



Gear Restrictions as a Management Tool for Artificial Reefs in State Waters

DEPARTMENT OF ENVIRONMENTAL QUALITY

NC Division of Marine Fisheries

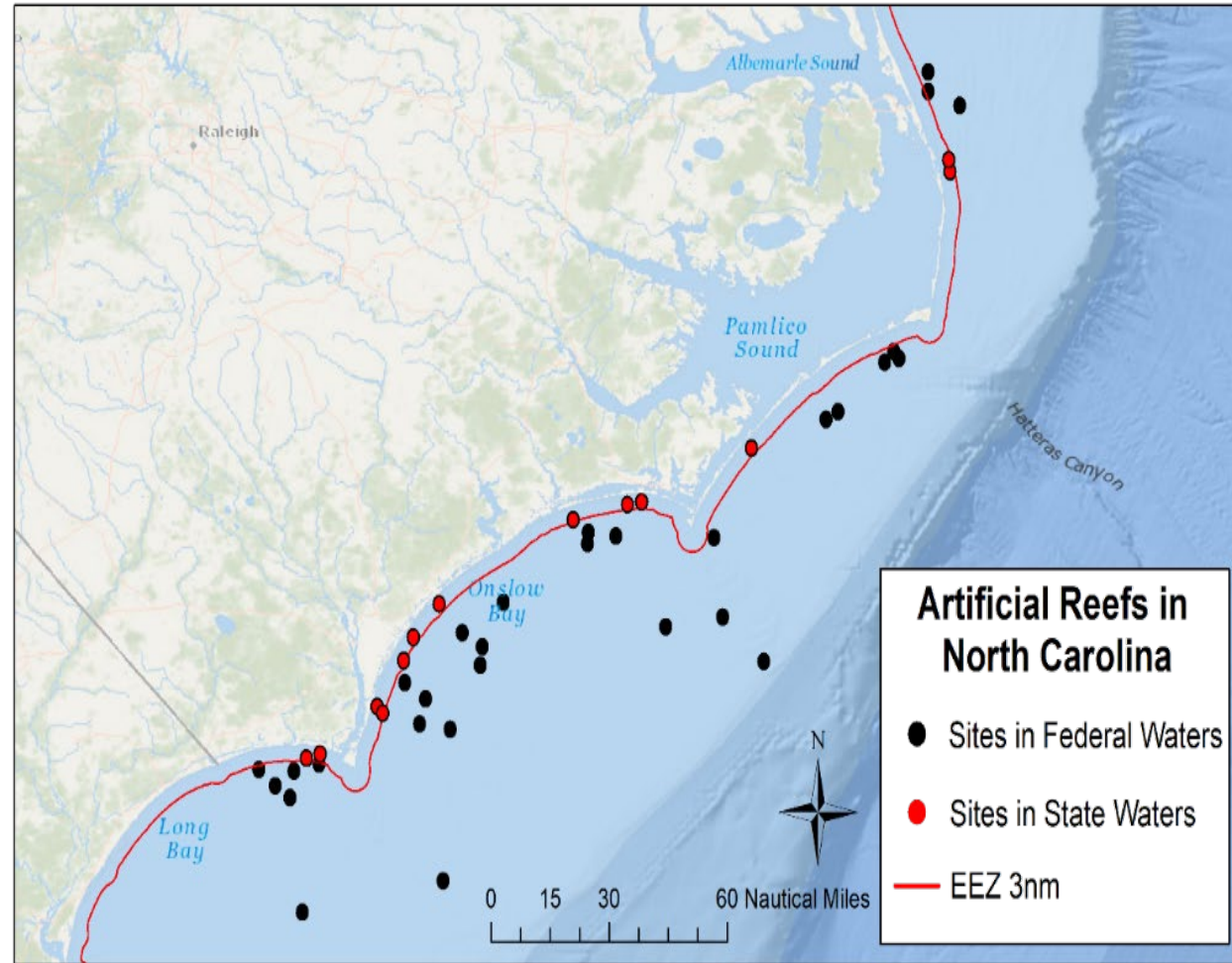
Marine Fisheries Commission | Jason Peters | November 2020



North Carolina's Artificial Reefs



- **Purpose** - create habitat for fish that is publicly accessible for fishing and diving
- DMF manages 43 artificial reef sites off of North Carolina
 - 13 located ≤ 3 nautical miles (nm) from shore (state managed)
 - 30 located > 3 nm from shore (federally managed Exclusive Economic Zone EEZ)



North Carolina's Artificial Reefs



- Fish aggregation areas
- Widely used: 12-15% of all private vessel ocean fishing trips (2016-2019, *Access Point Angler Intercept Survey*)



Credit: fishingdestinguide.com



North Carolina's Artificial Reefs



Susceptible to **increased and concentrated fishing effort**

- Possible overexploitation of managed species = reduced user access
- Protected species interactions = denied future permitting to construct/maintain artificial reef sites





- Gear restrictions
 - Limit use of highly efficient gears
 - Decrease the potential for disproportionate user access
 - Reduce potential for negative interactions with ESA protected species
- Gear restrictions already in place
 - Florida, Georgia, South Carolina (SAFMC) - can use gears but not possess snapper grouper species while doing so
 - Delaware New Jersey (MAFMC) – cannot use gears at reefs



Special Management Zones



June 2020:

- South Atlantic Fishery Management Council (SAFMC) approved amendment to Snapper Grouper FMP
- Establishes Special Management Zones (SMZs) at all 30 artificial reefs in the EEZ off NC (*Pending*)

Action includes:

- Codifying boundaries
- Restricting allowable gears (handline, rod and reel, and spear ONLY)
- Restricting harvest by spear to recreational limits
- Only apply while fishing for snapper-grouper species



Management of Artificial Reefs in State Waters



- State and federally managed species inhabit nearshore artificial reefs
- Current MFC rule:
 - Does not provide a mechanism to implement gear restrictions for nearshore artificial reefs
 - Requires buoys as a condition to implement restrictions (*Now obsolete*)
 - Rule change required
- MFC may consider SMZ-style restrictions with a broader application to benefit all species inhabiting nearshore reefs





Proceed with rulemaking?

➤ Option 1: No

- No Action/Status Quo
- No rulemaking required
- MFC/DMF director will not have ability to implement gear restrictions

➤ Option 2: Yes

- A. Deferred Action - Wait until final U.S. Dept. of Commerce decision on SMZ action before proceeding
- B. Proceed with rulemaking





Rulemaking: what types of restrictions and how should they be implemented?

1. Develop AR rules similar to SMZs that offer protections for ONLY snapper-grouper species
 - Compliance and enforcement may be easier among nearshore and offshore sites
2. Develop AR rules different from SMZs that benefit ALL species
 - May present compliance and enforcement difficulties among nearshore and offshore sites
3. Develop regulations through the FMP Process for each species

