a point on the west shore 36° 12.5264' N - 77° 23.0223' W; running northeasterly along  
 8 the south side of the Highway 258 Bridge to a point on the east shore 36° 12.5674' N -  
 9 77° 22.9724' W.
- 10 (i) Sandy Run (Norfleet Gut) - Inland Waters north and Joint Waters south of a line  
 11 beginning at a point on the west shore 36° 10.1119' N - 77° 17.5396' W; running  
 12 northeasterly to a point on the east shore 36° 10.1172' N - 77° 17.5316' W.
- 13 (b) Meherrin River - All waters ~~of Meherrin River~~ within this waterbody up to the Virginia  
 14 state line ~~within Northampton County~~ are designated as Joint.
- 15 (i) Vaughan's Creek - Inland Waters west and Joint Waters east of a line beginning  
 16 at a point on the north shore 36° 28.3541' N - 77° 05.6259' W; running southerly  
 17 to a point on the south shore 36 ° 28.3307' N - 77° 05.6369' W.
- 18 (20) Onslow County:
- 19 (a) Beasleys Creek (Barlow Creek) - All waters within this waterbody are designated as  
 20 Coastal.
- 21 (b) Kings Creek - All waters within this waterbody are designated as Coastal.
- 22 (c) Turkey Creek - All waters within this waterbody are designated as Coastal.
- 23 (d) Mill Creek - All waters within this waterbody are designated as Coastal.
- 24 (e) New River - Inland Waters north and Coastal Waters south of a line beginning at a point  
 25 on the west shore 34° 45.1654' N - 77° 26.1222' W; running easterly along the southern  
 26 side of the US Hwy 17 bridge to a point on the east shore 34° 45.2007' N - 77° 25.9790'  
 27 W.
- 28 (i) Wheeler Creek - All waters within this waterbody are designated as Coastal.
- 29 (ii) Everett Creek - All waters within this waterbody are designated as Coastal.
- 30 (iii) Stones Creek - All waters within this waterbody are designated as Coastal.
- 31 (iv) Muddy Creek - All waters within this waterbody are designated as Coastal.
- 32 (v) Mill Creek - All waters within this waterbody are designated as Coastal.
- 33 (vi) Lewis Creek - All waters within this waterbody are designated as Coastal.
- 34 (vii) Southwest Creek - Inland Waters north and Coastal Waters south of a line  
 35 beginning at a point on the west shore 34° 40.8723' N - 77° 26.2399' W; running  
 36 northeasterly to a point on the east shore 34° 40.9112' N - 77° 26.1758' W.

- 1 (viii) Brinson Creek - Inland Waters west and Coastal Waters east of a line beginning  
2 at a point on the north shore 34° 44.0945' N - 77° 26.4335' W; running southerly  
3 to a point on the south shore 34° 44.0654' N - 77° 26.4239' W.
- 4 (ix) Northeast Creek - Inland Waters northeast and Coastal Waters southwest of a  
5 line beginning at a point on the west shore 34° 44.0778' N - 77° 21.2640' W;  
6 running southeasterly along the southern side of the railroad bridge to a point on  
7 the east shore 34° 44.0446' N - 77° 21.2126' W.
- 8 (x) Wallace Creek - Inland Waters east and Coastal Waters west of a line beginning  
9 at a point on the north shore 34° 40.9604' N - 77° 21.5698' W; running  
10 southwesterly along the western side of the first bridge upstream from the  
11 mouth, to a point on the south shore 34° 40.8576' N - 77° 21.4787' W.
- 12 (xi) Codels Creek - Inland Waters east and Coastal Waters west of a line beginning  
13 at a point on the north shore 34° 38.8845' N - 77° 20.4533' W; running southerly  
14 to a point on the south shore 34° 38.8691' N - 77° 20.4515' W.
- 15 (xii) French Creek - Inland Waters east and Coastal Waters west of a line beginning  
16 at a point on the north shore 34° 38.4059' N - 77° 20.2619' W; running southerly  
17 to a point on the south shore 34° 38.2566' N - 77° 20.3233' W.
- 18 (xiii) Duck Creek - Inland Waters southwest and Coastal Waters northeast of a line  
19 beginning at a point on the north shore 34° 38.0179' N - 77° 20.5169' W;  
20 running southwesterly to a point on the south shore 34° 37.9172' N - 77°  
21 20.6520' W.
- 22 (f) Freeman (Browns) Creek - All waters within this waterbody are designated as Coastal.
- 23 (g) Bear Creek - All waters within this waterbody are designated as Coastal.
- 24 (h) Queens Creek - Inland Waters ~~north-west~~ and Coastal Waters ~~south-east~~ of a line  
25 beginning at a point on the ~~west-north~~ shore ~~34° 42.1815' N - 77° 11.5690' W;~~ 34°  
26 42.5696' N - 77° 11.8550' W; running ~~easterly-southerly~~ to a point on the ~~east-south~~ shore  
27 ~~34° 42.2273' N - 77° 11.4193' W;~~ 34° 42.4238' N - 77° 11.8550' W.
- 28 (i) Parrotts Swamp - All waters within this waterbody are designated as Coastal.
- 29 (i) White Oak River - Inland Waters north and Coastal Waters south of a line beginning at a  
30 point on the west shore 34° 48.1466' N - 77° 11.4711' W; running northeasterly to a point  
31 on the east shore 34° 48.1620' N - 77° 11.4244' W.
- 32 (i) Stevens Creek - All waters within this waterbody are designated as Coastal.
- 33 (ii) Holland Mill (Mill Pond) Creek - All waters within this waterbody are  
34 designated as Coastal.
- 35 (iii) Webbs Creek - Inland Waters northwest and Coastal Waters southeast of a line  
36 beginning at a point on the north shore 34° 45.7559' N - 77° 10.1321' W;

- 1 running southwesterly to a point on the south shore 34° 45.7404' N - 77°  
2 10.1486' W.
- 3 (iv) Freemans Creek - Inland Waters west and Coastal Waters east of a line  
4 beginning at a point on the north shore 34° 46.9791' N - 77° 10.3935' W;  
5 running southerly to a point on the south shore 34° 46.9663' N - 77° 10.3999' W.
- 6 (v) Calebs Creek - Inland Waters west and Coastal Waters east of a line beginning  
7 at a point on the north shore 34° 48.1354' N - 77° 11.4688' W; running  
8 southeasterly to a point on the south shore 34° 48.1192' N - 77° 11.4546' W.
- 9 (vi) Grants Creek - All waters within this waterbody are designated as Inland.
- 10 (21) Pamlico County:
- 11 (a) Pamlico River - All waters within this waterbody are designated as Coastal.
- 12 (i) Lower Goose Creek - All waters within this waterbody are designated as  
13 Coastal.
- 14 (A) Dixons Creek - All waters within this waterbody are designated as  
15 Coastal.
- 16 (B) Patons Creek - All waters within this waterbody are designated as  
17 Coastal.
- 18 (C) Wilson Creek - All waters within this waterbody are designated as  
19 Coastal.
- 20 (D) Eastham Creek - Inland Waters east and Coastal Waters west of a line  
21 beginning at a point on the north shore 35° 17.8205' N - 76° 35.1828'  
22 W; running southerly to a point on the south shore 35° 17.6797' N - 76°  
23 35.1840' W.
- 24 (E) Upper Spring Creek - All waters within this waterbody are designated  
25 as Coastal.
- 26 (F) Intracoastal Waterway from Upper Spring Creek To Gale Creek - All  
27 waters within this waterbody are designated as Coastal.
- 28 (G) Hunting Creek - Inland Waters south and Coastal Waters north of a line  
29 beginning at a point on the west shore 35° 16.7523' N - 76° 36.8138' W;  
30 running easterly to a point on the east shore 35° 16.6779' N - 76°  
31 36.5885' W.
- 32 (ii) Oyster Creek - All waters within this waterbody are designated as Coastal.
- 33 (iii) Clark Creek - All waters within this waterbody are designated as Coastal.
- 34 (A) Middle Prong - All waters within this waterbody are designated as  
35 Coastal.
- 36 (B) James Creek - All waters within this waterbody are designated as  
37 Coastal.

- 1 (b) Pamlico Sound - All waters within this waterbody are designated as Coastal.
- 2 (i) Porpoise Creek - All waters within this waterbody are designated as Coastal.
- 3 (ii) Drum Creek - All waters within this waterbody are designated as Coastal.
- 4 (iii) Bay River - Inland Waters south and Coastal Waters north of a line beginning at
- 5 a point on the north shore  $35^{\circ} 08.4601' N - 76^{\circ} 45.9173' W$ ; running
- 6 southeasterly to a point on the south shore  $35^{\circ} 08.4436' N - 76^{\circ} 45.8885' W$ .
- 7 (A) Gale Creek - Inland Waters west and Coastal Waters east of a line
- 8 beginning at a point on the north shore  $35^{\circ} 13.3142' N - 76^{\circ} 36.7089'$
- 9  $W$ ; running southwestly to a point on the south shore  $35^{\circ} 13.2964' N$
- 10  $- 76^{\circ} 36.7222' W$ .
- 11 (B) Chadwick Creek - All waters within this waterbody are designated as
- 12 Coastal.
- 13 (C) Bear Creek - All waters within this waterbody are designated as
- 14 Coastal.
- 15 (D) Vandemere Creek - Inland Waters north and Coastal Waters south of a
- 16 line beginning at a point on the west shore  $35^{\circ} 12.0330' N - 76^{\circ}$
- 17  $40.7460' W$ ; running northeasterly to a point on the east shore  $35^{\circ}$
- 18  $12.0433' N - 76^{\circ} 40.7235' W$ .
- 19 (I) Long Creek - All waters within this waterbody are designated
- 20 as Coastal.
- 21 (E) Smith Creek - All waters within this waterbody are designated as
- 22 Coastal.
- 23 (F) Chapel Creek - Inland Waters north and Coastal Waters south of a line
- 24 beginning at a point on the west shore  $35^{\circ} 10.0076' N - 76^{\circ} 42.4909'$
- 25  $W$ ;  $35^{\circ} 10.0076' N - 76^{\circ} 42.4909' W$ ; running easterly to a point on the
- 26 east shore  $35^{\circ} 10.0096' N - 76^{\circ} 42.4722' W$ .
- 27 (G) Raccoon Creek - All waters within this waterbody are designated as
- 28 Coastal.
- 29 (H) Trent Creek - Inland Waters south and Coastal Waters north of a line
- 30 beginning at a point on the west shore  $35^{\circ} 06.2738' N - 76^{\circ} 43.1071'$
- 31  $W$ ; running southeasterly to a point on the east shore  $35^{\circ} 06.2603' N -$
- 32  $76^{\circ} 43.0741' W$ .
- 33 (I) Thomas Creek - Inland Waters east and Coastal Waters west of a line
- 34 beginning at a point on the north shore  $35^{\circ} 07.2024' N - 76^{\circ} 43.0929'$
- 35  $W$ ; running southerly to a point on the south shore  $35^{\circ} 07.1610' N - 76^{\circ}$
- 36  $43.0947' W$ .
- 37 (iv) Masons Creek - All waters within this waterbody are designated as Coastal.

- 1 (v) Moore Creek - All waters within this waterbody are designated as Coastal.
- 2 (vi) Rices Creek - All waters within this waterbody are designated as Coastal.
- 3 (vii) Ball Creek - All waters within this waterbody are designated as Coastal.
- 4 (viii) Cabin Creek - All waters within this waterbody are designated as Coastal.
- 5 (ix) Riggs Creek - All waters within this waterbody are designated as Coastal.
- 6 (x) Spring Creek - All waters within this waterbody are designated as Coastal.
- 7 (xi) Long Creek - All waters within this waterbody are designated as Coastal.
- 8 (c) Neuse River - All waters within this waterbody are designated as Coastal.
- 9 (i) Swan Creek - All waters within this waterbody are designated as Coastal.
- 10 (ii) Lower Broad Creek - All waters within this waterbody are designated as
- 11 Coastal.
- 12 (A) Greens Creek - All waters within this waterbody are designated as
- 13 Coastal.
- 14 (B) Pittman Creek - All waters within this waterbody are designated as
- 15 Coastal.
- 16 (C) Burton Creek - All waters within this waterbody are designated as
- 17 Coastal.
- 18 (D) Brown Creek - All waters within this waterbody are designated as
- 19 Coastal.
- 20 (I) Spice Creek - All waters within this waterbody are designated
- 21 as Coastal.
- 22 (E) Gideon Creek - All waters within this waterbody are designated as
- 23 Coastal.
- 24 (F) Tar Creek - All waters within this waterbody are designated as Coastal.
- 25 (G) Parris Creek - All waters within this waterbody are designated as
- 26 Coastal.
- 27 (iii) Orchard Creek - All waters within this waterbody are designated as Coastal.
- 28 (iv) Pierce Creek - All waters within this waterbody are designated as Coastal.
- 29 (v) Whitaker Creek - All waters within this waterbody are designated as Coastal.
- 30 (vi) Smith Creek - Joint Waters northwest and Coastal Waters southeast of a line
- 31 beginning at a point on the north shore at the Oriental Bridge 35° 01.5149' N -
- 32 76° 41.9549' W; running southwesterly to a point on the south shore 35°
- 33 01.3391' N - 76° 42.1774' W.
- 34 (vii) Greens Creek - All waters within this waterbody are designated as Joint.
- 35 (A) Kershaw Creek - All waters within this waterbody are designated as
- 36 Joint.

- 1 (viii) Dawson Creek - Inland Waters west and Coastal Waters east of a line beginning  
2 at a point on the north shore 35° 00.3371' N - 76° 45.6513' W; running southerly  
3 to a point on the south shore 35° 00.1492' N - 76° 45.6202' W.
- 4 (A) Tarkiln Creek - Inland Waters north and Coastal Waters south of a line  
5 beginning at a point on the west shore 35° 00.4124' N - 76° 45.5392'  
6 W; running easterly to a point on the east shore 35° 00.4289' N - 76°  
7 45.4472' W.
- 8 (ix) Gatlin Creek - Inland Waters north and Coastal Waters south of a line beginning  
9 at a point on the west shore 34° 58.4165' N - 76° 47.4645' W; running easterly to  
10 a point on the east shore 34° 58.4154' N - 76° 47.4371' W.
- 11 (x) Little Creek - Inland Waters north and Coastal Waters south of a line beginning  
12 at a point on the west shore 34° 58.5175' N - 76° 49.5822' W; running  
13 southeasterly to a point on the east shore 34° 58.5086' N - 76° 49.5680' W.
- 14 (xi) Mill Creek - Inland Waters north and Coastal Waters south of a line beginning at  
15 a point on the west shore 34° 59.6024' N - 76° 51.1276' W; running easterly to a  
16 point on the east shore 34° 59.5955' N - 76° 51.0864' W.
- 17 (xii) Beard Creek - Inland Waters north and Coastal Waters south of a line beginning  
18 at a point on the west shore 35° 00.3293' N - 76° 52.1855' W; running easterly  
19 to a point on the east shore 35° 00.3055' N - 76° 51.9012' W.
- 20 (xiii) Lower Duck Creek - Inland Waters north and Coastal Waters south of a line  
21 beginning at a point on the west shore 35° 01.5781' N - 76° 54.1580' W; running  
22 easterly to a point on the east shore 35° 01.5566' N - 76° 54.0248' W.
- 23 (xiv) Goose Creek - Inland Waters north and Coastal Waters south of a line beginning  
24 at a point on the west shore 35° 03.4414' N - 76° 55.1170' W; running easterly to  
25 a point on the east shore 35° 03.3567' N - 76° 54.9728' W.
- 26 (xv) Upper Broad Creek - Inland Waters north and Coastal Waters south of a line  
27 beginning at a point on the west shore 35° 04.5050' N - 76° 56.5269' W; running  
28 easterly to a point on the east shore 35° 04.4705' N - 76° 56.2115' W.
- 29 (22) Pasquotank County:
- 30 (a) Albemarle Sound - All waters within this waterbody ~~in Pasquotank County~~ are  
31 designated as Coastal.
- 32 (i) All Manmade Tributaries - All manmade tributaries ~~of Pasquotank County~~  
33 within this waterbody are designated as Joint.
- 34 (ii) Little River - Inland Waters northwest and Joint Waters southeast of a line  
35 beginning at a point on the west shore 36° 12.2950' N - 76° 17.1405' W; running  
36 northeasterly to a point on the east shore 36° 12.5237' N - 76° 16.9418' W. Joint  
37 Waters west and Coastal Waters east of a line beginning at a point on the north



- 1 shore 36° 07.5322' N - 76° 10.6901' W; running southwesterly to a point on the  
2 south shore 36° 06.4199' N - 76° 11.6047' W.
- 3 (A) Symonds Creek - Inland Waters northeast and Joint Waters southwest  
4 of a line beginning at a point on the north shore 36° 10.2898' N - 76°  
5 14.1801' W; running southeasterly to a point on the south shore 36°  
6 10.2042' N - 76° 14.0368' W.
- 7 (iii) Big Flatty Creek - Inland Waters west and Joint Waters east of a line beginning  
8 at a point on the north shore 36° 09.3267' N - 76° 08.2562' W; running southerly  
9 to a point on the south shore 36° 08.9730' N - 76° 08.3175' W. Joint waters  
10 north and Coastal Waters south of a line beginning at a point on the west shore  
11 36° 07.9621' N - 76° 07.1818' W; running easterly to a point on the east shore  
12 36° 08.2706' N - 76° 06.2525' W.
- 13 (iv) Pasquotank River - Inland Waters north and Joint Waters south of a line  
14 beginning at a point on the west shore 36° 18.0768' N - 76° 13.0979' W; running  
15 easterly along the south side of the Highway 158 Bridge to a point on the east  
16 shore 36° 18.0594' N - 76° 12.9620' W. Joint Waters west and Coastal Waters  
17 east of a line beginning on the north shore 36° 11.4282' N - 76° 01.2876' W;  
18 running southwesterly to a point on the south shore 36° 08.7563' N - 76°  
19 03.6991' W.
- 20 (A) Little Flatty Creek - Inland Waters west and Joint Waters east of a line  
21 beginning at a point on the north shore 36° 11.5209' N - 76° 04.6517'  
22 W; running southerly to a point on the south shore 36° 10.9973' N - 76°  
23 04.5149' W.
- 24 (B) New Begun Creek - Inland Waters west and Joint Waters east of a line  
25 beginning at a point on the north shore 36° 13.3298' N - 76° 08.2878'  
26 W; running southerly to a point on the south shore 36° 13.0286' N - 76°  
27 08.1820' W.
- 28 (I) Paling Creek - All waters ~~in~~-within this waterbody are  
29 designated as Inland.
- 30 (II) James Creek - All waters ~~in~~-within this waterbody are  
31 designated as Inland.
- 32 (C) Charles Creek - Inland Waters south and Joint Waters north of a line  
33 beginning at a point on the west shore 36° 17.8090' N - 76° 13.0732'  
34 W; running easterly to a point on the east shore 36° 17.8024' N - 76°  
35 13.0407' W.
- 36 (23) Pender County:

- 1 (a) Cape Fear River - All waters within this waterbody ~~for Pender County~~ are designated as  
 2 Joint.
- 3 (i) ~~Thorofare—Lyon Thorofare:~~
- 4 (A) ~~For the easternmost entrance into the Black River: Easternmost~~  
 5 ~~entrance:~~ Inland Waters northwest and Joint Waters southeast of a line  
 6 beginning at a point on the west shore 34° 22.0493' N - 78° 04.4435'  
 7 W; running northeasterly to a point on the east shore 34° 22.0783' N -  
 8 78° 04.4123' ~~W-W; and~~
- 9 (B) ~~For the westernmost entrance into the Cape Fear River: Westernmost~~  
 10 ~~entrance:~~ Inland Waters east and Joint Waters west of a line beginning  
 11 at a point on the north shore 34° 21.9197' N - 78° 07.0527' W; running  
 12 southeasterly to a point on the south shore 34° 21.8618' N - 78°  
 13 06.9992' W.
- 14 (ii) Black River - Inland Waters northeast and Joint Waters southwest of a line  
 15 beginning at a point on the north shore 34° 22.0783' N - 78° 04.4123' W;  
 16 running southeasterly to a point on the south shore 34° 21.9950' N - 78°  
 17 04.2864' W.
- 18 (iii) Northeast Cape Fear River - Inland Waters north and Joint Waters south of a  
 19 line beginning at a point on the west side 34° 26.5658' N - 77° 50.0871' W;  
 20 running northeasterly along the southern side of NC 210 bridge to a point on the  
 21 east side 34° 26.6065' N - 77° 49.9955' W.
- 22 (A) Cowpen Creek - Inland Waters west and Joint Waters east of a line  
 23 beginning at a point on the north shore 34° 22.1417' N - 77° 59.3357'  
 24 W; running southerly to a point on the south shore 34° 22.1298' N - 77°  
 25 59.3426' W.
- 26 (B) Long Creek - Inland Waters west and Joint Waters east of a line  
 27 beginning at a point on the west shore 34° 22.7149' N - 77° 58.2797'  
 28 W; running northeasterly to a point on the east shore 34° 22.7428' N -  
 29 77° 58.2348' W.
- 30 (C) Turkey Creek - Inland Waters east and Joint Waters west of a line  
 31 beginning at a point on the north shore 34° 22.8465' N - 77° 57.4827'  
 32 W; running southerly to a point on the south shore 34° 22.7895' N - 77°  
 33 57.4452' W.
- 34 (D) Old Creek - Inland Waters north and Joint Waters south of a line  
 35 beginning at a point on the west shore 34° 22.5249' N - 77° 52.1493'  
 36 W; running northeasterly to a point on the east shore 34° 22.5327' N -  
 37 77° 52.1278' W.

- 1 (E) Honey Creek - Inland Waters north and Joint Waters south of a line  
2 beginning at a point on the west shore 34° 22.8627' N - 77° 51.0887'  
3 W; running easterly to a point on the east shore 34° 22.8609' N - 77°  
4 51.0507' W.
- 5 (F) Harrisons Creek - Inland Waters east and Joint Waters west of a line  
6 beginning at a point on the north shore 34° 24.1859' N - 77° 48.6570'  
7 W; running southwesterly to a point on the south shore 34° 24.1387' N  
8 - 77° 48.6982' W.
- 9 (G) Island Creek - Inland Waters east and Joint Waters west of a line  
10 beginning at a point on the south shore 34° 23.2509' N - 77° 47.3377'  
11 W; running northeasterly to a point on the north shore 34° 23.3322' N -  
12 77° 49.3208' W.
- 13 (b) Topsail Sound And Tributaries - All waters within ~~this~~ these waterbodies are designated  
14 as Coastal.
- 15 (c) Beasleys (Barlow) Creek - All waters within this waterbody are designated as Coastal.
- 16 (24) Perquimans County:
- 17 (a) Albemarle Sound - All waters within this waterbody ~~in Perquimans County~~ are  
18 designated as Coastal.
- 19 (i) All Manmade Tributaries - All ~~waters-manmade tributaries~~ within this ~~water~~  
20 ~~body-waterbody~~ are designated as Joint.
- 21 (ii) Yeopim River - Inland Waters west and Joint Waters east of a line beginning at  
22 a point on the north shore 36° 05.4526' N - 76° 27.7651' W; running southerly to  
23 a point on the south shore at Norcum Point 36° 05.1029' N - 76° 27.7120' W.  
24 Joint Waters west and Coastal Waters east of a line beginning at a point on the  
25 north shore 36° 04.7426' N - 76° 24.2536' W; running southwesterly to a point  
26 on the south shore 36° 04.1136' N - 76° 24.5365' W.
- 27 (A) Yeopim Creek - Inland Waters north and Joint Waters south of a line  
28 beginning at a point on the west shore of 36° 04.7206' N - 76° 24.8396'  
29 W; running easterly to a point on the east shore ~~36° 04.7426' N - 76°~~  
30 ~~24.2536' W - 36° 04.7426' N - 76° 24.2536' W.~~
- 31 (iii) Perquimans River - Joint Waters west and Coastal Waters east of a line  
32 beginning at a point on the west shore 36° 05.9669' N - 76° 18.1791' W; running  
33 northeasterly to a point on the east shore 36° 06.7655' N - 76° 16.5953' W.  
34 Inland Waters southwest and Joint Waters northeast of a line beginning at a  
35 point on the west shore 36° 11.6569' N - 76° 28.0055' W; running southeasterly  
36 to a point on the east shore 36° 11.6123' N - 76° 27.9382' W.

- 1 (A) Walter's Creek - Inland Waters southwest and Joint Waters northeast of  
2 a line beginning at a point on the north shore  $36^{\circ} 11.1305' N - 76^{\circ}$   
3  $27.9185' W$ ; running southeasterly to a point on the south shore  $36^{\circ}$   
4  $11.0224' N - 76^{\circ} 27.6626' W$ .
- 5 (B) Mill Pond Creek - Inland Waters north and Joint Waters south of a line  
6 beginning at a point on the west shore  $36^{\circ} 11.9757' N - 76^{\circ} 27.5752'$   
7  $W$ ; running easterly to a point on the east shore  $36^{\circ} 11.9766' N - 76^{\circ}$   
8  $27.2511' W$ .
- 9 (C) Suttons Creek - Inland Waters north and Joint Waters south of a line  
10 beginning at a point on the west shore  $36^{\circ} 10.0394' N - 76^{\circ} 23.7945'$   
11  $W$ ; running southeasterly to a point on the east shore  $36^{\circ} 09.9325' N -$   
12  $76^{\circ} 23.5263' W$ .
- 13 (D) Jackson (Cove) Creek - Inland Waters northeast and Joint Waters  
14 southwest of a line beginning at a point on the north shore  $36^{\circ} 08.4642'$   
15  $N - 76^{\circ} 20.3324' W$ ; running southeasterly to a point on the east shore  
16  $36^{\circ} 08.4159' N - 76^{\circ} 20.2890' W$ .
- 17 (E) Muddy Creek - Inland Waters northwest and Joint Waters southwest of  
18 a line beginning at a point on the north shore  $36^{\circ} 07.0381' N - 76^{\circ}$   
19  $17.1350' W$ ; running southeasterly to a point on the east shore  $36^{\circ}$   
20  $07.0218' N - 76^{\circ} 17.1226' W$ .
- 21 (iv) Little River - Inland Waters northwest and Joint Waters southeast of a line  
22 beginning at a point on the west shore  $36^{\circ} 12.2950' N - 76^{\circ} 17.1405' W$ ; running  
23 northeasterly to a point on the east shore  $36^{\circ} 12.5237' N - 76^{\circ} 16.9418' W$ . Joint  
24 Waters west and Coastal Waters east of a line beginning at a point on the north  
25 shore  $36^{\circ} 07.5322' N - 76^{\circ} 10.6901' W$ ; running southwesterly to a point on the  
26 south shore  $36^{\circ} 06.4199' N - 76^{\circ} 11.6047' W$ .
- 27 (A) Deep Creek - Inland Waters southwest and Joint Waters northeast of a  
28 line beginning at a point on the north shore  $36^{\circ} 11.0945' N - 76^{\circ}$   
29  $16.6717' W$ ; running southeasterly to a point on the south shore  $36^{\circ}$   
30  $10.7510' N - 76^{\circ} 16.2258' W$ .
- 31 (B) Davis Creek - Inland Waters west and Joint Waters east of a line  
32 beginning at a point on the north shore  $36^{\circ} 12.2950' N - 76^{\circ} 17.1405'$   
33  $W$ ; running southerly to a point on the south shore  $36^{\circ} 12.2222' N - 76^{\circ}$   
34  $17.1153' W$ .
- 35 (25) Tyrrell County:
- 36 (a) Albemarle Sound - All waters within this waterbody in Tyrrell County are designated as  
37 Coastal.

- 1 (i) All Manmade Tributaries - All manmade tributaries within this waterbody are  
2 designated as Joint.
- 3 (ii) Banton (Maybell) Creek - Inland Waters south and Coastal Waters north of a  
4 line beginning at a point on the west shore 35° 56.0552' N - 76° 22.0664' W;  
5 running northeasterly to a point on the east shore 35° 56.1151' N - 76° 21.8760'  
6 W.
- 7 (iii) Scuppernong River - Coastal Waters northwest and Joint Waters southeast of a  
8 line beginning at a point on the northeast shore 35° 56.7196' N - 76° 18.8964'  
9 W; running southwesterly to a point on the southwest shore at 35° 56.3351' N -  
10 76° 19.6609' W. Inland Waters south and Joint Waters north of a line beginning  
11 at a point on the west shore 35° 54.0158' N - 76° 15.4605' W; running easterly to  
12 a point on the east shore 35° 54.0406' N - 76° 15.3007' W.
- 13 (A) First Creek (Rider's Creek) - Inland Waters south and Joint Waters  
14 north of a line beginning at a point on the west shore 35° 54.0495' N -  
15 76° 15.2842' W; running northeasterly to a point on the east shore 35°  
16 54.0641' N - 76° 15.2554' W.
- 17 (B) Furlough Creek - Inland Waters west and Joint Waters east of a line  
18 beginning at a point on the north shore 35° 55.6391' N - 76° 18.9797'  
19 W; running southwesterly to a point on the south shore 35° 55.6322' N  
20 - 76° 18.9907' W.
- 21 (iv) Alligator River - Inland Waters west and Joint Waters east of a line beginning at  
22 a point on the north shore at Cherry Ridge Landing 35° 42.2172' N - 76°  
23 08.4686' W; running southerly to a point on the south shore 35° 42.1327' N - 76°  
24 08.5002' W. Coastal Waters north and Joint Waters south of a line running along  
25 the north side of the Highway 64 Bridge beginning at a point on the west shore  
26 35° 54.2903' N - 76° 01.6818' W; running easterly to a point on the east shore  
27 35° 53.6835' N - 75° 58.8578' W.
- 28 (A) Little Alligator River - Inland Waters west and Coastal Waters east of a  
29 line beginning at a point on the north shore 35° 56.7640' N - 76°  
30 01.0299' W; running southerly to a point on the south shore 35°  
31 55.9362' N - 76° 01.2492' W.
- 32 (B) Second Creek - Inland Waters west and Joint Waters east of a line  
33 beginning at a point on the north shore 35° 51.7616' N - 76° 03.5105'  
34 W; running southerly to a point on the south shore 35° 51.1317' N - 76°  
35 03.8003' W.
- 36 (C) Goose Creek - Inland Waters west and Joint Waters east of a line  
37 beginning at a point on the north shore 35° 50.2658' N - 76° 03.9115'

- 1 W; running southerly to a point on the south shore 35° 50.2123' N - 76°  
2 03.9120' W.
- 3 (D) The Frying Pan - ~~Joint Waters by connection with Alligator River. All~~  
4 ~~waters within this waterbody are designated as Joint.~~
- 5 (E) Gum Neck Landing Ditch - Inland Waters northeast and Joint Waters  
6 southwest of a line beginning at a point on the west shore 35° 41.6054'  
7 N - 76° 06.8215' W; running southeasterly to a point on the east shore  
8 35° 41.5841' N - 76° 06.7991' W.
- 9 (26) Washington County:
- 10 (a) Albemarle Sound - All waters within this waterbody ~~in Washington County~~ are  
11 designated as Coastal.
- 12 (i) All Manmade Tributaries - All manmade tributaries ~~of Albemarle Sound~~ within  
13 ~~Washington County this waterbody~~ are designated as Joint.
- 14 (ii) Mackeys (Kendrick) Creek - Inland Waters southeast and Coastal Waters  
15 northwest of a line beginning at a point on the north shore 35° 56.3806' N - 76°  
16 36.4356' W; running southwesterly to a point on the south shore 35° 56.3122' N  
17 - 76° 36.4613' W.
- 18 (iii) Pleasant Grove Creek (Cherry Swamp) - Inland Waters south and Coastal  
19 Waters north of a line beginning at a point on the west shore 35° 56.4791' N -  
20 76° 34.1624' W; running easterly to a point on the east shore 35° 56.5042' N -  
21 76° 34.0319' W.
- 22 (iv) Chapel Swamp Creek - Inland Waters south and Coastal Waters north of a line  
23 beginning at a point on the west shore 35° 56.4150' N - 76° 33.3494' W; running  
24 easterly to a point on the east shore 35° 56.4122' N - 76° 33.3091' W.
- 25 (v) Bull Creek - Inland Waters west and Coastal Waters east of a line beginning at a  
26 point on the north shore 35° 56.9954' N - 76° 23.0291' W; running southerly to a  
27 point on the south shore 35° 56.9602' N - 76° 23.0282' W.
- 28 (vi) Deep Creek - Inland Waters west and Coastal Waters east of a line beginning at  
29 a point on the north shore 35° 56.1291' N - 76° 23.1179' W; running southerly to  
30 a point on the south shore 35° 56.0744' N - 76° 23.1230' W.
- 31 (vii) Banton (Maybell) Creek - Inland Waters south and Coastal Waters north of a  
32 line beginning at a point on the west shore 35° 56.0552' N - 76° 22.0664' W;  
33 running northeasterly to a point on the east shore 35° 56.1151' N - 76° 21.8760'  
34 W.
- 35 (b) Roanoke River - Joint Waters south and Coastal Waters north of a line beginning at a  
36 point on the west shore of the Roanoke River 35° 56.5068' N - 76° 41.8858' W; running  
37 easterly to a point on the east shore 35° 56.5324' N - 76° 41.5896' W.

- 1 (i) Conaby Creek - Inland Waters south and Joint Waters north of a line beginning
- 2 at a point on the west shore 35° 55.3779' N - 76° 42.4401' W; running easterly to
- 3 a point on the east shore 35° 55.3752' N - 76° 42.3408' W.
- 4 (ii) Welch Creek - Inland Waters south and Joint Waters north of a line beginning at
- 5 a point on the western shore 35° 51.8458' N - 76° 45.8381' W; running easterly
- 6 along the shoreline and across the mouths of the three creek entrances to a point
- 7 on the east shore 35° 51.8840' N - 76° 45.6207' W.
- 8 (c) Scuppernong River - All waters ~~in~~-within this waterbody ~~in Washington County~~ are
- 9 designated as Inland.

10

11 *History Note: Authority G.S. 113-132; 113-134; 143B-289.52;*  
12 *Eff. February 1, 1991;*  
13 *Amended Eff. May 1, 2015; April 1, 2009; August 1, 2004; July 1, 1993; September 1, 1991.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03R .0114

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 5, should "coastal waters" be "Coastal Fishing Waters"?*

*Line 22, please clarify what is meant by "IWW"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015



1 15A NCAC 03R .0114 is amended as published in 29:07 NCR 795-796 as follows:

2

3 **15A NCAC 03R .0114 SHRIMP TRAWL PROHIBITED AREAS**

4 The shrimp trawl prohibited areas referenced in ~~15A NCAC 03L .0103(d)~~ 15A NCAC 03L .0103(e) are delineated  
5 in the following coastal water areas:

6 (1) Pungo River - all waters upstream of a line from a point 35° 23.3166' N - 76° 34.4833' W at  
7 Wades Point; running ~~westerly~~ easterly to a point 35° 23.6463' N - 76° 31.0003' W on the north  
8 shore of the entrance to Abels Bay.

9 (2) Pamlico River - all waters upstream of a line from a point 35° 20.5108' N - 76° 37.7218' W on the  
10 western shore of the entrance to Goose Creek; running northeasterly to a point 35° 23.3166' N -  
11 76° 34.4833' W at Wades Point.

12 (3) Neuse River - all waters upstream of a line from a point 34° 56.3658' N - 76° 48.7110' W at  
13 Cherry Point; running northerly to a point 34° 57.9116' N - 76° 48.2240' W at ~~Wilkerson~~  
14 Wilkinson Point.

15 (4) Shalotte River - all waters upstream of a line beginning at a point 33° 54.8285' N - 78° 22.3657'  
16 W on the west side of Shalotte River; running southeasterly to a point 33° 54.6276' N - 78°  
17 21.7882' W on the east side of the river.

18 (5) Eastern Channel - all waters of Eastern Channel east and north of a line beginning at a point 33°  
19 52.6734' N - 78° 28.7339' W at Jinks Creek; running southerly to a point 33° 52.5942' N - 78°  
20 28.6759' W at Tubbs Inlet; and south and west of a line beginning at a point 33° 53.6266' N - 78°  
21 26.6262' W; running easterly to a point 33° 53.6501' N - 78° 26.5635' W.

22 (6) Sunset Beach - all waters of the IWW west of a line beginning at a point 33° 52.9247' N - 78°  
23 30.7041' W on the north end of the Highway 1172 Bridge; running southerly to a point 33°  
24 52.8417' N - 78° 30.6490' W at the south end of the bridge.

25 (7) Calabash River - all waters west of a line beginning at a point 33° 53.4368' N - 78° 32.9720' W on  
26 the north end of the Highway 1164 Bridge; running southerly to a point 33° 53.3534' N - 78°  
27 32.9720' W at the south end of the bridge.

28

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

30 *Eff. July 1, 2006;*

31 *Amended Eff. May 1, 2015.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03R .0115

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Line 20; and page 4, line 25, add a semicolon after "W"*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015

1 15A NCAC 03R .0115 is amended as published in 29:07 NCR 796-798 as follows:

2

3 **15A NCAC 03R .0115 ANADROMOUS FISH SPAWNING AREAS**

4 The anadromous fish spawning areas as defined in 15A NCAC 03I .0101 and referenced in 15A NCAC 03N .0106  
5 are delineated in the following ~~coastal waters:~~Coastal Fishing Waters:

6 (1) Currituck Sound Area:

7 (a) Northwest River - all waters of the Northwest River and its tributaries east of a line  
8 beginning on the north shore at a point 36° 30.8374' N - 76° 04.8770' W; running  
9 southerly to the south shore to a point 36° 30.7061' N - 76° 04.8916' W.

10 (b) Tull Bay/Tull Creek - all waters of Tull Bay and its tributaries northeast of a line  
11 beginning on the north shore at a point 36° 30.0991' N - 76° 04.8587' W; running  
12 southeasterly to the south shore to a point 36° 29.9599' N - 76° 04.7126' W; and south of  
13 a line beginning on the west shore at a point 36° 30.9867' N - 76° 02.5868' W; running  
14 easterly to the east shore to a point 36° 31.0045' N - 76° 02.3780' W; and west of a line  
15 beginning on the north shore at a point 36° 30.8291' N - 76° 02.1329' W; running  
16 southwesterly to the south shore to a point 36° 30.1512' N - 76° 02.4982' W.

17 (2) Albemarle Sound Area:

18 (a) Big Flatty Creek - all waters of Big Flatty Creek and its tributaries east of a line  
19 beginning on the north shore at a point 36° 09.3267' N - 76° 08.2562' W; running  
20 southerly to the south shore to a point 36° 08.9730' N - 76° 08.3175' W and north of a line  
21 beginning on the west shore at a point 36° 07.9621' N - 76° 07.1818' W; running easterly  
22 to the east shore to a point 36° 08.2706' N - 76° 06.2525' W.

23 (b) Batchelor Bay - west of a line beginning on the north shore at a point 35° 58.2070' N -  
24 76° 42.7267' W; running southeasterly to the south shore to a point 35° 56.5622' N - 76°  
25 41.5506' W.

26 (c) Bull Bay - southwest of a line beginning on the northwest shore at a point 35° 58.9002' N  
27 - 76° 23.9965' W; running southeasterly to the southeast shore at a point 35° 56.7198' N -  
28 76° 18.8964' W.

29 (3) North River - all waters of the North River and its tributaries east of a line beginning on the north  
30 shore at a point 36° 18.7703' N - 75° 58.7384' W; running southerly to the south shore to a point  
31 36° 18.4130' N - 75° 58.7228' W; and north of a line beginning on the west shore at a point 36°  
32 16.9952' N - 75° 57.0758' W; running easterly to the east shore to a point 36° 16.9801' N - 75°  
33 56.6820' W.

34 (4) Pasquotank River - all waters of the Pasquotank River and its tributaries south of a line beginning  
35 on the west shore at a point 36° 18.0768' N - 76° 13.0979' W; running easterly to the east shore  
36 along the south side of the Highway 158 Bridge to a point 36° 18.0594' N - 76° 12.9620' W; and

- 1 northwest of a line beginning on the northeast shore at a point 36° 14.3294' N - 76° 04.7866' W;  
2 running southwesterly to the southwest shore to a point 36° 12.8147' N - 76° 07.0465' W.
- 3 (5) Pasquotank River Area:
- 4 (a) Charles Creek - north of a line beginning on the west shore at a point 36° 17.8090' N - 76°  
5 13.0732' W; running easterly to the east shore to a point 36° 17.8024' N - 76° 13.0407' W.
- 6 (b) New Begun Creek - east of a line beginning on the north shore at a point 36° 13.3298' N -  
7 76° 08.2878' W; running southerly to the south shore to a point 36° 13.0286' N - 76°  
8 08.1820' W.
- 9 (6) Little River - all waters of the Little River and its tributaries southeast of a line beginning on the  
10 west shore at a point 36° 12.5237' N - 76° 16.9418' W; running southeasterly to the east shore to a  
11 point 36° 12.2950' N - 76° 17.1405' W; and north of a line beginning on the west shore at a point  
12 36° 09.6537' N - 76° 15.0689' W; running northeast to the east shore to a point 36° 10.2112' N -  
13 76° 14.0287' W.
- 14 (7) Perquimans River - all waters of the Perquimans River and its tributaries northeast of a line  
15 beginning on the west shore at a point 36° 11.6569' N - 76° 28.0055' W; running southeasterly to  
16 the east shore to a point 36° 11.6123' N - 76° 27.9382' W; and northwest of a line beginning on the  
17 southwest shore at a point 36° 11.1512' N - 76° 27.4424' W; running northeasterly to the northeast  
18 shore to a point 36° 11.5124' N - 76° 26.7298' W.
- 19 (8) Perquimans River Area:
- 20 (a) Walter's Creek - northeast of a line beginning on the north shore at a point 36° 11.1305'  
21 N - 76° 27.9185' W; running southeasterly to the south shore to a point 36° 11.0224' N -  
22 76° 27.6626' W.
- 23 (b) Mill Creek - south of a line beginning on the west shore at a point 36° 11.9766' N - 76°  
24 27.2511' W; running easterly to the east shore to a point 36° 11.9757' N - 76° 27.5752' W.
- 25 (9) Yeopim River - all waters of the Yeopim River and its tributaries east of a line beginning on the  
26 north shore at a point 36° 05.4526' N - 76° 27.7651' W; running southerly to the south shore to a  
27 point on Norcum Point 36° 05.1029' N - 76° 27.7120' W; and west of a line beginning on the north  
28 shore at a point 36° 04.7426' N - 76° 24.2537' W; running southwesterly to the south shore to a  
29 point 36° 04.1137' N - 76° 24.5366' W.
- 30 (10) Yeopim River Area, Yeopim Creek - south of a line beginning on the west shore at a point 36°  
31 04.7206' N - 76° 24.8396' W; running easterly to the east shore to a point 36° 04.7426' N - 76°  
32 24.2536' W.
- 33 (11) Edenton Bay - all waters of Edenton Bay and its tributaries west of a line beginning on the north  
34 shore at a point 36° 03.3757' N - 76° 36.3629' W; running southerly to the south shore to a point  
35 36° 03.3551' N - 76° 36.3574' W; and north of a line beginning on the west shore at a point 36°  
36 02.1767' N - 76° 38.4058' W; running easterly to the east shore to a point 36° 02.0299' N - 76°

- 1 36.0445' W; and east of a line beginning on the west shore at a point 36° 03.2819' N - 76° 37.0138'  
2 W; running northeasterly to the east shore to a point 36° 03.4185' N - 76° 36.6783' W.
- 3 (12) Chowan River - all waters of the Chowan River and tributaries northwest of a line beginning on  
4 the west shore at a point 36° 02.3162' N - 76° 42.4896' W; running northeasterly to the east shore  
5 to a point 36° 03.1013' N - 76° 40.8732' W; and south of a line beginning on the west shore at a  
6 point 36° 32.6293' N - 76° 55.3564' W; and running to the east shore to a point 36° 32.6284' N -  
7 76° 55.1757' W.
- 8 (13) Chowan River Area, Meherrin River - all waters of the Meherrin River and tributaries west of a  
9 line beginning on the north shore at a point 36° 25.9937' N - 76° 56.8884' W; running southerly to  
10 the south shore to a point 36° 25.7926' N - 76° 56.8966' W; and south of a line beginning on the  
11 west shore at a point 36° 32.7867' N - 77° 09.8885' W; running easterly to the east shore to a point  
12 36° 32.7807' N - 77° 09.8565' W.
- 13 (14) Cashie River - all waters of the Cashie River and tributaries east of a line beginning on the north  
14 shore at a point 35° 54.7865' N - 76° 49.0521' W; running southerly to the south shore at a point  
15 35° 54.6691' N - 76° 49.0553' W; west of a line beginning on the ~~north-west~~ shore at a point ~~35°  
16 56.4598' N - 76° 43.8093' W;~~ 35° 56.2934' N - 76° 44.1769' W; running ~~southerly-easterly~~ to the  
17 north shore to a point on the north shore of an island in the mouth of the river 35° 56.2250' N - 76°  
18 43.9265' W; west of a line beginning on the south shore at a point of an island in the mouth of the  
19 river 35° 56.1254' N - 76° 43.9846' W; running southerly to the south shore to a point 35° 56.0650'  
20 N - 76° 43.9599' W.
- 21 (15) Middle River - all waters of the Middle River southwest of a line beginning on the west shore at a  
22 point 35° 55.4000' N - 76° 43.8259' W; running southeasterly to the east shore to a point 35°  
23 55.3977' N - 76° 43.6797' W.
- 24 (16) Eastmost River - all waters of the Eastmost River and its tributaries south of a line beginning on  
25 the west shore at a point 35° 56.5024' N - 76° 42.4877' W; running westerly to the east shore to a  
26 point 35° 56.4070' N - 76° 42.7647' W.
- 27 (17) Roanoke River - all waters of the Roanoke River and tributaries south of a line beginning on the  
28 west shore at a point 35° 56.5068' N - 76° 41.8858' W; running easterly to the east shore to a point  
29 35° 56.5324' N - 76° 41.5896' W; and southeast of a line beginning on the west shore at a point 36°  
30 12.5264' N - 77° 23.0223' W; running northeasterly to the east shore along the south side of the  
31 Highway 258 Bridge to a point 36° 12.5674' N - 77° 22.9724' W.
- 32 (18) Roanoke River Area:
- 33 (a) Warren Neck Creek - all waters of Warren Neck Creek and its tributaries west of a line  
34 beginning on the northwest shore at a point 35° 52.1820' N - 76° 47.4855' W; running  
35 southerly to the southeast shore to a point 35° 52.1448' N - 76° 47.4237' W.
- 36 (b) Thoroughfare - all waters of the Thoroughfare south of a line beginning on the west shore  
37 at a point 35° 54.0510' N - 76° 48.1206' W; running easterly to the east shore to a point

- 1 35° 54.0684' N - 76° 48.0613' W; and north of a line beginning on the west shore at a  
 2 point 35° 53.2842' N - 76° 48.8650' W; running easterly to the east shore to a point 35°  
 3 55.2800' N - 76° 48.8077' W.
- 4 (c) Devils Gut - all waters of Devils Gut and its tributaries northwest of a line beginning on  
 5 the west shore at a point 35° 49.5300' N - 76° 54.2209' W; running easterly to the east  
 6 shore to a point 35° 49.5486' N - 76° 54.1703' W.
- 7 (d) Conine Creek - all waters of Conine Creek and its tributaries west of a line beginning on  
 8 the north shore at a point 35° 52.9752' N - 76° 58.0474' W; running southwesterly to the  
 9 south shore to a point 35° 52.9776' N - 76° 57.9958' W.
- 10 (19) Scuppernong River - all waters of the Scuppernong River and tributaries southeast of a line  
 11 beginning on the northeast shore at a point 35° 56.7196' N - 76° 18.8964' W; running  
 12 southwesterly to the southwest shore to a point 35° 56.3351' N - 76° 19.6609' W; and north of a  
 13 line beginning on the west shore at a point 35° 54.0158' N - 76° 15.4605' W; running easterly to  
 14 the east shore to a point 35° 54.0406' N - 76° 15.3007' W.
- 15 (20) Alligator River - all waters of the Alligator River and tributaries east of a line beginning on the  
 16 north shore at Cherry Ridge Landing at a point 35° 42.2172' N - 76° 08.4686' W; running southerly  
 17 to the south shore to a point 35° 42.1327' N - 76° 08.5002' W; and south of a line beginning on the  
 18 west shore at a point 35° 57.4252' N - 76° 00.8704' W; running easterly to the east shore to a point  
 19 35° 57.5494' N - 75° 56.8268' W.
- 20 (21) Alligator River Area, the Frying Pan - all waters of the Frying Pan and its tributaries west of a line  
 21 beginning on the north shore at a point 35° 46.0777' N - 76° 03.3439' W; running southerly to the  
 22 south shore to a point 35° 45.6011' N - 76° 03.3692' W.
- 23 (22) Neuse River - all waters of the Neuse River and its tributaries northwest of a line beginning on the  
 24 west shore at a point 35° 08.8723' N - 77° 04.6700' W; running northeasterly to the east shore to a  
 25 point 35° 09.1032' N - 77° 04.3355' W and southeast of a line at Pitch Kettle Creek beginning on  
 26 the north shore at a point 35° 16.9793' N - 77° 15.5529' W; running south to the south shore to a  
 27 point 35° 16.9237' N - 77° 15.5461' W.
- 28 (23) Neuse River Area:
- 29 (a) Smith Creek - north of a line beginning on the west shore at a point 35° 02.2439' N - 76°  
 30 42.3035' W; running easterly to the east shore to a point 35° 02.2392' N - 76° 42.1910'  
 31 W.
- 32 (b) Kershaw Creek - north of a line beginning on the west shore at a point 35° 02.4197' N -  
 33 76° 43.7886' W; running easterly to the east shore to a point 35° 02.4218' N - 76°  
 34 43.7367' W.
- 35 (24) White Oak River - all waters north of a line beginning at a point on the west shore 34° 46.0728' N  
 36 - 77° 08.9657' W; running easterly to a point on the east shore 34° 46.1431' N - 77° 08.8907' W;  
 37 running north to the Coastal - Inland waters Fishing Waters boundary line beginning at a point on

1 the west shore 34° 48.1466' N - 77° 11.4711' W; running northeasterly to a point on the east shore  
2 34° 48.1620' N - 77° 11.4244' W.

3 (25) Cape Fear River - all waters north of a line beginning at a point on the west shore 34° 07.7034' N -  
4 77° 57.3431' W; running easterly to a point on the east shore 34° 08.0518' N - 77° 55.7626' W;  
5 running north to the Joint - ~~Inland waters~~ Fishing Waters boundary on the following rivers:

6 (a) Cape Fear River - at a line beginning at a point on the west shore 34° 24.2628' N - 78°  
7 17.6390' W; running northeasterly along the Lock and Dam #~~1~~ No. 1 to a point on the  
8 east shore 34° 24.2958' N - 78° 17.5634' W.

9 (b) Black River - at a line beginning at a point on the north shore 34° 22.0783' N - 78°  
10 04.4123' W; running southeasterly to a point on the south shore 34° 21.9950' N - 78°  
11 04.2864' W.

12 (c) Northeast Cape Fear River - at a line beginning at a point on the west side 34° 26.5658' N  
13 - 77° 50.0871' W; running northeasterly along the southern side of the ~~NC~~ Highway 210  
14 Bridge to a point on the east side 34° 26.6065' N - 77° 49.9955' W.

15  
16 *History Note:* *Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;*  
17 *Eff. December 1, 2007;*  
18 *Amended Eff. May 1, 2015.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Marine Fisheries Commission

RULE CITATION: 15A NCAC 03R .0202

**DEADLINE FOR RECEIPT: Friday, April 10, 2015**

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Lines 4 and 9, the phrase "River Herring Management Area" is not capitalized in 15A NCAC 03 .0209, but is capitalized in this Rule. Please be consistent.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond  
Commission Counsel  
Date submitted to agency: Thursday, March 26, 2015



1 15A NCAC 03R .0202 is adopted as published in 29:07 NCR 798-799 as follows:

2

3 **15A NCAC 03R .0202 RIVER HERRING MANAGEMENT AREAS**

4 (a) The Albemarle Sound River Herring Management Area referenced in 15A NCAC 03J .0209 is defined as the  
5 Coastal and Joint Fishing Waters of Albemarle, Currituck, Roanoke, Croatan and Pamlico sounds and all their joint  
6 water tributaries north of a line beginning on the west shore at a point 35° 48.5015' N - 75° 44.1228' W on Roanoke  
7 Marshes Point; running southeasterly to the east shore to a point 35° 44.1710' N - 75° 31.0520' W on the north point  
8 of Eagles Nest Bay.

9 (b) The Chowan River River Herring Management Area referenced in 15A NCAC 03J .0209 is defined as the area  
10 northwest of a line beginning on the west shore at a point 35° 59.9267' N - 76° 41.0313' W on Black Walnut Point;  
11 running northeasterly to the east shore to a point 36° 02.2140' N - 76° 39.3240' W on Reedy Point, to the North  
12 Carolina/Virginia state line; including the Meherrin River.

13

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

15 *Eff. May 1, 2015.*