

# Committee Reports







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*Secretary*

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*Director*

## MEMORANDUM

TO: Marine Fisheries Commission  
Southern Flounder FMP Advisory Committee

FROM: Michael Loeffler, Co-lead Southern Flounder Plan Development Team  
Anne Markwith, Co-lead Southern Flounder Plan Development Team

DATE: June 3, 2019

SUBJECT: Southern Flounder FMP Advisory Committee Meeting

The Southern Flounder FMP Advisory Committee met on Monday, June 3, 2019 at 6 p.m. at the Division of Marine Fisheries Central District Office located at 5285 Highway 70 West, Morehead City, NC. The following attended:

Advisers: Fred Scharf (chairman), Michael Oppegaard, Tom Roller, Keneth Johnson, Joe Romano, James Williams, Kurt Tressler, Bradley Stryon

Absent: Mary Ellon Ballance

Staff: Catherine Blum, Michael Loeffler, Anne Markwith, Steve Murphey, Charlton Godwin, Katy West, Jesse Bissette, Brandi Salmon, Trevor Scheffel, Jennifer Lewis, Debbie Manley, Carter Witten, Amanda Tong, Alan Bianchi, Tracy Bauer, Tina Moore, Brian Gupton

MFC: Chuck Laughridge, Michael Blanton

Public: Chris Elkins, Allyn Powel, Adam Tyler, Madison Ruff

Fred Scharf called the meeting to order at 6:02 pm. At Dr. Scharf's request, the members of the AC introduced themselves for the benefit of the members of the public present.

### **APPROVAL OF AGENDA**

**Motion by Tom Roller to approve agenda, seconded by Kurt Tressler – motion was approved unanimously.**

## **APPROVAL OF MINUTES**

**Motion by Tom Roller to approve meeting minutes from April 2, 2019, seconded by Mike Oppegaard – motion was approved unanimously.**

## **DISCUSS 2019 ADVISORY COMMITTEE MEETING SCHEDULE**

Division staff presented proposed dates for the remaining advisory committee meetings in 2019. The dates are as follows: July 24, August 14, September 11, October 9, November 20 and December 11. There was discussion on the overall timeline of Amendment 3. Though the Southern Flounder Advisory Committee (AC) is appointed by the Marine Fisheries Commission (MFC), staff indicated that since development of the next amendment is included in the recommendation for Amendment 2, work on Amendment 3 with the current AC would move forward based on the meeting schedule above when Amendment 2 is approved. One point of clarification is the purpose of the standing committees is to advise the MFC, whereas the purpose of the Fishery Management Plan (FMP) AC is to assist the Division of Marine Fisheries (DMF) with the FMP process.

## **REVIEW PUBLIC COMMENT AND ADVISORY COMMITTEE RECOMMENDATIONS**

Staff discussed the public comment that had been received on draft Amendment 2 since the MFC had approved the draft to go out for comment at their May business meeting. Thirteen people spoke at the joint meeting of the Finfish, Northern and Southern Advisory Committees that had been held that afternoon. Ten were against Amendment 2 and three were for Amendment 2. Staff then discussed the letters received to date. Three letters had been received, all against Amendment 2. Finally, the constant contact online comments were discussed. One hundred and forty-one comments had been received, 76 people supported Amendment 2 and 60 were against it.

Staff then presented the standing Advisory Committee's motions that were made that afternoon at the joint meeting. The Southern Regional Advisory Committee – Motion by Ron McCoy to accept the DMF recommendation for a 62 percent reduction in harvest in 2019 and a 72 percent reduction in harvest in 2020. Second by Tom Smith. Motion fails 3-5 with one abstention. Motion by Ruth King to recommend the existing Southern Flounder AC's schedule of reductions. Second by Jerry James. Friendly amendment to ask for examination of a slot limit as part of Amendment 3. Motion fails 4-4 with one abstention.

Northern Advisory Committee – Motion by Keith Bruno to recommend a 52 percent reduction in southern flounder harvest until Amendment 3 is adopted. Motion fails for lack of second. Motion by Kenneth Shiver to support the DMF recommendation. Second by Jim Rice. Motion carries 4-2. Motion by Keith Bruno to ask the MFC to consider dividing the allowable days for gill netting amongst allowable fishing months for a given area due to the Sea Turtle ITP. Second by Jim Rice. Motion carries 5-0 with one abstention. Motion by Keith Bruno to recommend the 12-hour soak and current yardage limit for the large-mesh gill net fishery. Second by Roger Rulifson. Motion fails 3-3.

Finfish Advisory Committee – Motion by Ken Seigler to recommend that the MFC include a slot limit in Amendment 2 across all gears and user groups. Second by Brent Fulcher. Motion fails 1-4 with one abstention. Motion by Brent Fulcher to recommend a reduced harvest of 52 percent, not to exceed 52 percent until Amendment 3 is completed. Second by Bradley Styron. Motion carries 5-0 with one abstention. Motion by Brent Fulcher to recommend that the MFC ask the Secretary of DEQ to allow the Director of DMF to go out of compliance with the ASMFC Summer Flounder Plan and adopt a 12-inch size limit and a 4-fish per day bag limit for southern flounder in North Carolina waters. Second by Sam Romano. Motion carries 5-0 with one abstention. Motion by Brent Fulcher to have the Southern Flounder AC look at recommending a moratorium on all southern flounder harvest from November 1, 2019 to September 1, 2022. Second by Ken Seigler. Motion carries 4-2.

## **AMENDMENT 2: ACHIEVING SUSTAINABLE HARVEST**

Staff reviewed slides from the presentation earlier at the Joint AC meeting. The committee expressed concerns with the timeline such as how a reduction could be met in 2019 with only four months left in the year. There was also discussion about the non-quantifiable management options and proposed seasons. Concerns were expressed over the motion that was previously made by this AC as it meets the two-year statute to end overfishing, but it does not meet the mandate to end the overfished status in 10 years.

Dr. Scharf shared Mary Ellon Ballance's letter to the AC in her absence, with her recommendation of 31% reduction for 2019.

**Motion to amend the April 2<sup>nd</sup> Southern Flounder Advisory Committee recommendation was made by Mike Oppegaard, second by Tom Roller.**

**The Southern Flounder Advisory Committee recommends that starting January 1, 2019 a 52% reduction ( $F=0.34$ ) be adopted with the following changes for the commercial fishery, calculated for the Northern, Central, and Southern areas:**

- **40% reduction for the pound net fishery, with a start date of September 15:**
  - Northern – September 15 through October 28;
  - Central – September 15 through November 2; and
  - Southern – September 15 through November 3.
- **40% reduction for the gig fishery, with a start date of April 1:**
  - Northern – April 1 through October 24;
  - Central – April 1 through November 11; and
  - Southern – April 1 through August 25.
- **For the large-mesh gill net fishery a reduction to make up the difference to yield a 52% reduction for the commercial fishery overall, with a start date of September 15 recognizing that the division proposal (as presented on April 2, 2019) for the Recreational Commercial Gear License large-mesh gill net season of September 15-30 may be changed by this final percent reduction.**

**The percent reduction for the large-mesh gill net fishery, based on the Southern Flounder Advisory Committee recommendation, would be approximately 71% compared to the 2017**

removals. This reduction to the large-mesh gill net fishery is equal to 162,770 pounds in total removals. A start date of September 15 results in the following seasons:

- Northern – September 15 through October 12;
- Central – September 15 through October 5; and
- Southern – September 15 through October 21.

In addition, as of January 1, 2020, the committee recommends:

- Implementing a 1,500-yard limit for large-mesh gill nets in Management Unit A, a 1000-yard limit in Management Units B and C, and a 750-yard limit for large-mesh gill nets in Management Units D and E.
- Prohibiting the use of picks, gaffs, gigs, and spears when removing flounder from pound nets.

The committee also recommends that starting in 2020 the division season recommendation (as presented on April 2, 2019) be applied to the recreational fisheries. The season for the recreational hook-and-line and gig fisheries will be July 16 through September 30.

Additionally, the committee recommendation includes the management measures from Amendment 1 and Supplement A to Amendment 1, as stated in draft Amendment 2, be carried forward. The recommendation also

maintains regulations from ASMFC Summer Flounder, Black Sea Bass, and Scup Plan for recreational size and bag limits for flounder, and

approves continued development of Amendment 3.

**Motion passed 5-2.**

Motion was made by Mike Oppegaard to adjourn, seconded by Tom Roller. Motion was approved.

The meeting adjourned at 8:45 p.m.

Cc:	John Batherson	David Hilton	Patricia Smith
	Chris Batsavage	Laura Lee	David Sneed
	Catherine Blum	Dee Lupton	Jason Walker
	Larry Boomer	Shawn Maier	William Yingst
	Ellie Davis	Stephen Murphey	Biological Supervisors
	Anne Deaton	Hardy Plyler	Committee Staff Members
	Christopher Elkins	Steve Poland	District Managers
	Nancy Fish	Jerry Schill	Marine Fisheries Commission
	Jess Hawkins	Isaiah Smith	Marine Patrol Captains
			Section Chiefs



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**DRAFT**

August 2, 2019

**MEMORANDUM**

**TO:** Marine Fisheries Commission

**FROM:** Jason Rock, Co-lead Blue Crab Plan Development Team  
Corrin Flora, Co-lead Blue Crab Plan Development Team

**SUBJECT:** Blue Crab Fishery Management Plan Advisory Committee Meeting

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The Blue Crab Fishery Management Plan Advisory Committee met on June 27, 2019 at 6 p.m., at the NCDEQ Washington Regional Office located at 943 Washington Square Mall in Washington, NC. The following attended:

**Advisers:** Joseph Romano, Mike Marshall, Kenneth Seigler, Perry Beasley, Thomas Roller, Robert Bruggeworth

**Staff:** Jason Rock, Corrin Flora, Debbie Manley, Katy West, Daniel Ipock, Kathy Rawls, Laura Klibansky, Jason Burleson

**Public:** Sara Hallas, Chad Bond

Chairman Romano called the meeting to order at 6:00 p.m.

**APPROVAL OF THE AGENDA AND MINUTES/PUBLIC COMMENT**

Chairman Romano entertained a motion to approve the agenda. Marshall moved to approve the agenda and Beasley seconded the motion. The motion passed unanimously. Chairman Romano entertained a motion to approve the draft minutes from the May 23, 2019 meeting. Seigler moved to approve the minutes, seconded by Bruggeworth. The motion passed unanimously.

Members of the public provided comment during the formal public comment period. Sara Hallas, lost fishing gear project administrator for the North Carolina Coastal Federation, introduced herself to the committee and shared the results of the 2019 cleanup period. She gave a brief explanation on the data collected beyond number of pots and possible data sources for future plans. Sara shared her support of the cleanup period remaining closed for the entirety of the set timeframe, but was clear that there is only a set amount of money for the project no matter the timeframe. Chad Bond, a commercial crabber in the Pungo River region, commented on concerns over areas closed to pots including waters around the ICWW and the 6ft rule in the Pamlico and Pungo rivers. He also recommended a designated buoy color for fishermen where

they would have one buoy color for hard pots and a different color for peeler pots. Staff indicated this issue is larger than blue crab as conflicts with the shrimp fishery and other boaters initiated the need for the rule.

**Kenneth Seigler made a motion that the PDT look into rules 03J 0301 and 03R 0107 and see if the 6ft rule can be amended to open to crab pots.** The motion was seconded by Bruggeworth. Motion passed unanimously.

### **REVIEW CRAB SPAWNING SANCTUARIES BOUNDARIES REQUESTED BY THE COMMITTEE**

Division staff (Rock) reviewed the crab spawning sanctuary boundaries requested by the committee. There was discussion on the use of day markers for boundary points at Ophelia and Cape Fear inlets as well as a recommendation to connect the ocean boundaries of inlets from Bogue Inlet south to New River Inlet.

**Thomas Roller made a motion to recommend adopting Drum (Ophelia) boundary modified to use Core Sound Light 27 marker (DMF refined map).** The motion was seconded by Mike Marshall. Motion passed unanimously.

**Kenneth Seigler made a motion to accept red areas from Bogue Inlet through New River, including 100 yds from shore between. From Topsail Inlet through Tubbs Inlet AC recommended boundaries.** The motion was seconded by Robert Bruggeworth. Motion passed unanimously.

Staff verified with the committee the intent to keep the closure period for southern inlets which was voted on at their April meeting and the boundaries for northern inlets voted on at their May meeting.

### **REVIEW SUSTAINABLE HARVEST ANALYSIS REQUESTED BY THE COMMITTEE**

Division staff (Rock) reviewed the results of the sustainable harvest analysis requested by the committee. There was discussion on immature female blue crab marketability and the state split closure. Staff reiterated that these closure periods would not have the option to open early.

**Mike Marshall made a motion to move that the committee support adoption of management measure combination 17.9 as in Table 1.** The motion was seconded by Kenneth Seigler. The motion passed unanimously.

**Kenneth Seigler made a motion to keep the 5% cull tolerance in place.** The motion was seconded by Thomas Roller. The motion passed unanimously.

### **REVIEW DRAFT BLUE CRAB FMP AMENDMENT 3**

Division staff (Rock) gave a presentation of the full Blue Crab FMP Amendment 3. There was discussion on survey gear and funding, water quality, adaptive management, shoreline definition. The committee agreed to keep all previous issue recommendations as worded.



**Thomas Roller made a motion to adopt the adaptive management framework based on the peer-reviewed and approved stock assessment model.** The motion was seconded by Mike Marshall. The motion failed 3-3.

Staff reviewed the amendment process moving forward.

Having no further business to conduct, the meeting adjourned at 8:53 p.m.

cc:     John Batherson            Laura Lee                    Jason Walker  
          Chris Batsavage           Dee Lupton                 Biological Supervisors  
          Catherine Blum           Shawn Maier                Committee Staff Members  
          Ellie Davis               Stephen Murphey            District Managers  
          Anne Deaton               Steve Poland                Marine Fisheries Commission  
          Nancy Fish                 Jerry Schill                Marine Patrol Captains  
          Jess Hawkins             Patricia Smith             Section Chiefs





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August 2, 2019

## MEMORANDUM

**TO:** Marine Fisheries Commission

**FROM:** Jason Rock, Co-lead Blue Crab Plan Development Team  
Corrin Flora, Co-lead Blue Crab Plan Development Team

**SUBJECT:** Blue Crab Fishery Management Plan Advisory Committee Meeting

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The Blue Crab Fishery Management Plan Advisory Committee met on May 23, 2019 at 6 p.m., at the NCDEQ Washington Regional Office located at 943 Washington Square Mall in Washington, NC. The following attended:

**Advisers:** Joseph Romano, Mike Marshall, Kenneth Seigler, Perry Beasley, Sammy Corbett, Thomas Roller, Robert Bruggeworth

**MFC:** Doug Cross

**Staff:** Jason Rock, Corrin Flora, Debbie Manley, Katy West, William Boyd, Odell Williams, Daniel Zapf, Daniel Ipock

**Public:** Penny Beasley

Chairman Romano called the meeting to order at 6:01 p.m.

### **APPROVAL OF THE AGENDA AND MINUTES/PUBLIC COMMENT**

Chairman Romano entertained a motion to approve the agenda with addition of remarks by Doug Cross on Monterey Bay Aquarium's Seafood Watch listing of the North Carolina blue crab fishery as avoid. Corbett moved to approve the agenda with modification and Seigler seconded the motion. The motion passed unanimously. Chairman Romano entertained a motion to approve the draft minutes from the April 25, 2019 meeting. Corbett moved to approve the minutes, seconded by Beasley. The motion passed unanimously. There was no public comment.

## **INDUSTRY DISCUSSION ON MONTEREY BAY AQUARIUM'S SEAFOOD WATCH LISTING OF NORTH CAROLINA BLUE CRAB**

Commissioner Cross addressed the committee as a blue crab dealer to express concern over the recent listing by the Monterey Bay Aquarium's Seafood Watch of North Carolina blue crab as a species to avoid. He emphasized the effect this is having already on the supply chain and possible further complications. He urged the committee to address the major topic of diamondback terrapin interactions in the crab pot industry when setting forth recommendations. The committee discussed local, regional, and national markets; basket and picking house markets; effects on regional crabbers; excluder devices, gear modification, and combination studies; and reactionary regulations.

## **FISHERY MANAGEMENT PLAN ISSUE PAPER: EXPAND CRAB SPAWNING SANCTUARIES TO IMPROVE SPAWNING STOCK BIOMASS**

Division staff (Rock) gave a presentation to the committee on the fishery management plan issue paper "Expand Crab Spawning Sanctuaries to Improve Spawning Stock Biomass". This was the second-time staff presented this issue paper to the committee. The presentation included potential sanctuary boundaries modified based on previous committee input. There was discussion from the committee about activities in these regions besides commercial crab pots and additional modification to proposed boundaries. Staff clarified the boundaries in the ocean were adjusted based on enforcement input. The committee asked the division to look further into adjusting the boundaries of inlets south of Barden Inlet.

**Sammy Corbett made a motion to leave Oregon, Hatteras, and Ocracoke inlets as currently in rule. Change Drum and Barden inlets to the proposed boundaries.** The motion was seconded by Bruggeworth. Motion passed unanimously.

## **REVIEW SUSTAINABLE HARVEST ANALYSIS REQUESTED BY THE COMMITTEE**

Division staff (Rock) reviewed the results of the sustainable harvest analysis requested by the committee. There was discussion from the committee on differences between the northern and southern portions of the state and closure times. Staff clarified that reduction values are not cumulative when considering multiple options. The committee asked the division to calculate reductions based on a March 1-15 closure with prohibiting immature female harvest south of the 58 bridge and A January 1-31 closure with prohibiting immature female harvest and a 6.75" mature female maximum size north of the 58 bridge.

## **OTHER BUSINESS**

Ken Seigler brought up an issue with the Intracoastal Waterway opening after the pot cleanup period. After discussion of proclamation language and intent, the committee asked the division to look at the language of the proclamation and Amendment 2 to the Blue Crab Fishery Management Plan for clarification at the next meeting.

Having no further business to conduct, the meeting adjourned at 8:42 p.m.

cc: John Batherson                      Laura Lee                      Jason Walker

Chris Batsavage  
Catherine Blum  
Ellie Davis  
Anne Deaton  
Nancy Fish  
Jess Hawkins

Dee Lupton  
Shawn Maier  
Stephen Murphey  
Steve Poland  
Jerry Schill  
Patricia Smith

Biological Supervisors  
Committee Staff Members  
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Marine Fisheries Commission  
Marine Patrol Captains  
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## MEMORANDUM

**TO:** Marine Fisheries Commission  
Northern, Southern, and Finfish Advisory Committees

**FROM:** Michael Loeffler, Katy West, Kathy Rawls, Lee Paramore, Tina Moore, and Chris Stewart Marine Fisheries Commission Advisory Committee staff leads

**DATE:** June 3, 2019

**SUBJECT:** Joint Meeting of the Marine Fisheries Commission's Northern, Southern and Finfish Advisory Committees

The Marine Fisheries Commission's Northern, Southern and Finfish advisory committees held a joint meeting on June 3 at the Crystal Coast Civic Center in Morehead City, North Carolina.

The following Advisory Committee members were in attendance:

**Northern** – Everett Blake – co-chair, Keith Bruno, James Neely, Jim Rice, Roger Rulifson, and Kenneth Shivaer (Absent -Joseph Kavanagh, Sam Liverman, Floyd Layden, Raymond Pugh and Sara Winslow)

**Southern** – Fred Scharf – chair, Jerry James – co-chair, Edwin Bebb, Jason Fowler, Ruth King, Ron McCoy, Pam Morris, Tom Smith, and Adam Tyler (Absent – Charles Griffin and Christopher Hunt)

**Finfish** – Cameron Boltes – chair, Sam Romano – co-chair, Thomas Brewer, Brent Fulcher, Ken Siegler, and Bradley Styron (Absent – Jeff Buckel, Randy Proctor, Scott Whitley and Sara Winslow)

Marine Fisheries Commission Chair Rob Bizzell called the meeting to order at 12:02 p.m.

### **EXPLANATION OF MEETING PROCESS**

Chairman Bizzell called the meeting to order and reminded the committee advisers of their duty to avoid conflicts of interest and asked if there were any known conflict of interest with respect to any matters coming before the commission at this meeting.

Chairman Bizzell advised the purpose of the meeting is for the advisory committees to provide input to the Marine Fisheries Commission on the draft Southern Flounder Fishery Management Plan Amendment 2.

Laura Lee, the Division's chief stock assessment scientist, reviewed the stock assessment and projections of southern flounder in the South Atlantic with the advisers.

This presentation can be found at:

[http://portal.ncdenr.org/c/document\\_library/get\\_file?p\\_l\\_id=1169848&folderId=32670395&name=DLFE-140717.pdf](http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=32670395&name=DLFE-140717.pdf)

Questions about SEAMAP data was discussed as well as what effect Hurricane Florence had on the stock, the average time it takes a southern flounder to get to 15 inches, and would a slot limit help escapement? All questions were answered by Division staff.

Mike Loeffler and Anne Markwith presented an overview of draft Amendment 2.

Questions such as do all four states have to participate for this to work and will the other states follow suit with North Carolina? Would there be removal of all commercial gear that catch flounder? Why can't this be managed by a quota? What's the difference between a supplement and an amendment? Would a smaller size limit help with some of the dead discards? All questions were answered by Division staff.

### **PUBLIC COMMENT:**

**Jonathan Robinson**, a Carteret County Commissioner, chairs a county marine fisheries advisory board on issues that may have a detrimental effect on the county. The panel does not support Amendment 2 to the Southern Flounder Fishery Management Plan. He said all management options in the amendment will cause extreme economic hardship. Problems with the amendment include not accounting for reduced effort in the commercial fishery, uncertainty in the stock assessment, lack of data about offshore adult female flounder, interannual variation in recruitment, and environmental conditions that affect the proportion of males and females in the southern flounder population.

**Charles Van Salisbury**, a commercial fisherman from the mainland side of Hyde County, said the gill net fishery is a fraction of what it once was, and effort is at an all-time low. A Sept. 15 opening for all fisheries will create a derby fishery. He hopes the reductions from the incidental take permit requirements and the effect on the market will be taken into consideration.

**Roger Harris**, from Atlantic, said to stop trying to fix everything. He said there were no regulations when he grew up and there were plenty of fish and fishermen. With regulations, both are disappearing. What is being done is not working.

**C.R. Frederick**, a commercial fisherman from Swansboro, said a 52-72% reduction on a family's income will be devastating. He said if a reduction is needed, shut the fishery down for a couple of years. Fishermen will be better able to survive that than a 72% reduction for 10 years. He said there are so many variables involved, including relying on three other states to assist in restoring the stock and the lack of control over the effect of habitat on the fishery. He said the fishery needs something, but a lot of lives depend on this.

**Glenn Skinner**, Executive Director of the North Carolina Fisheries Association, referenced an earlier comment about not being concerned with what the other three states will do. He said that is admirable, but foolish because as soon as Amendment 2 to the Southern Flounder Fishery Management Plan passes, the clock starts for the next review of the plan to occur within five years, even without action by the other states. He said all four states need to implement reductions together or North Carolina carries the burden. He said the statutory requirements for ending overfishing in two years and rebuilding the stock in 10 years do not start until the adoption of the amendment, not the completion of the stock assessment. The process needs to slow down, and work needs to focus on the management measures for Amendment 3.

**George Leone**, a seafood dealer, said Amendment 2 to the Southern Flounder Fishery Management Plan is inappropriate due to the 62% and 72% recommended reductions, especially right before the start of the fall season. There is no time to prepare. Seafood dealers, markets, restaurants, gas stations, net makers, convenience stores, and countless others will be affected. He said the risk outweighs the reward, especially if a hurricane strikes. All four states need to take an active role so that North Carolina is not punished to allow the other states to reap the benefits.

**Thomas McArthur** said he has provided public comment on fisheries for years and this issue is just more of the same. He said the most important measure to implement is a slot limit. He said he thinks a proposed 52% reduction will result in a much greater actual reduction.

**Karen Smith**, a commercial fisherman from Cedar Island, expressed concern about the financial burden on many of the fishermen in her family. She said some of the younger fishermen will not be able to sustain a 52% reduction. She questioned if the commercial fishing heritage is being valued. She emphasized the financial burden of a 52% reduction for the pound net fishery.

**Bert Owens**, from Beaufort, thanked the advisory committees and said their job is not easy. He said easy things do not achieve anything. Amendment 2 to the Southern Flounder Fishery Management plan is a good thing and is not expedited when you consider the stock has been overfished for 20 years. He said if we do not act, there will not be a heritage to preserve. He said to follow through with Amendment 2 and save some fish for the future.

**Jason Webb**, a commercial fisherman from Brunswick County, said there are several problems with Amendment 2 to the Southern Flounder Fishery Management Plan, including economic issues, the effect of water temperatures on the stock, and the harvest of primarily female fish due to the 15-inch minimum size limit. He said flounder in North Carolina come from here, so we do not need to worry about the other three states. He said electronic reporting of trip tickets should help process data more quickly to identify windows for fishing. Fishing guides, mechanics, and countless others will be affected by this amendment.

**Phillip Goodwin**, a commercial pound-netter for 40 years, said the pound net fishery will not survive the reductions proposed in Amendment 2 to the Southern Flounder Fishery Management Plan. Northern Core Sound used to have a pound net season from Sept. 1 until Christmas and then regulations were implemented. The size limit was increased several times, then a December closure was implemented. He said there is no more to give up and still be able to make a living. The pound net fishery is a clean fishery that has no bycatch and is turtle-friendly. He said he is



against Amendment 2. Pound netters might be able to give up a few weeks of fishing at the beginning of the fall season, but they need several weeks of fishing to make a living.

**David Sneed**, Executive Director of the Coastal Conservation Association of North Carolina, said no one wants to see fisheries close. He said many people say more science-based decision-making is needed for fisheries management until they disagree with the science. He said the struggle for the advisory committees and the Marine Fisheries Commission is that we have been ignoring the science for over 20 years and we are running out of time. We have to act to save our fisheries for future generations.

**Tom Roller**, a full-time fishing guide from Carteret County, said if this meeting occurred in 2000 or 2005 there would be 400 people in attendance. With only 12 comments received, virtually no one is here because the fishery is gone. He thanked the Marine Fisheries Commission for moving forward with Amendment 2 to the Southern Flounder Fishery Management Plan.

## **MOTIONS**

The following are the motions of the Finfish, Northern and Southern Advisory Committees:

### Southern Regional Advisory Committee

**Motion by Ron McCoy to accept the Division of Marine Fisheries recommendation for a 62 percent reduction in harvest in 2019 and a 72 percent reduction in harvest in 2020. Second by Tom Smith.**

**Motion fails 3-5 with one abstention.**

**Motion by Ruth King to recommend the existing Southern Flounder Advisory Committee's schedule of reductions. Second by Jerry James.**

**Friendly amendment to ask for examination of a slot limit as part of Amendment 3.**

**Motion fails 4-4 with one abstention.**

Chairman of the Southern Regional Advisory Committee, Dr. Scharf, noted he was confident that the Southern Flounder AC would have reached a consensus if more time had been allotted to them.

### Northern Advisory Committee

**Motion by Keith Bruno to recommend a 52 percent reduction in southern flounder harvest until Amendment 3 is adopted.**

**Motion fails for lack of second.**

**Motion by Kenneth Shivaer to support the Division of Marine Fisheries recommendation. Second by Jim Rice.**

**Motion carries 4-2**

**Motion by Keith Bruno to ask the Marine Fisheries Commission to consider dividing the allowable days for gill netting among allowable fishing months for a given area due to the Sea Turtle Incidental Take Permit. Second by Jim Rice.  
Motion carries 5-0 with one abstention.**

**Motion by Keith Bruno to recommend the 12-hour soak and current yardage limit for the large-mesh gill net fishery. Second by Roger Rulifson.  
Motion fails 3-3.**

Finfish Standing Advisory Committee

**Motion by Ken Seigler to recommend that the Marine Fisheries Commission include a slot limit in Amendment 1 across all gears and user groups. Second by Brent Fulcher.  
Motion fails 1-4 with one abstention.**

**Motion by Brent Fulcher to recommend a reduced harvest of 52 percent, not to exceed 52 percent until Amendment 3 is completed. Second by Bradley Styron.  
Motion carries 5-0 with one abstention.**

**Motion by Brent Fulcher to recommend that the Marine Fisheries Commission ask the Secretary of the Department of Environmental Quality to allow the Director of the Division of Marine Fisheries to go out of compliance with the Atlantic States Marine Fisheries Commission Summer Flounder Plan and adopt a 12-inch size limit and a 4-fish per day bag limit for southern flounder in North Carolina waters. Second by Sam Romano.  
Motion carries 5-0 with one abstention.**

**Motion by Brent Fulcher to have the Southern Flounder Advisory Committee look at recommending a moratorium on all southern flounder harvest from November 1, 2019 to September 1, 2022. Second by Ken Seigler.  
Motion carries 4-2.**

The meeting adjourned at 5:12 p.m.





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*Director*

## MEMORANDUM

TO: N.C. Marine Fisheries Commission Commercial Resource Fund Committee and the Funding Committee for the N.C. Commercial Fishing Resource Fund

FROM: William Brantley, Grants Program Manager  
Division of Marine Fisheries, NCDEQ

DATE: June 20, 2019

SUBJECT: MFC Commercial Resource Fund Committee and Funding Committee for the N.C. Commercial Fishing Resource Fund Meeting Minutes

The MFC Commercial Resource Fund Committee and the Funding Committee for the N.C. Commercial Fishing Resource Fund met at 1 p.m. on Wednesday, June 19, 2019 at the N.C. Department of Environmental Quality's Washington Regional Office. The following attended:

MFC Commercial Resource Fund Committee: Doug Cross, Sam Romano, Mike Blanton

Funding Committee for the N.C. Commercial Fishing Resource Fund Members: Ernest Doshier, Glenn Skinner, Steve Weeks, Gilbert Baccus, and Doug Todd

Absent: Andrew Berry

DMF Staff: Dee Lupton, Beth Govoni, William Brantley, Katy West, Mike Loeffler, Tina Moore, Kathy Rawls, and Jason Rock

Public Comment: Chris McCaffity via email

### **APPROVAL OF AGENDA AND MINUTES**

Chairman Doug Cross called the meeting to order for the MFC Commercial Resource Fund Committee.

Chairman Ernest Doshier called the meeting to order for the Funding Committee for the N.C. Commercial Fishing Resource Fund

Chairmen Cross inquired about and noted no conflicts of interest, and William Brantley conducted a roll call.

The meeting agenda was reviewed. Chairman Cross in agreement with Chairman Doshier noted there would be a change in the order of reviewing funding opportunities.

Minutes from the March 7, 2019 MFC Commercial Resource Fund (CRF) Committee meeting and the Funding Committee for the N.C. Commercial Fishing Resource Fund were reviewed.

### **PUBLIC COMMENT**

Chairman Cross asked for any public comment. There was none. William Brantley read an email from Chris McCaffity that asked for the Committees to consider using extra funds to set up a forum where commercial fishermen could debate and hold votes on how the CFRF was used.

### **COMMITTEE BRIEF OF RFP REVIEW PROCESS AND PROCEDURES**

William Brantley briefed the committees on the current status of the budget with obligations. Fund balance minus current obligations was \$1,858,090.46. Brantley discussed the overall intent of the meeting was to vote on funding opportunities and discuss any new business Committee members may have.

### **ECONOMIC IMPACT ANALYSIS RFP REVIEW**

North Carolina State University – Drs. Jane Harrison and Chris Dumas

Application comes from a collaboration of Harrison (NCSU), Nash (NCSU), Sutherland (NCSU), Edwards (NCSU), and Dumas (UNCW). Chairman Cross opened the floor for discussion, with Jane Harrison (NCSU) and Nash (NCSU) available for questions. Mike Blanton questioned incentive costs. Sam Romano stated that the industry should be encouraged to fill out the surveys.

**Glen Skinner made a motion to approve the NC Commercial Fishing Economic Impact Analysis project at the proposed \$378,960. Doug Todd seconded. Motion passed with 4-Yes votes, 0-No Votes and 1 member was out of the room during the vote.**

**Sam Romano made a motion to approve funding for the NC Commercial Fishing Economic Impact Analysis project. Mike Blanton seconded. Motion passed unanimously.**

### **NCSU SEAGRANT OYSTER PILOT PROJECT**

Chairman Cross called for discussion on the NCSU spat on shell oyster project, which had previously been approved for \$40,000 in funds by the Funding Committee for the N.C. Commercial Fishing Resource Fund.

**Mike Blanton made a motion to approve matching funds for the Sea Grant Oyster Project. Sam Romano seconded. Motion passed unanimously.**

### **DMF SOUTHERN FLOUNDER TAGGING PROJECT**

Chairman Cross stated that he had asked the Division to bring project proposals, to include a southern flounder tagging project, which would enhance flounder data to better understand the migratory movements out of the estuarine areas. Mike Loeffler then presented a DMF multi-

species tagging presentation which included satellite tagging of southern flounder. Subsequent to the presentation, both Committees discussed the DMF southern flounder tagging study brought forward by DMF Fisheries Management staff. This study was composed of adding two temporary staff to accomplish four components of southern flounder research; satellite tagging, increasing conventional tagging, acoustic tagging, and a maturity study. Discussion on each component occurred, with Mike Loeffler leading the conversation as the DMF species lead for southern flounder. Satellite tagging proposed would encompass a minimum of 25 tags to study NC flounder, while 200 tags would provide for a coastwide southern flounder migration study with some tagging conducted outside of NC. Discussion occurred with Loeffler on what was already known regarding southern flounder migration patterns, concurrent studies with other agencies, and satellite tag efficiency. Concerns were issued over the efficiency of the tags, and how they were attached. Loeffler reiterated the need of industry involvement in obtaining appropriately sized stock to tag.

**Sam Romano made a motion to accept the DMF proposal for the Southern Flounder Tagging Study in the amount of \$392,200. This includes funding for 2 temporary DMF staff (\$86,000), satellite tagging (200 tags and associated costs, \$274,700), increasing conventional tagging efforts (\$7,500) and a maturity study (\$24,000). Mike Blanton seconded. Motion passed unanimously.**

**Glen Skinner made a motion to mirror the MFC Committee's motion, to accept the proposal which includes funding for 2 temporary DMF staff (\$86,000), satellite tagging (200 tags and associated costs, \$274,700), increasing conventional tagging efforts (\$7,500) and a maturity study (\$24,000). Doug Todd seconded. Motion passed unanimously.**

### **PUBLIC RELATIONS CAMPAIGN**

Chairman Cross called for discussion on the NC Commercial Fishing Public Relations (PR) campaign. Sam Romano asked if the Committees would entertain the idea of creating a position for a marketing specialist. Sam Weeks and Glen Skinner issued discussion on the differences between marketing, education, and promotion. Chairman Cross called for a consensus between the two committees on voting.

**Steve Weeks made a motion to approve the proposal from S&A Cherokee in the amount of \$248,475. Glen Skinner seconded. Motion passed unanimously.**

Sam Romano and Mike Blanton shared concerns on the proposal and the overarching benefits the industry would receive.

**Mike Blanton made a motion to accept the proposal from S&A Cherokee as-is. Doug Cross seconded. Motion passed with 2-Yes votes and 1-No vote.**

### **NCSU FISH CAMP PROJECT**

Chairman Cross called for discussion on the SeaGrant FishCamp project. Sara Mirabilio from SeaGrant was called up by the Committees to discuss the budget. Sam Romano stated this program would be an inherently positive PR program for the industry.

**Mike Blanton made a motion to accept the SeaGrant FishCamp proposal in its entirety (\$47,512). Sam Romano seconded the motion. Motion passed unanimously.**

**Glen Skinner made a motion to accept the SeaGrant FishCamp proposal. Doug Todd seconded. Motion passed unanimously.**

#### **DMF Bycatch Reduction Survey Project**

Chairman Cross asked the Committees to consider the DMF Bycatch Reduction Survey for \$40,000.

**Sam Romano made a motion to accept the Bycatch Reduction Survey to compliment the Gear Research Project. Mike Blanton seconded the motion. Motion passed unanimously.**

Glen Skinner inquired about the specifics of what the survey would entail.

**Doug Todd made a motion to approve. Gilbert Baccus seconded. Motion passed unanimously.**

#### **TERRAPIN INFORMATION REQUEST**

Members voiced concerns over terrapin interactions and how it would affect the supply chain and its economic multipliers. Mike Blanton requested information, possibly a survey, on how interactions could be reduced with input from industry representatives and possibly open a conversation with Seafood Watch. Jason Rock was asked to speak on regional crabbing effort and spatial closures. Committee members also inquired as to recommendations on how to increase North Carolina's standing with Seafood Watch and other organizations that have concern with the species.

Chairmen Cross and Doshier requested a fully developed proposal or RFP on where interactions are occurring, to assist in answering where and whether spatial and/or seasonal closures would work and to examine device improvement that would allow fishing to continue. Sam Romano and Steve Weeks also mentioned a possible study for a terrapin excluder device.

#### **HATCHERY FEASIBILITY DISCUSSION**

Chairman Cross stated he had spoken with researchers, such as Dr. Harry Daniels (NCSU) who had previous experience on flounder hatchery operations. Chairman Cross stated that this may offer a supplemental effort to assist the species. He stated he would discuss the feasibility of a NC flounder hatchery with stakeholders and researchers in an effort to potentially begin a pilot program.

**Mike Blanton made a motion to adjourn.  
Sam Weeks seconded. Motion passed unanimously.**

**Ernest Doshier made a motion to adjourn.  
Steve Weeks seconded. Motion passed unanimously.**

**Meeting adjourned at 4:17 p.m.**

WB

DRAFT



