

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

The expedited timeline provides for regulation clarity prior to peak fishing season and resolves ambiguities for law enforcement.

Additionally, Session Law 2023-137 amended G.S. 113-170.3 specifying that temporary rules implementing the harvest reporting requirements shall remain in effect until permanent rules that replace the temporary rules become effective. The Marine Fisheries Commission has not yet initiated rulemaking for permanent replacement rules.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator:

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10. Signature of Agency Head*:



* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name:

Mark Craig

Title:

Chairman

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RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 15A NCAC 10C .0218 is amended under temporary procedures as follows:

2
3 **15A NCAC 10C .0218 HARVEST REPORTING REQUIREMENTS**

4 (a) For the purpose of this Rule, the following definitions shall apply:

5 (1) "Division" means the North Carolina Division of Marine Fisheries.

6 (2) "inland fishing waters adjacent to joint or coastal fishing waters" means inland fishing waters
7 upstream of joint or coastal fishing waters of the Roanoke River downstream of Roanoke Rapids
8 Dam, the Tar River downstream of Rocky Mount Mill Dam, the Neuse River downstream of Falls
9 Lake Dam and the Cape Fear River downstream of Buckhorn Dam, and their tributaries extending
10 upstream to the first impoundment, Roanoke, Tar, Neuse, and Cape Fear rivers and their tributaries
11 extending upstream to the first impoundment of the main course on the river or its tributaries, and
12 in all other inland fishing waters east of Interstate 95 except in the Lumber and Waccamaw rivers
13 River and their ~~its~~ tributaries.

14 (3) "harvest" means catching or taking a fish and reducing it to permanent possession by not returning
15 it to the water.

16 (b) An individual who harvests the following species, from joint fishing waters or inland fishing waters adjacent to
17 joint or coastal fishing waters, shall report the information required in Rule 15A NCAC 03I .0124(b) to the Division
18 at <https://www.ncmarinefisheries.net> or record the harvest on a Division-issued report card when harvest is complete:

19 (1) flounder;

20 (2) red drum;

21 (3) spotted seatrout;

22 (4) striped bass; and

23 (5) weakfish.

24 (c) Individuals using a Division-issued report card shall report the information electronically at
25 <https://www.ncmarinefisheries.net> in a manner consistent with requirements of Rule 15A NCAC 03I .0124(b).

26 (d) An individual shall not remove the head or tail or otherwise change the appearance of the fish to render it
27 impractical to identify, count, or measure while fishing or afield and until harvest has been recorded or reported.

28 (e) The requirements of this Rule shall be effective in accordance with the schedule in S.L. 2023-137, s. 6(f).

29
30 *History Note: Authority G.S. 113-134; 113-170.3;*

31 *Temporary Adoption Eff. July 5, 2024.*

32 *Temporary Amendment Eff. March 10, 2026.*

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

The expedited timeline provides for the consistent regulation among the multiple agencies responsible for the management of Striped Bass

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator:

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Typed Name:

Mark Craig

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RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 15A NCAC 10C .0314 is amended under temporary procedures as follows:

2
3 **15A NCAC 10C .0314 STRIPED BASS**

4 (a) The daily creel limit for striped bass and its hybrids is four fish in e aggregate, except in waters identified in
5 Paragraphs (d) and (g) through ~~(h)~~(m) of this Rule.

6 (b) The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (d) through ~~(h)~~(m) of
7 this Rule.

8 (c) There is no closed season, except for waters identified in Paragraphs (i) through ~~(h)~~(m) of this Rule.

9 (d) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA
10 and in John H. Kerr Reservoir, the daily creel limit on striped bass and its hybrids is two in aggregate and the minimum
11 size limit is 20 inches. No fish greater than 26 inches may be possessed from October 1 through May 31. From June
12 1 through September 30, the daily creel limit for striped bass and its hybrids is four in aggregate with no minimum
13 size limit.

14 (e) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for striped bass and its hybrids is 20 inches
15 from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.

16 (f) In Farmer Lake, Hyco Lake, Moss Lake, Oak Hollow Lake, Lake Townsend, and Salem Lake the minimum size
17 limit for striped bass and its hybrids is 16 inches.

18 (g) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, and
19 two may be greater than 22 inches.

20 (h) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to the
21 South Carolina state line, the daily creel limit for striped bass and its hybrids is three fish in aggregate, and the
22 minimum size limit is 18 inches.

23 (i) In the inland waters of the Tar-Pamlico River and its tributaries upstream of a line shore to shore beginning at a
24 point at Gum Point 35.419448 N 76.758752 W running southwesterly to a point at Fork Point at 35.390755 N 76.77391
25 W and the Neuse River and its tributaries upstream of a line shore to shore beginning at a point at Cooper Point
26 35.035722 N 76.933275 W running southwesterly to a point at Fisher Landing Point 35.002583 N 76.97623 W, the
27 following restrictions shall apply:

28 (1) the season for taking and possessing striped bass and striped bass hybrids is April 1 through April
29 30.

30 (2) the daily creel limit for striped bass and striped bass hybrids is one fish in aggregate.

31 (3) it is unlawful to possess a striped bass or striped bass hybrid less than 18 inches or between 22 and
32 27 inches in length.

33 In the inland waters tributary to the Tar-Pamlico River and Neuse River downstream of these lines, the season for
34 taking and possessing striped bass and striped bass hybrids is closed year-round.

35 ~~(h)~~(j) In the inland fishing waters of the ~~Tar, Pungo, Neuse, Pungo~~ and Cape Fear rivers and their tributaries extending
36 upstream to the first impoundment of the main course on the river or its tributaries, in other inland fishing waters east

1 of Interstate 95 not specified in Paragraphs (h), (j), and (k) of this Rule, and in the ponds associated with Martin
2 Marietta Park in Craven County, the season for taking and possessing striped bass is closed year-round.

3 ~~(j)~~(k) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in
4 15A NCAC 03R .0201 and identified in 15A NCAC 10C .0110 which includes the Roanoke, Cashie, Middle, and
5 Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and its hybrids is March
6 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids
7 Lake Dam. During the open season, the daily creel limit for striped bass and its hybrids is one fish in aggregate, and
8 the minimum size limit is 18 inches. No fish over 22 inches in length shall be possessed.

9 ~~(k)~~(l) In designated inland and joint fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan
10 River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries, excluding the Roanoke River and
11 Cashie River and their tributaries, the striped bass fishing season, size limits, and creel limits are the same as those
12 established by rules or proclamations of the Marine Fisheries Commission in adjacent coastal fishing waters.

13 ~~(l)~~(m) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend or extend the hook-
14 and-line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to
15 violate the provisions of a proclamation issued pursuant to this authority.

16
17 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*
18 *Eff. November 1, 2013;*
19 *Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*
20 *Readopted Eff. August 1, 2019;*
21 *Amended Eff. August 1, 2021; August 1, 2020;*
22 *Temporary Amendment Eff. November 30, 2021;*
23 *Amended Eff. August 1, 2022;*
24 *Temporary Amendment Eff. September 1, 2022;*
25 *Amended Eff. August 1, 2024; August 1, 2023; March 15, 2023; ~~2023~~.*
26 *Temporary Amendment Eff. March 10, 2026.*
27
28

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

The expedited timeline provides for the consistent regulation among the multiple agencies regulating Bluefish.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator:

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RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 15A NCAC 10C .0414 is amended under temporary procedures as follows:

2

3 **15A NCAC 10C .0414 BLUEFISH**

4 (a) The daily creel limit for bluefish is five, ~~three~~.

5 (b) There is no size limit.

6 (c) There is no closed season.

7 (d) Bluefish shall not be sold.

8

9 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

10 *Temporary Adoption Eff. September 1, 2022;*

11 *Eff. March 15, 2023; ~~2023~~.*

12 *Temporary Amendment Eff. March 10, 2026.*

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