



# **CHAIRMAN'S REPORT**

**LETTERS & ONLINE COMMENTS**

**ETHICS TRAINING & SEI REMINDER**

**2021 MEETING PLANNING CALENDAR**

**2022 PROPOSED MEETING PLANNING CALENDAR**

**COMMISSION COMMITTEE ASSIGNMENTS**

**From:** [Wade, Hope](#)  
**To:** [Gillikin, Dana](#)  
**Subject:** FW: [External] Fwd: Marine Fisheries Commission: Summer Flounder  
**Date:** Wednesday, June 30, 2021 8:13:07 AM

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**From:** Marcia Ohrt [REDACTED]  
**Sent:** Wednesday, June 30, 2021 8:11 AM  
**To:** Wade, Hope <[hope.wade@ncdenr.gov](mailto:hope.wade@ncdenr.gov)>  
**Subject:** [External] Fwd: Marine Fisheries Commission: Summer Flounder

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Good Morning Hope. I was given your email contact from Lara Klibansky.

Please forward the below to each and every commissioner who is on the fisheries board for decision making.

Thank you.

M. Ohrt

----- Forwarded message -----

**From:** **Marcia Ohrt**  
**Date:** Mon, Jun 28, 2021 at 8:47 PM  
**Subject:** Marine Fisheries Commission: Summer Flounder  
**To:** <[Lara.Klibansky@ncdenr.gov](mailto:Lara.Klibansky@ncdenr.gov)>

Having just read the updated moratorium on flounder fishing, I applaud this newly reduced fishing period.

However, I have to ask: Why is the method of "gigging" for flounder allowed? This method of "fishing" is a huge reason our flounder population is suffering. It is my hope the commission will give this HUGE PROBLEM quick, prompt attention with an addendum to regulate/prohibit such activities. You would be shocked at the number of huge flounder as well as quantity that are gigged at night in the shallows throughout Carteret County and beyond counties in NC. It is a massive, destructive problem for the flounder population. This should be addressed and firmly denied to all fishermen. Time is of the essence.

I would appreciate hearing comments from the commission on this serious subject.

Thank you  
M. Oh

Sent from my iPad

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Marcia Ohrt

6/30/21

Lara,

I finally saw on NCMF website that days to fish this yr. are 9/15 - 10/1/21 - 15 days! That is not what we were expecting. Once again this is very Un-American!

And now we are expected to buy license, get Boat ins \$350 + pay \$3. gal for gas. No relief from full payment of license.

Time for NC to purchase our boat + gear! We need that income.

John Norris + Brenda Norris

**From:** [Klibansky, Lara](#)  
**To:** [Gillikin, Dana](#)  
**Subject:** FW: [External] Flounder Population  
**Date:** Wednesday, July 7, 2021 11:01:22 AM

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## Public Comment for August

Lara K. J. Klibansky  
Marine Fisheries Commission Liaison  
Executive Assistant for Councils and Commissions  
NC Division of Marine Fisheries  
Department of Environmental Quality



252 515 6020 mobile (direct)  
252 726 7021 main office  
[Lara.Klibansky@ncdenr.gov](mailto:Lara.Klibansky@ncdenr.gov)

P.O. Box 769  
3441 Arendell Street  
Morehead City, NC 28557

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**From:** Bizzell, Rob <r.bizzell.mfc@ncdenr.gov>  
**Sent:** Wednesday, July 7, 2021 10:20 AM  
**To:** Klibansky, Lara <Lara.Klibansky@ncdenr.gov>  
**Subject:** Fwd: [External] Flounder Population

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**From:** Bill Jackson [REDACTED]  
**Sent:** Wednesday, July 7, 2021 10:19 AM  
**To:** Bizzell, Rob; Cross, Doug; Blanton, Mike; Hendrickson, Tom; Kornegay, K; McNeill, Robert; Posey, Martin H; Roller, Thomas N; Romano, Sam  
**Subject:** [External] Flounder Population

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Absolutely amazing!! If the flounder population is in such dire straights to order a two week fishing season it appears to me ( and many more ) that more needs to be done to remedy the problem(?). I , and others, have heard of many flounder caught while fishing for other species that makes the population shortage highly questionable. On a recent trip I personally caught five flounder while trout fishing and all were over the fifteen inches, i.e. 16', 18', 19', 19', and 20'. Another boat caught nine flounder, all 19' and 20'. Just two of many cases. So, if the population is in such horrible condition do not insult the fisherman with a two or five week season. If you are serious SHUT THE SEASON DOWN FOR AS LONG AS IT TAKES to satisfy your questionable decision (s).

Regards,  
Bill Jackson

[REDACTED]  
[REDACTED] NC  
[REDACTED]

**From:** [Klibansky, Lara](#)  
**To:** [Gillikin, Dana](#)  
**Subject:** FW: [External] flounder amendment  
**Date:** Wednesday, July 14, 2021 7:24:58 AM  
**Attachments:** [FLOUNDER AMENDMENT 3 COMMENTS.docx](#)

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For Aug briefing materials

Lara K. J. Klibansky  
Marine Fisheries Commission Liaison  
Executive Assistant for Councils and Commissions  
NC Division of Marine Fisheries  
Department of Environmental Quality



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**From:** Bizzell, Rob <r.bizzell.mfc@ncdenr.gov>  
**Sent:** Tuesday, July 13, 2021 7:09 PM  
**To:** Klibansky, Lara <Lara.Klibansky@ncdenr.gov>  
**Subject:** Fwd: [External] flounder amendment

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**From:** Stuart Creighton [REDACTED]  
**Sent:** Tuesday, July 13, 2021 5:00 PM  
**To:** Bizzell, Rob; Roller, Thomas N; Posey, Martin H; Hendrickson, Tom; Romano, Sam; Blanton, Mike; Kornegay, K; Cross, Doug; Rawls, Kathy  
**Subject:** [External] flounder amendment

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Good afternoon all,

I am attaching some comments regarding southern flounder amendment 3 for the August MFC meeting.

It is a separate letter from my previous shrimp comments as I am trying to be as complete as possible with each issue facing us. I will attach future comments about stripers, small mesh gill nets, and more.

Difficult choices lie ahead that will require management measures that the Division hesitates to mention and that the MFC does not like to consider. Please keep an open mind and consider the overall benefit to the resource.

Sincerely,  
Stuart Creighton

## **FLOUNDER AMENDMENT 3 COMMENTS**

As we continue to wrangle with enacting flounder amendment 3, many different management measures are being discussed, numbers are being crunched, and models run to decide the best way to rebuild our depleted stock. It is my hope that the DMF and MFC alike truly have the best interest of the resource in mind as these options will soon be presented by the Division and debated by the Commission. I wanted to take this opportunity to comment individually on several of these options under consideration, but must preface them with a reminder of how we have arrived in this position in the first place.

As no more than a concerned member of the general public, I have followed the process very closely, attending several of the AC meetings discussing amendment 3, conversing with DMF staff on the possible management measures, and commenting publicly during scoping periods and MFC quarterly meetings. I have spent numerous hours poring over data and reading through FMP documents so that I can be properly informed and accurate when I make statements for the public record.

Divisional data is clear that flounder have been overfished with overfishing occurring continuously for THIRTY YEARS. One has to ask why that level of pressure would be allowed for so long, and the answer is simple: the commercial industry has fought every suggested harvest reduction since this debate began. Since this industry is historically responsible for 80% of the annual harvest in North Carolina, and since 98% of the southern flounder sold commercially come from North Carolina, it is obvious that maintaining maximum harvest levels are in their best interest, regardless of how depleted the stock has become. To that end, the industry has denied the science, delayed any significant action to reduce harvest levels, and deflected Divisional recommendations at every turn. With no quota, daily limits, or trip limits put into place any claims of harvest reductions by the industry are suspect at best. In fact, when a previous Commission did approve significant reductions to flounder harvest, that decision was met with a lawsuit by the NCFE. The result of which prevented any further action of flounder harvest until a new stock assessment was completed. So, once again, needed action was delayed. Now the southern flounder stock is in such dire shape that we are facing a decade of severe reductions (72% across the board) in order to rebuild the stock. With this new reality, the commercial representatives on the current MFC rushed through an allocation that would give them 70% of the remaining allowable harvest. Feeling this was unfair, recreational anglers spoke up loud and clear and were able to "move the needle" towards an equitable allocation with a four year phase in that will end with a 50/50 split by the year 2024.



I gave this overview because it is important to note that past management efforts have failed, and failed miserably, because the overarching measures have been directed at finding a way to keep gear in the water. I think it is past time to manage for the benefit of the resource and not to find ways to keep unsustainable harvest methods in practice. It is my opinion that previous management measures have failed for exactly that reason, you are putting the desires of an industry ahead of the needs of the resource, and that philosophy has got to change!!

As you examine potential management measures, I hope you will consider the following comments and questions regarding each one specifically.

### Quotas

This seems to be the most likely measure to be enacted with amendment 3. However, has the intended quota been re-calibrated for the 2019/2020 harvest overages from both user groups?

There is much talk about recreational seasonal closures from discard mortality. At present, DMF assumes a 9% recreational discard mortality. Certainly as the stock recovers, and interactions increase, discard mortality will as well. Future seasons could be shortened or completely closed based on this assumptive number. How is the Division going to account for this?

With no data coming from the RCGL sector for over 10 years, this gear type should be completely abolished.

Commercial discard mortality is currently estimated at 22%. Will the Division hold the commercial industry equally accountable for their discards from gears such as gill nets and pots?

On the commercial side, TRAWLER BYCATCH MUST NOT BE GIVEN A PASS!! Losses of juvenile southern flounder from the shrimp trawl industry must be accounted for in their quota OR SOUTHERN FLOUNDER HOTSPOTS IN PAMLICO SOUND MUST BE CLOSED TO TRAWLING.

Is any kind of conservation equivalency being built into amendment 3?

Regardless of the management measures selected, enforcement will be an issue. Are there enough enforcement officers and divisional personnel to do the daily monitoring that will be necessary? Will the illegal takes that will happen on both sides be adequately policed?

### Slot Limit

There has been much discussion over changing the slot limit to allow the take of smaller fish, while at the same time, protecting the larger breeding female flounder with a slot limit of 12-18". Unless this applies to BOTH user groups, it is a non-starter.

If enacted for both user groups, what will the daily recreational limit be? 4 fish? 2 fish? 1 fish?

Large mesh gill nets will have to be banned as they will not be able to catch the smaller fish and will have excessive bycatch of larger flounder.

Small mesh soaks will lead to higher bycatch of other species, especially sublegal speckled trout and red drum.

There will be BIG ISSUES with gigging. Will commercial and recreational giggers be able to tell the difference between an 11 or 12" fish? an 18-19" fish? Again, enforcement will be a major issue as you will certainly have massive illegal takes of larger fish.

### **Seasons**

When enacted, the flounder quota must be managed seasonally and all gears that could interact with flounder kept out of the water (or rendered inoperable) outside of the season, as is currently being done.

With the concern over recreational discard mortality, has the requirement of using a circle hook been examined as per previous MFC decision?

### **Species Specific Management**

In order to offset the economic losses to the \$240 million recreational flounder fishery, species specific management must be started. Education is one of the tenets of the DMF, and educating anglers on the differences between NC flounder species could be easily and economically done.

In addition, the ocean MUST be opened up to recreational anglers for summer and gulf flounder, 4 fish per day @15" minimum. Doing so at least for a season from July 1 through September 30 would minimize any incidental takes due to the migration patterns of southern flounder.

### **Closure**

Any consideration of a closure to the southern flounder fishery should take into account the economic impact of losing such a valuable fishery.

How long would a closure last? What will be the criteria to re-open the fishery (new stock assessment with conservation equivalencies factored in)?

Most importantly, what would be the plan moving forward? Repeating or allowing what we managed for in the past will only bring us back to where we are now.

Certainly, there is much to be considered and difficult choices lie ahead. However, I implore you to act in the best interest of the resource when making these management decisions. Take this opportunity to learn from our past mistakes and manage to rebuild the stock. As impactful as it may be, it is time to remove wasteful gears from the water and to no longer allow harvesting methods that kill so many juvenile fish in functional, yet undesignated nursery areas.

Sincerely,

Stuart Creighton

Hello

I realize im probably  
writing this letter in vain,  
but here goes nothing. I'm  
pissed to hear that Flounder-  
season has been changed to  
Sept 1-14 it was originally  
reported to be 95 last year.

so sorry  
not  
worst  
of  
all

My family has been coming here  
for over 30 years to fish in Oct.  
We changed our vacation to  
Sept. for flounder season  
although were coming Sept 18-25  
It is very unfair to people to  
change things mid stream, plans  
have to be made in advance for  
vacation. One way to go about  
it would be to leave season  
Aug 16 - Sept 30 and do 1 fish  
a day limit like has been done  
with Grays, Stripes, Puppy Drum  
I think that would be fair to all  
parties. Then maybe next year announce by  
May and stick to it. Thank you, Mike B.

North Carolina marine  
Fisheries Commission

my name is Dewayne Ward  
I been a commercial fisherman  
for 42 years

The law that the commission  
are about to vote on will  
change the lives of thousand  
of people in N.C.

I agree with the attendance  
of net

I do runround net I have  
very little bycatch

400 yards of net is all I use at  
one time except in ocean

I don't agree with changing  
of mesh size. We use all size  
of webbing for different kind  
of fish at different time of

the year, without our 1<sup>5</sup>/<sub>16</sub> and  
1<sup>3</sup>/<sub>8</sub> size webbing all you are  
going to do is target trout and  
drum. I don't agree with the  
restriction of area or time

if recreational fisherman are allowed  
to fish in an area then we should  
be able to

**From:** [Klibansky, Lara](#)  
**To:** [Gillikin, Dana](#)  
**Subject:** Fw: [External] Gill nets  
**Date:** Tuesday, May 19, 2020 1:30:45 PM

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**From:** Bizzell, Rob <r.bizzell.mfc@ncdenr.gov>  
**Sent:** Tuesday, May 19, 2020 9:18 AM  
**To:** Klibansky, Lara <Lara.Klibansky@ncdenr.gov>  
**Subject:** Fwd: [External] Gill nets

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One for the books

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**From:** [REDACTED]  
**Sent:** Tuesday, May 19, 2020 9:11 AM  
**To:** Bizzell, Rob  
**Subject:** [External] Gill nets

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When will you start being a good stuart of our states resources. Yall continue to penalize the recreational weekend fishermen with your rules and allowing the charters and commercial fishermen relaxed use. Who pays for and supports revenue for the state it's the single license purchase but we are the ones out there with a hook and line not being able to keep anything because the commercial industry is destroying it with gill nets and liberal rules. Nothing is going to change you can keep restricting the recreational fishermen, but untill you outlaw gill nets our fish stocks will never recover. Be honest with yourself and the people of the state.

Sent from my Verizon, Samsung Galaxy smartphone

**From:** [Klibansky, Lara](#)  
**To:** [Gillikin, Dana](#)  
**Subject:** FW: [External] Proposed New Gill Net Restrictions  
**Date:** Thursday, July 29, 2021 3:33:37 PM

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Dana, this can go into the letters to the MFC for the Aug. briefing book. Thank you!

Lara K. J. Klibansky  
Marine Fisheries Commission Liaison  
Executive Assistant for Councils and Commissions  
NC Division of Marine Fisheries  
Department of Environmental Quality



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**From:** Hardy Plyler [REDACTED]  
**Sent:** Thursday, July 29, 2021 3:27 PM  
**To:** Klibansky, Lara <[Lara.Klibansky@ncdenr.gov](mailto:Lara.Klibansky@ncdenr.gov)>  
**Subject:** [External] Proposed New Gill Net Restrictions

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This email is from the Ocracoke Working Waterman's Association, supporting commercial fishing and stating our concerns over further restrictions on small mesh gillnets.

It is very important that commercial fishing remains viable. North Carolina seafood plays a significant role in the coastal economy. We at Ocracoke Seafood Co. know that further restrictions on the use of small mesh gill nets in Pamlico Sound will severely cut our supply of fresh local fish. Every restaurant on Ocracoke Island has an individual fisherman contracted to supply them with fresh local fish. These restaurants and others along the coast consider serving fresh wild caught North Carolina fish an essential part of their business.

How can the state of North Carolina not support and promote an industry worth 300 million dollars annually to the rural coastal counties, where very few other economic opportunities exist?

Fishery management issues: small mesh gill nets

Extensive rules and proclamations in recent years have severely restricted the use of gill nets (see enclosed DMF data sheet) closed areas, attendance rules, no setting a net on weekends, yardage limits, mesh size restrictions, seasonal closures, daily and annual catch quotas and observer programs. For Southern Flounder, the FMP restricts fishing to 4 days per week, with flounder season set at 19 days in 2020 and 2021, that would allow 11 days of fishing large mesh gill nets for the entire year.

Fishery management has changed from conservation of the resource and promotion of fisheries to a political battle over user conflicts and allocation of fisheries resources to different user groups.

We encourage the DMF and the MFC to adopt a measured approach to further restrictions on small mesh gill nets. We endorse increasing the minimum mesh size to 2+3/4" stretch mesh size to protect juvenile fish.

In region B, we have quota-managed fish and no user conflicts or bycatch issues. Currently there are fewer gill net trips, less fishing effort & reduced yardage.

We have enough restrictions on small mesh gill nets to manage healthy fish stocks and solve user conflict issues.

Thank you,

Hardy Plyler

Manager, Ocracoke Seafood Company & commercial fisherman for 48 years

GENERAL ASSEMBLY OF NORTH CAROLINA  
1997 SESSION

S.L. 1997-400  
HOUSE BILL 1097

AN ACT TO ENACT THE FISHERIES REFORM ACT OF 1997 TO PROTECT,  
ENHANCE, AND BETTER MANAGE COASTAL FISHERIES IN NORTH  
CAROLINA.

Whereas, the State of North Carolina has one of the most diverse fisheries in the United States; and

Whereas, the General Assembly recognizes that commercial fishermen perform an essential function by providing wholesome food for the citizens of the State and thereby properly earn a livelihood; and

Whereas, the General Assembly recognizes the economic contribution and important heritage of traditional full-time and part-time commercial fishing; and

Whereas, the General Assembly recognizes that for many citizens fishing is an important recreational activity and that recreational fishing is a source of great personal enjoyment and satisfaction; and

Whereas, the General Assembly recognizes the importance of providing plentiful fishery resources to maintain and enhance tourism as a major contributor to the economy of the State; and

Whereas, the General Assembly recognizes the need to protect our coastal fishery resources and to balance the commercial and recreational interests through better management of these resources; Now, therefore,

The General Assembly of North Carolina enacts:

PART I. SHORT TITLE; PERFORMANCE AUDIT; STUDIES

Section 1.1. This act shall be known as the "Fisheries Reform Act of 1997".

Section 1.2. The State Auditor shall conduct a performance audit, including a detailed operational review, of the Division of Marine Fisheries of the Department of Environment, Health, and Natural Resources. The performance audit shall include an assessment of the capacity of the Division of Marine Fisheries to effectively implement the provisions of Part V of this act. The performance audit report shall be delivered to the Joint Legislative Commission on Seafood and Aquaculture no later than 1 February 1998. The Joint Legislative Commission on Seafood and Aquaculture shall review the performance audit and make a specific recommendation to the 1998 Session of the 1997 General Assembly as to whether the provisions of Part V of this act should be implemented.



#### Gill Net Restrictions in recent years

- 2004: Small mesh attendance required in from May 1 through November 30 in most waters of the state with the exception of the open waters of Pamlico Sound and from Core Sound south to the South Carolina border during spot season (October 1- November 30), in order to reduce interactions with juvenile red drum
- 2010: Large mesh gill nets restricted to four days a week (Monday night through Thursday night) in all regions except the Albemarle Sounds; and the portion of the Pamlico Sound that was covered under the previous Section 10 permit under the Endangered Species Act during the fall season
  - This was done to ensure compliance with the Endangered Species Act regarding interactions with sea turtles
  - Additionally total allowable yardage was reduced from 3000 yards to 2000 yards in the large mesh fishery
- 2014: Large mesh gill nets are restricted to four nights a week statewide including the areas that had previously been exempted
  - Additionally large mesh gill nets can not be set between one hour after sunrise and one hour before sunset
- 2014: Large mesh fishery closed in all waters except Albemarle Sound from May 1 to September 1 to avoid interactions with red drum
- 2014: Use of gill nets in the Joint Fishing Waters of the state (areas administered by both the Division of Marine Fisheries and the Wildlife Resources Commission) prohibited on the weekends
- 2013-2018: Large mesh gill nets closed periodically at different times and for large portions of the year to minimize interactions with protected species chiefly sea turtles and sturgeons, especially in Management Unit B (Pamlico Sound) and Unit D1 and D2 (Core Sound)
- 2019: Use of gill nets banned upstream of the ferry terminals in the Neuse and Tar-Pamlico River systems
- 2019: Large mesh nets restricted to 1500 yards when open in Areas A, B, C and 750 yards in Areas D and E under Amendment 2 of the Southern Flounder Fishery Management Plan
  - Previously 2000 yards in Areas A, B, C
  - Previously 1000 yards in Areas D and E
- 2020: Large mesh restricted to 19 days in central region by Proclamation M-15-2020 with sets only permitted Monday through Thursday night under Amendment 2 of the Southern Flounder Fishery Management Plan
  - Large mesh restricted to 32 days in southern region and 21 days in northern region with same Monday through Thursday night sets allowed by Proclamation M-15-2020 and M-14-2020 under Amendment 2 of the Southern Flounder Fishery Management Plan
- 2020: Small mesh restricted to 800 yards for set nets and 1500 yards for drift nets in all sounds and rivers

**From:** [Klibansky, Lara](#)  
**To:** [Gillikin, Dana](#)  
**Subject:** FW: [External] Job  
**Date:** Wednesday, August 4, 2021 9:22:57 AM

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Lara K. J. Klibansky  
Marine Fisheries Commission Liaison  
Executive Assistant for Councils and Commissions  
NC Division of Marine Fisheries  
Department of Environmental Quality



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**From:** Bizzell, Rob <r.bizzell.mfc@ncdenr.gov>  
**Sent:** Wednesday, August 4, 2021 9:08 AM  
**To:** Klibansky, Lara <Lara.Klibansky@ncdenr.gov>  
**Subject:** Fwd: [External] Job

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**From:** larry boomer [REDACTED]  
**Sent:** Wednesday, August 4, 2021 7:24 AM  
**To:** Bizzell, Rob  
**Subject:** Re: [External] Job

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Hey Rob, I think you will be interested in this and I will make this as brief as possible. This is

about speckled trout gill netting in Hyde county (probably over the state but I know Hyde county. The commercial Grey trout limit is 100 pounds per day. The first hundred pounds that comes in the boat of legal length gets sold. Speckled trout is the problem. Commercial fisherman set an ungodly amount of gill net to catch 75 speckled trout. These fisherman catch 300 to 500 plus fish, cull the biggest 75 to sell because it is a fish limit not a pound limit and the remainder of the fish are shoveled overboard dead. 3 pound fish are shoveled overboard because there is enough 3.5 pound fish to fill the quota of 75 fish. This aint right - don't care who you are. You here fishermen at restaurants and convenience stores talking about how stupid the DMF is to treat speckled trout to a per fish limit and grey to a pound limit. They are selling 250 to 400 pounds of speckled trout a day while discarding twice that amount of dead fish.

This is the short version and to the point. If you need more you have my email or call [REDACTED]. Good luck with the flounder mess. We need more to fish for than croakers. Thank you for your time, Boomer

On 8/3/2021 6:23 PM, Bizzell, Rob wrote:

Waiting to hear at anytime, thanks! Rob

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**From:** larry boomer [REDACTED]  
**Sent:** Tuesday, August 3, 2021 4:44:23 PM  
**To:** Bizzell, Rob <[r.bizzell.mfc@ncdenr.gov](mailto:r.bizzell.mfc@ncdenr.gov)>  
**Subject:** [External] Job

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Did you get reappointed? Talked to you a month or so ago and you said you were up for reappointment. Hope you got it and I have info on another CLUSTER in my area some one with authority (a voice) need to here. Thank you for your time. Boomer

To whom it may concern,

I am writing this as a public comment in regard to the recent amendment 2 to the shrimp FMP. I am 25 years old and a fifth generation fisherman trying to make an honest living doing what I love and what my heritage has been carved out of. I would consider myself one of maybe a dozen full time commercial fisherman in my county maybe even the state under the age of 30. That number is not from a lack of any species on the water this is from a misuse of authority in the MFC. This industry has been taken from until it cannot be taken from anymore. If the state wants there to be fresh local seafood in local restaurants and a viable commercial fishing industry this has to be stopped.

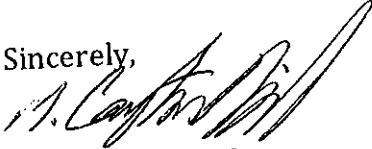
In every single fisheries meeting I have ever attended there has been a graph of data shown on a poster or on a projector. Every single one has always shown a decrease in commercial landings in whatever species the meeting was about. This is without a doubt a fact, there has been less landing, however it has nothing to do with the quantity of fish/shrimp. It is a shortage of fisherman and a shortage of effort being put forth by fisherman. Showing data on a graph from 1990 and now are two different worlds and it is not plausible to do so. Where I grew up in ██████████ County in the late 90s every community was thriving and full of working waterman. Every harbor was occupied by at least 15 to 20 shrimp trawlers and Pamlico Sound would look like a city on a summer night. The majority of those boats are gone now and the harbors look like ghost towns. If reduction is what we are after here isn't over a 75% reduction in participants and gear accounted for somewhere? I don't think this is ever considered in any decisions that are made with fisheries management. The science must not back that up I presume!

The shrimpers in this state have done their fare share of cooperating with bycatch reduction. In 2019 every shrimper in Pamlico Sound was required to use a bigger mesh tailbag along with two feds in each tailbag. This gear cost every shrimper in our state thousands of dollars just to engage in the fishery in Pamlico Sound. These Requirements well exceeded the target number the state wanted to meet in bycatch reduction. From the outside looking in anyone can see that there have been extreme measures already implemented in reducing bycatch.

Economical impact is also a major concern with the idea of closing areas such as the western parts of Pamlico Sound, Core Sound, and Bogue Sound. There will be smaller class boats cut out of an entire fishery, as well as losing the economical value of the fishery. There will also be a major loss for local hardware stores, grocery stores etc. The value of this fishery is much more than what is shown on a trip ticket. Every single boat that is on the water requires thousands of dollars of maintenance each year, which keeps small hardware stores booming during the off-season in our local small communities. The number of people employed in packing houses and their freight drivers should also be thought of, as well as the fuel industry. This industry employs a much larger work force than the people realize and they will all be affected by what is being proposed. This proposal may appear good on paper, however people must realize the negative impact that it will have on not only the fishing industry but also communities as a whole.

If this moves forward and is adopted it will be a full closure of the shrimping industry in this state. I think more scientific studies and research need to be done on the industry. There also needs to be more interaction with local fisherman who are knowledgeable of an area and are aware of seasonal and environmental changes on a certain body of water before a permanent closure is implemented. The fisherman in this state are willing to cooperate with changes and will adapt to help our resource, we are NOT willing to give up our jobs and livelihood and that is what will occur if this goes into effect.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Cayton Daniels', written in a cursive style.

M. Cayton Daniels





NC

Cell:

June 26, 2021

Marine Fisheries Commission Members,

I am a shrimp consumer and I catch my own fish when I can, also using shrimp.

I've spent a number of hours reading FMP Amendment 2. The stated goal of the amendment is to manage the shrimp fishery to provide adequate resource protection, optimize long-term harvest and minimize ecosystem impacts. Objectives in achieving the goal include reducing bycatch and adding a number of habitat restrictions.

N.C. Shrimpers and Commercial fishermen are already known to be leaders in bycatch reduction and just need to keep on with their collaborative efforts going forward.

In the biological profile section, it states: "Because of high fecundity and migration behavior, the three species are capable of rebounding from very low population sizes in one year to larger populations the next, provided environmental conditions are favorable." This unpredictable characteristic plus weather events, increase in water temperatures, sedimentation, and other variables would seem to make it near impossible to determine what benefit would come from any of the many restrictions included in the appendices. Not only is data justifying these restrictions not there, it is not likely to be obtained.

However, the certain effect on the fishery by more closures and restrictions would be to diminish the long-term harvest, a goal by the way that got little attention in this document. This could be financially devastating to many of the shrimpers. I don't want to ever lose the shrimper in my neighborhood who is a valued resource to our community and whose job seems to get more difficult every year. There is no one who cares more about the issues of resource protection and ecosystem impact than my shrimper and his peers. They deserve to be commended for their contributions to our communities.

I urge the commission to keep the status quo.

Sincerely,



Joe Boyette

To whom it may concern,

I was born and raised in the community of ██████████ located in the northeast corner of ██████████ County. I have lived here my entire life. I have been involved with commercial fishing from a very early age. I started working on a shrimp boat at the age of 12. I am now 63 years old. With over 50 years' experience of being involved I have seen a lot of changes and I think my opinion matters simply because I know what I am talking about.

I "joined" the first two public meetings and listened as the three biologists gave their presentation. I was quickly reminded of the adage "if you can't baffle them with brilliance, befuddle them with BS". I could see right through what they were attempting to do. They have no regard for the industry which they are trying to control. They completely disrespect the people, the tradition and the heritage they are attempting to destroy. They are quick to use their fancy-colored graphs and use of acronyms to create their version of the facts. But here is the truth:

People shrimping for a living do not want to catch fish. Plain and simple. We use try nets to check to see what is there and if there are too many fish we move on. The use of larger BRDs and larger tail bag size reduces the amount of bycatch. I have witnessed that, although it does appear that it reduces the amount of shrimp also.

People shrimping for a living do not want to catch grass (SAV). It clogs the net and makes for more work. It is my experience that the larger more adult shrimp do not stay in the grass beds. Also, SAV does not occur in water deeper than 6 foot deep. This was stated by Anne Deaton, Habitat Assessment Program Manager DMF, in one of the two meetings I observed. I personally do not know of anyone that trawls in 6 foot of water or less. In my area it is illegal to trawl in 6 foot or less. It is illegal to set crab pots in water that is over 6 foot deep. Thus, theoretically ending gear conflicts. I heard comments that enforcing the 6-foot depth would be difficult. Really? The necessary high-tech equipment is currently being used to check the 6-foot depth for crab pots. It consists of a section of PVC pipe with the 6-foot mark shown on the pipe. The officer sticks the pipe in the water until it reaches bottom. If it goes over the mark, it is deeper than 6 feet. If it does not, then it is less than 6 feet. Now how difficult is that?

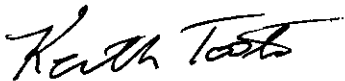
Here are my suggestions: To protect the SAV areas, close all areas to trawling that are 6-foot or less. I am sure that if you mark these areas on your charts, you will see that this will take in an exceptionally large area. And thus, satisfying the need to protect SAV areas. This will affect very few shrimpers.

To reduce by catch, enlarge the areas that only allow 90 feet of headrope to include Neuse River, Bay River, and Pamlico River. Do not close these areas to trawling. This will allow the smaller boats to operate. The larger boats that trawl with 220 feet of headrope could pull 90 feet of headrope if they so desire to work in these areas. Make the 1 ¾" tail bag size the statewide law to include the ocean. As it is now, I can pull 1 ½" tail bag in the tributaries but not in the sound. I can also pull the smaller mesh in the ocean. To a lot of people in the industry this is backwards and makes no sense.

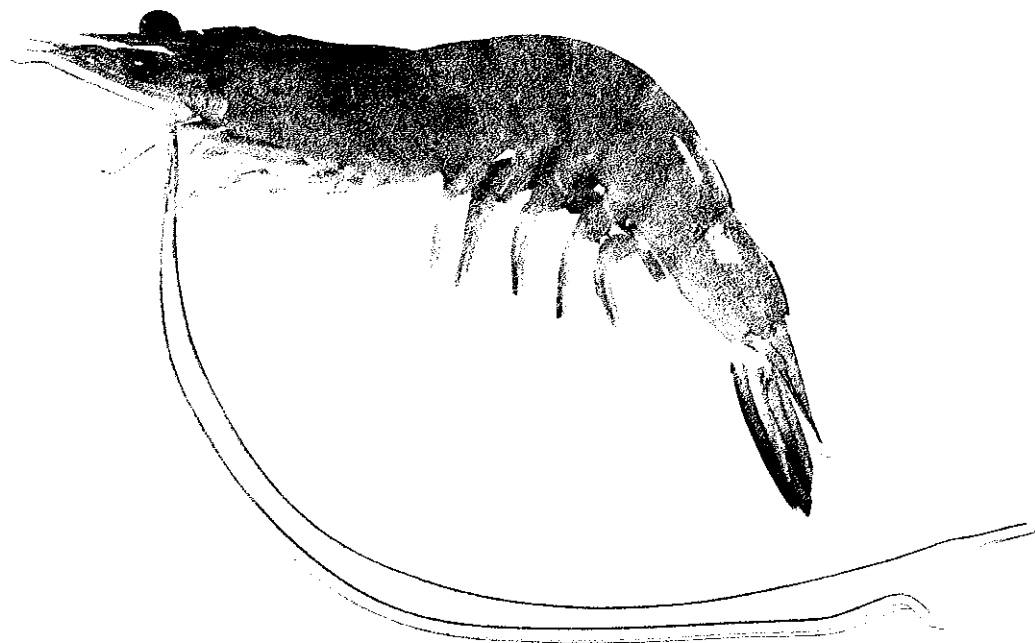
These are the only two measures that I could agree to. It has been made clear that the Division lacks the data to justify the closures that have been suggested. The economic impact alone would be devastating to the coastal communities.

I hope this letter is read by someone with enough insight to realize the closures suggested are not what this industry needs right now. Do more studies, gather better data and make good decisions based on facts.

Thank you,



Keith Tosto





MFC Letter June 25, 2021

Dear Commissioners;

14 days for the recreation fishing season for Flounder in 2021. Wow. NC once had the best flounder fishery on the east coast – and now we have 14 days. Truth be told – I wish the decision would have been made to close the entire flounder harvest for two years – including rescinding the by-catch flounder permits for the trawlers.

But this comment period is about the shrimp management plan.

Is it possible that the lack of adult flounder to harvest is directly correlated to having ocean going trawlers pillage the nursery areas in the harvest of shrimp?

Is it possible that the weakfish, spot and several other species are in dire duress because the regulators have established a poor rule set that allows the aforementioned pillaging?

The answer is an unequivocal yes. Even the commercial fisherman understand and acknowledge that the practice of using ocean trawlers in estuary waters is exceptionally harmful. That is why they (& all of the constituents) agree that reducing “by-catch” is needed.

We all know what “by-catch” is. “By-catch” is the indiscriminate slaughter and waste of millions of juvenile fish by the large ocean going trawlers that ply the nursery areas in their search for shrimp.

Why do the ocean going trawlers ply the nursery areas? Because that is where the shrimp are easiest to catch. More specifically that is where trawlers can catch the most shrimp at the least cost. “By-catch” is the collateral damage of keeping their cost of shrimp production low. It is really that simple.

What you learn in business 101 is that if you have a cheap source of input, you make more profit. In addition, most of the ocean trawlers that ply the sounds are part of vertically integrated businesses.

So there is a direct correlation between the profits of the trawlers and their legal ability to pillage the nursery areas in their search for the lowest cost method of production.

So why does this commission allow the profits of a few well capitalized commercial enterprises to be the driving force of the regulations promulgated? You know what....that question may be answered better by the courts.

Now the commercial fisherman will cry foul on the argument that ocean going trawlers, pillaging the sounds in their search for a greater profit margin, is the root cause of the decimation of the fishery. They will say more “studies” are needed. But the issue of further study is a ‘red herring’, a logical fallacy. It is a 4-corner stall that even Dean Smith would be proud of.

The truth is that this issue has been studied relentlessly for years. In fact, the report that was just produced is over 300 hundred pages long. In that report they are citations to over 100 other studies on the issue. Literally thousands of pages have been written on the topic.

A degree in marine biology is not needed to understand the problem. The problem is actually very simple.

The problem is that when you kill most of the young there are not that many adults.

It is just common sense.

The common sense answer is equally simple. We need to stop killing the young if we want more adults.

So how do you stop killing the young?

That answer is very simple as well: Stop letting the trawlers fish the sounds. This will eliminate the “by-catch” in the nursery areas.

Create new laws (like all the other states on the east coast) that force the ocean going trawlers to get out of the sounds and to fish the ocean waters – in their ocean trawlers.

The real argument is how much less profit and employment loss will the commercial fishing community realize if the rules are changed?

This is something that should be studied and quantified. A very good case could be made to create some state funding to help these hard working folks transition to a more a more sustainable business model.

The bottom line is this: The cost to help transition the commercial fishing fleet to a sustainable business model is dramatically cheaper than allowing poor regulations to destroy our fishery.

I want to be very clear here. The commercial fishing community should not, and does not, bear the full responsibility for the horrific state of the fishery.

No – that responsibility lies with the people entrusted to create the rules. From the Governor on down.

The rule makers have an absolute obligation to make sure the rules are created in a way that preserves the resource for the long term good of every current and future citizen of North Carolina.

Clearly the rules that are in place now have led to the decimation of the resource. This fact should not be disputed.

Change the rules and you will change the outcome.

Ban the trawlers in the sounds and provide targeted financial relief to the fishing community that is impacted.

It's that simple. The money can be found to help the fishing community. What I don't know is if the courage to change the rules can be found.

John Lenzmeier

**From:** [Wade, Hope](#)  
**To:** [Gillikin, Dana](#); [Klibansky, Lara](#)  
**Subject:** FW: [External] Comments on NC Shrimp Fishery Management Plan Amendment 2  
**Date:** Wednesday, June 30, 2021 4:02:42 PM  
**Attachments:** [image003.png](#)

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**From:** Sturgill, [REDACTED]  
**Sent:** Wednesday, June 30, 2021 4:01 PM  
**To:** Wade, Hope <[hope.wade@ncdenr.gov](mailto:hope.wade@ncdenr.gov)>  
**Subject:** [External] Comments on NC Shrimp Fishery Management Plan Amendment 2

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1025 Connecticut Ave. NW, Suite 200  
Washington, DC, 20036

June 30, 2021

Via [North Carolina Public Comment Portal](#)

Please note there is no area available to attach the my following comments. This is the reason for this email. Please add the following comments to the record.

North Carolina Department of Environmental Quality  
217 West Jones Street  
Raleigh, NC 27603

**Re: Comments on NC Shrimp Fishery Management Plan Amendment 2**

Dear Hope Wade :

Oceana is the largest international ocean conservation organization solely focused on protecting the world's oceans, with more than 1.2 million members and supporters in the United States, including over 340,000 members and supporters on the U.S. Atlantic seaboard. For nearly twenty years, Oceana has campaigned to win strategic, directed campaigns that achieve measurable outcomes to help make our oceans more biodiverse and abundant. Central to this work is Oceana's consistent effort to make all U.S. fisheries responsibly managed, end overfishing, protect habitat and reduce bycatch, especially in bottom trawl fisheries.

Oceana is enthusiastic about the Department of Marine Fisheries work on Shrimp Amendment 2. The stated goal of the amendment to "manage the shrimp fishery to provide adequate

resource protection, optimize long-term harvest, and minimize ecosystem impacts” is consistent with modern responsible fisheries management. The Amendment should move forward to ensure that each of these goals are achieved by the action.

Oceana is equally enthusiastic about the specific objectives of the amendment relative to habitat conservation and bycatch reduction (emphasis added):

- **Reduce bycatch of non-target species of finfish and crustaceans, as well as protected, threatened, and endangered species.**
- **Promote the restoration, enhancement, and protection of habitat and environmental quality in a manner consistent with the Coastal Habitat Protection Plan (CHPP).**
- **Develop a strategy through the CHPP to review current nursery areas and to identify and evaluate potential areas suitable for designation.**
- Use biological, environmental, habitat, fishery, social, and economic data needed to effectively monitor and manage the shrimp fishery and its ecosystem impacts (i.e., bycatch, habitat degradation).
- Promote implementation of research and education programs designed to improve stakeholder and the general public’s understanding of shrimp trawl bycatch impacts on fish population dynamics.

The North Carolina Marine Fisheries Commission (“the Commission”) should take action to achieve these objectives through Amendment 2. This will produce benefits for the ecosystems of coastal North Carolina, the fisheries of the region and the full range of managed, unmanaged, and protected species that use these habitats.

## **Bycatch**

Oceana has published numerous reports over the last twenty years describing the magnitude and composition of bycatch in U.S. fisheries. The most recent of these, *Wasted Catch*, used federal data to examine fisheries nationwide and found that the Southeast U.S. shrimp fishery may be discarding up to 64% of its catch, including substantial portions of weakfish, croaker, porgy and other species.<sup>[1]</sup> Additional analysis suggests that the SE U.S. shrimp fishery discards in excess of \$100 million of fish each year, including \$45 million of sea trout and \$25 million of croaker.<sup>[2]</sup> The SE U.S. shrimp fishery also catches thousands of threatened and endangered sea turtles each year. This analysis concurs with the analysis in Shrimp Amendment 2 and makes a clear call for action to reduce bycatch in the N.C. shrimp fishery.

Oceana strongly supports a strategy to reduce bycatch that avoids and then mitigates bycatch where fisheries managers close areas with high bycatch rates, areas with vulnerable species, and areas with aggregations of protected species. If areas are deemed lower risk for bycatch, managers should then use proven mitigation tools to reduce bycatch of fish and protected species such as Bycatch Reduction Devices (BRDs) and Turtle Excluder Devices (TEDs), or other gear modifications.

In the current action, to achieve the first objective, “(r)educe bycatch of non-target species of finfish and crustaceans, as well as protected, threatened, and endangered species” Oceana urges the Commission to adopt time-area management that will close areas with high bycatch rates of all species, areas with vulnerable species and those with aggregations of protected species. Oceana has campaigned for a decade to expand the use of proven bycatch reduction

devices and encourages the Commission to ensure that all of its fisheries use the most effective bycatch mitigation tools if bycatch cannot first be avoided.

The Commission should accompany this bycatch management strategy with statistically accurate, precise and timely at-sea observation (either human or electronic) described in the amendment to collect information about bycatch in the N.C shrimp fishery across all areas. This will better inform future management, improve the fishery as a whole, and help achieve the goals of the action.

## **Habitat**

Different fishing gears each have effects on benthic habitats from low effects of hook-and-line fishing to significant effects of bottom-tending mobile gears like trawls and dredges that are towed across the seafloor. Studies across the world show that the effects of trawls on benthic habitats can be substantial and require many years to recover<sup>[3]</sup>. Chronic trawling is likely to exacerbate these effects.

Identifying and effectively conserving habitats that support spawning, breeding, feeding and growth to maturity is an essential component of effective fisheries management. Habitat conservation has been a statutory requirement in federal fisheries under the Magnuson-Stevens Act Essential Fish Habitat requirement since 1996 and has supported recovery of fish stocks around the country. Oceana has championed effective management of fish habitat for many years and encourages the Commission to take action on Shrimp Amendment 2 to identify and protect fish habitat for all life stages of fisheries in N.C. waters from the adverse effects of bottom trawling, particularly nursery habitats.

The Commission should take bold action on behalf of North Carolina's coastal habitats and close its vulnerable habitats to bottom trawling unless the impacts are proven to be minimal or short lived. This is necessary to the achieve habitat-related objectives of the Amendment.

Sustainable, responsible shrimp fisheries with low bycatch and effective habitat protection are an attainable goal. The Commission has recognized the need for action to reduce bycatch and conserve habitats in the Amendment and should follow through with the approval of Shrimp Amendment 2, including changes that are demonstrated to achieve the goals and objectives of the Amendment.

Failing to act with meaningful changes is irresponsible and unacceptable.

Thank you for your consideration of these comments,

Randy Sturgill  
Senior Field Representative  
Oceana

██████████ NC

[\[1\]](#) Cite to Wasted Catch

[\[2\]](#) Cite to Wasted Cash

[\[3\]](#) Hiddink, et al. 2017. Global analysis of depletion and recovery of seabed biota after

bottom trawling disturbance. *Proceedings of the National Academy of Sciences* Aug 2017, 114 (31) 8301-8306.

Royce Potter

[REDACTED]  
[REDACTED], NC [REDACTED]

June 20, 2021

Dear Marine Fisheries Commission members,


I own and operate a mid-size (55 foot) shrimp trawler and own and operate a retail seafood market in [REDACTED] NC. As a shrimper, a wholesale distributor, retailer, and a consumer, I have concerns about amendment 2 of the shrimp FMP.

In reading the entire 318 pages there are many instances of data and conclusions contradicting themselves. Several of the studies even reach the conclusion that trawler by catch has no detrimental effect on the by catch populations. North Carolina, along with the support of NC commercial fishermen, has always been and continues to be a leader in by catch reduction. These great strides have been accomplished through a collaborative effort with commercial fishermen and science based data.

As this amendment seems to lack clear data and reasoning to support the harsher restrictions, I would ask the commission to maintain current management measures, to recognize the extreme importance of our local food supply and economic impacts not only to the fishermen but to the businesses and consumers, and to let us continue our progress in the current system that works.

Sincerely,

Royce Potter



June 15, 2021

TO: Marine Fisheries Commission

RE: Draft Shrimp FMP Amendment 2 Comments

I am a North Carolina native, who grew up eating local, NC shrimp. I have served on the board for NC Catch for six years. I am the author of THE OUTER BANKS COOKBOOK: Recipes and Traditions of NC's Barrier Islands. In my many travels associated with this book, I've encountered many shrimp lovers, as well.

I am appalled that over 90 percent of the shrimp served in our NC restaurants do NOT come from NC's coast, or even from any of the US coastal communities. Even some of our NC grocery stores sell imported shrimp.

And now there are suggestions of limiting area to trawling by shrimpers in Pamlico Sound and other areas. These restrictions will make it even harder for the average consumer to buy NC shrimp, as well as severely limit the availability of fresh, local shrimp to be served at restaurants and available at markets. Your suggested restrictions will put NC commercial shrimpers out of work.

I do NOT want to eat shrimp imported from farms in other parts of the world that do not meet the health and safety requirements we have here in our state.

Of all the shrimpers and commercial fishermen I have talked with over the last two decades in my food research, I have yet to meet one who is not concerned about protecting the sustainability of his or her catch. Why would they engage in a practice that does away with their product? Do you not trust our native fishermen to preserve the environment that produces what they are trying to sell?

Please maintain current management measures, continue to work closely with industry to further reduce bycatch and protect habitat, and help maintain the cultural heritage, economic viability and overall well-being of our coastal communities so dependent on the shrimp fishery.

Sincerely yours,

  
Elizabeth Wiegand

[Redacted]

[Redacted]

[Redacted]



To whom it may concern,

There have been several attempts in the recent decade to eliminate the internal shrimp trawl fishery in NC. The most recent proposals put forth through Amendment 2 of the shrimp FMP in my mind are no different. The proposals are not pushing for 100% closure, but anyone with common sense can see the writing on the wall. When a business income or capability is reduced by 85-90% any economist with a brain would tell you bankruptcy is right around the corner. These draconian proposals do just that. I would like to explain my concern with each of the following management proposals in the FMP amendment 2.

By looking at the issuance papers of special secondary nursery areas, one can see the DMF has been using nursery area designations for management of trawling activities for many years. By looking at population charts of various species and sizes the DMF can and has opened areas for trawling when conditions are favorable and justified by science. The Fisheries Commission has also already transitioned 10 SSNA to permanent SNA during their 2020 business meetings. By SSNA designation these areas can remain closed by the DMF if conditions are not favorable for opening, there is no requirement to open SSNA's during the year. Changing these areas to permanent SNA designation would eliminate any possibility of openings when conditions are favorable to capitalize on a shrimp harvest in the area, whether it be due to incoming hurricanes or abnormally large shrimp sizes and populations. This shift in designation would also affect gill net requirement which is also a point of concern. Gill nets would be closed in these areas for another 3 months of the year (sept. -Nov 30<sup>th</sup>). This seems to be a backdoor way to use the Shrimp FMP to accomplish another gill net closure for areas with no justification whatsoever.

After reviewing the issuance papers on "reducing shrimp trawl bycatch through area closures" I feel that it is necessary to point out the lack of relevant scientific data to NC shrimp trawling that was used for this proposal. Two studies that were most mentioned in this proposal for justification and theory were studies with NO ties to NC shrimp trawling. On pages four and five the cited article by Hillborn for scientific proof that area restrictions are an effective management measure to reduce bycatch do not mention that this study was done with gillnets. The Hillborn article has no mention of shrimp trawl activity in the entire study and publication of the article, yet this article is being applied to a different fishery and gear type without any proof of correlation. Gill net management practices cannot be applied across the board to other fisheries with the expectation of the same results. Not only are the target species and life cycles different, but also the gear and effort in the fisheries are vastly contrasting. Another article used in the issue paper, also on page 5, is the Hoos et al. 2009 article. This study uses scientific data done on oceanic factory trawlers in Alaska's Aleutian Islands and California. It would be amiss to assume that the shallow water trawl fishery in NC is the same and can be treated the same as deep water oceanic trawling in the Northern Pacific Ocean. The only shrimp trawling activities cited in this article are from the country of Indonesia. I fear that we are not comparing apples to apples when using these scientific research articles to justify NC regulation implementation. This proposal would eliminate much of the mid size (40-60') vessel capabilities in upper and lower Pamlico sound and would entirely eliminate the Small (20-40') vessel capabilities for all areas other than Ocracoke and Cedar Island. I fear that this would have devastating socioeconomic ramifications in many of our small coastal towns in eastern NC. Job availability is already at a minimum and these restrictions could have far

reaching impacts on our local families. These type vessels use some of the best fishery practices in the state, producing more shrimp with less bycatch and less fuel consumption according to the scientific data quoted in the issuance paper on page 5, paragraph 3 by the DMF.

When the Issuance papers were published for “managing effort and gear” I felt there was very little mentioned of the current downtrend in NC fishing effort. Using the trip ticket and license data from the area closure issuance paper one can plainly see that the historic trend is already in sharp decline for trawl fishery effort and participation. So, the question is, “when is enough, enough?” Since its peak in 1995 of 23,891 trips by 1,891 participants through 2019, effort by participants has reduced by 65% and effort in trips has also reduced by 75% overall in North Carolina. When looking at regional data there are numbers that are far more drastic in reduction than these.

Comparing only 1995 to 2019 for the Pamlico sound region both trip and effort have reduced by the following percentages respectively:

Pamlico sound -65%, 44%

Neuse River – 70%, 60%

Bay river – 95%, 80%

Pamlico/Pungo Rivers – 80%, 95%

If compared on a 5 year average from 1994-1999 to 2015-2019 for all five areas the reduction in effort has justifiably decreased in both trips and effort respectively for the Pamlico sound region

1994-1998

17559 trips over 5 years by 1716 combined participants for an average of 3512 tips by 343 participants per year

2015-2019

12962 trips by 1392 participants over 5 years for an average of 2592 tips by 278 participants per year

A reduction of 23% in trips and 20% in participants.

When comparing the smaller bodies of water in the central region such as Core Sound, Bogue Sound, and Newport River, the reductions have been significantly higher over the 5 year average.

Comparing 1994-1998 wholistically on a 5 year average for the entire central region to 2015-2019 there has been a 82% reduction in trips and a 70% reduction in effort.

My question is what percentage of reduction in the NC shrimp trawl fleet is trying to be achieved in this proposal? When is enough, enough? Are reductions of 70-90% of an industry not good enough for your efforts. These reductions have been naturally occurring over time for various reasons, low seafood

prices, increasing fuel prices, aging populations within the fleet of both captains and vessels, and over regulation by the DMF in other fisheries. When will The DMF realize that to put a fresh product on NC tables the fishermen must be able to fish and stay in business?

On the issue of Submerged Aquatic Vegetation through the Amendment 2 proposal the Advisory committee needs to do a better job of communicating and cooperating with LOCAL fishermen on what should and should not be closed to trawling. This is one of the few changes that could be accomplished with little to no effect to current fishery patterns. Instead of communicating with local fishermen, complete area closures over broad areas with NO submerged aquatic vegetation have been proposed. I feel that with some cooperation in the areas of Core, Back, and Bogue Sounds, scientist and fishermen could reach an agreement that some areas could be closed to trawling, while others should be left open due to the abundance or lack of SAV in those area. Like many other issues with DMF has very little interest in listening to local fishermen and looking into the situation for the betterment of all parties involved. This would be one of those cases and I would be more than willing to sit down with advisory committee members and locate potential closure areas for trawling based on SAV areas in and around Carteret County.

In conclusion the DMF has management plans that are currently in place and very effective at achieving bycatch reduction measures that are above and beyond any other state in the nation as well as the national requirements for shrimp trawl fisheries. I feel that the NC shrimp fleet has taken many steps in scientific research in recent years to achieve the goals set forth by the DMF for bycatch reduction. Further research and advancements should be achieved through cooperation and scientific data produced by fishermen and the DMF through trawl research, NOT trawl ELIMINATION. Amendment 2 does not accomplish any gear changes, only gear elimination. It would be a travesty to the hard working men and women of eastern NC if this proposal is put forth for final adoption. The fishing industry is willing to cooperate, advance, and change for the betterment of North Fishing, but this will not be an option if the DMF carries forward with these drastic restrictions.


Thank You,

Zack Davis - Commercial Fisherman

[REDACTED] NC [REDACTED]

[REDACTED]

[REDACTED]



**From:** [Bizzell, Rob](#)  
**To:** [Klibansky, Lara](#)  
**Subject:** Fwd: [External] I see you all have failed to do the right thing again how is the stocks of our sounds going to recover if you don't do what's right ,, get the commercial fishermen out of our sounds, you all keep Punishing the hook and line fi..  
**Date:** Thursday, June 24, 2021 10:44:16 AM

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**From:** j.lyndon [REDACTED]  
**Sent:** Thursday, June 24, 2021 8:29 AM  
**To:** Bizzell, Rob  
**Subject:** [External] I see you all have failed to do the right thing again how is the stocks of our sounds going to recover if you don't do what's right ,, get the commercial fishermen out of our sounds, you all keep Punishing the hook and line fisherm...

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**From:** [Bizzell, Rob](#)  
**To:** [Klibansky, Lara](#)  
**Subject:** Fwd: [External] the way we all see it is that you all must be getting kick backs for the commercial fishermen,, prove us wrong  
**Date:** Thursday, June 24, 2021 10:43:48 AM

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**From:** j.lyndon [REDACTED]  
**Sent:** Thursday, June 24, 2021 8:34 AM  
**To:** Bizzell, Rob  
**Subject:** [External] the way we all see it is that you all must be getting kick backs for the commercial fishermen,, prove us wrong

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Sent from my U.S.Cellular© Smartphone

6/20/22

Hey Sara,

Commercial fishermen provide a Commodity for NC fishhouses, restaurants, tourists. & the data determined if there is a shortage in the flounder stock!

Also as stated before we feel we should not have to pay the full license fee for 21 days fishing.

Maybe if more of the Commission actually had to use their lands & participate in the fishing industry they might understand what we are going through.

Thanks, John & Brenda Norris

6/22/22

Hey Sara,

We have been thinking that without us/Commercial fishermen how can you come up with accurate data on how low the flounder stock is?

It is also not fair that we have to be kept in the dark about what's going on about a fishing calendar. It's almost the end of June & we still know nothing. We use to fish 5-6 months year, now we have no clue if we can fish at all.

If we can't fish help us supplement our income & buy us out! Please consider

Thanks, John + Brenda Norris



## EDUCATION REQUIREMENTS FOR PUBLIC SERVANTS

Public Servants must complete the Ethics and Lobbying Education program provided by the N.C. State Ethics Commission within **six months** of their election, appointment, or employment. We recommend that this be completed as soon as possible, but the training must be repeated every two years after the initial session.

Since Adobe Flash was terminated on December 31, 2020, our online program is not available. A new and shorter online program will be available in the near future. The new program will be compatible with portable devices such as phones and tablets.

Live webinar presentations are being offered monthly and registration information for the live presentations can be found [here](#). These presentations are about 90 minutes long and give you the opportunity to ask questions of the speaker.

For questions or additional information concerning the Ethics Education requirements, please contact Dottie Benz at (919) 389-1383.



## **2021 STATEMENT OF ECONOMIC INTEREST REMINDERS:**

Completed SEIs must be filed on or before April 15, 2021. If you have already filed a 2021 SEI, do not refile. The forms and instructions can be found at <https://ethics.ncsbe.gov/sei/blankForm.aspx>.

If you filed a 2020 SEI **and** you have had **no changes** since your 2020 filing, you may file a 2021 SEI No Change Form, located on the website.

**You must file a 2021 Long Form if any of the following apply to you:**

- a. You filed a 2020 SEI **but** you have had changes since your 2020 filing;
- b. You did not file a 2020 SEI; or
- c. You are a first-time filer or have been appointed to a new or additional position/board.

This year, the State Board of Elections and Ethics Enforcement will roll out a new electronic process for filing SEIs. That electronic filing option will be available in **early February**.

You are encouraged to file your SEI electronically. However, if you want to file your SEIs before the updated electronic version is available, hard copies are available for filing now at the link above.

New commissioners will need to file a 2021 SEI; however, if you have not had any changes since you last filed, you can use the No Change Form, which is fairly easy to complete.

Please file by April 15th to avoid fines and other penalties.

## **SEI HELPFUL TIPS**

**1. PUBLIC RECORDS.** The State Board of Elections and Ethics Enforcement (State Board) is required to collect and maintain disclosures from certain persons covered by the State Elections and Ethics Enforcement Act Government Ethics Act (Elections and Ethics Act). By law, the information requested is public record and available to the public upon request. As public records, Statements of Economic Interest (SEI) are available on the Commission's website. Personal contact information, however, is not.

**2. CONTACT INFORMATION PAGE.** The Contact Information page, which includes your personal contact information, will not be available on the Commission's website, but is a public record.

**3. CHILDREN'S INITIALS.** Only list minor children's INITIALS on the SEI. List each child's full legal name on the Confidential Unemancipated Children's Form. If you are filing electronically, the form will be generated at the end of the SEI from the information that you provided on your electronic SEI. The Confidential Form is not a public record, and the State Board will not make it available to the public.

**4. READ EACH QUESTION CAREFULLY.** Read each question carefully and pay close attention to the time periods in each question as they do vary.

**5. ANSWER EACH QUESTION.** It is important to answer each question, including all applicable subparts. Even if your answer is "no" or "not applicable," make certain you answer each question. Many of the questions have "yes" and "no" boxes to check for your convenience. Incomplete SEIs may cause delays and negatively impact your public service on a covered board or as an employee.

**6. WHY ARE YOU FILING.** You must list the complete name of the state board or state agency employer for which you are filing the SEI. Without this information, your SEI may be delayed and negatively impact your public service on a covered board or as an employee.

**7. HOW TO FILE.** The State Board strongly recommends electronic on-line filing as it is secure, allows easy information updates, and gives you access to your electronic SEIs previously filed. Filing your SEI on-line is easy, quick, convenient, and reduces the chance of reporting errors. Getting started is easy. Follow the simple steps to create your own account and get access today: <https://EFILE.ncsbe.gov/> To file a paper version of the SEI, you must provide the State Board with a signed, original SEI form. Each SEI includes an "affirmation" and is a legally binding document. Faxed or emailed copies of your SEI CANNOT be accepted.

SEI Helpful Tips, continued

**8. INCOME.** List each source of income as requested on the SEI. The actual dollar amount is not required. Be sure to list your employer as a source of income in Question # 6 of the SEI.

**9. READ CAREFULLY.** Read each question carefully, as the Elections and Ethics Act requires that you disclose your financial holdings and obligations, personal property, and real property and may also include your knowledge of the holdings of both your immediate family and your extended family. "Immediate family" and "extended family" are defined terms in the Elections and Ethics Act, and those definitions are included with this document.

**10. REFLECT.** Think carefully about WHY you are filing, and whether it has any relationship to your position. Does your board or commission license or regulate you? For many of the boards, a subject matter expert like a licensee is needed. Answering "yes" does not prohibit your service on the board, and your perspective is valued.

**11. MAKE A COPY.** Make a copy of the SEI for your own records, and make a note in your calendar when you submit it, whether on-line or by mail or hand delivery. When you successfully submit your SEI electronically on-line, the final screen will provide a confirmation number and will be proof that you have satisfied your filing obligation. Please print the **confirmation screen for your records.**

**12. ETHICS LIAISON.** Contact your Ethics Liaison to assist you in your obligations under the Elections and Ethics Act. Your Ethics Liaison is good source of information about how to fill out your SEI.

**13. ON-LINE HELP.** The State Board has on-line resources to answer questions you may have about your SEI. For more information, please visit the State Board website which has education offerings.

**14. DEFINITIONS.** As noted above, certain terms are defined in the Elections and Ethics Act (“immediate family”). These definitions may be helpful to you in completing your SEI. A complete list of all definitions used in the Elections and Ethics Act is available on the State Board’s website, under “Ethics”. Some of the more common ones are attached to this document.

**15. YOUR INTERNET BROWSER.** Consider using Internet Explorer or Chrome to submit your SEI. Some users have had trouble using other browsers. **16. WE ARE HERE TO HELP YOU.** In addition to on-line resources and written materials, the State Board has expert staff ready to answer any questions you might have and assist you in completing and filing your SEI. Do not hesitate to contact us at [sei@ncsbee.gov](mailto:sei@ncsbee.gov) (919) 814-3600.

# 2021 Meeting Planning Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
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31						

February						
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March						
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April						
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May						
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30	31					

June						
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July						
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August						
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September						
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October						
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November						
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December						
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- MFC
- ASMFC
- SAFMC
- MAFMC
- ASMFC/MAFMC Joint Meeting
- State Holiday

- Southern Regional AC
- Northern Regional AC
- Joint Regional AC
- Finfish AC
- Habitat and Water Quality AC
- Shellfish/Crustacean AC
- Finfish/Shellfish/Crustacean AC

## 2022 Meeting Planning Calendar

January						
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March						
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April						
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July						
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August						
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September						
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October						
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30	31					

November						
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December						
Su	Mo	Tu	We	Th	Fr	Sa
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	MAFMC
	ASMFC/MAFMC Joint Meeting
	State Holiday

	Southern Regional AC
	Northern Regional AC
	Joint Regional AC
	Finfish AC
	Habitat and Water Quality AC
	Shellfish/Crustacean AC
	Finfish/Shellfish/Crustacean AC

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## 2021 Committee Assignments for Marine Fisheries Commissioners

08/05/2020

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### **FINFISH ADVISORY COMMITTEE**

*Statutorily required standing committee comprised of commissioners and advisers that considers matters related to finfish.*

**Commissioners:** Tom Roller – chair, Sam Romano – vice chair

**DMF Staff Lead:** Lee Paramore - [lee.paramore@ncdenr.gov](mailto:lee.paramore@ncdenr.gov)

**Meeting Frequency:** Can meet quarterly, depending on assignments from MFC

### **HABITAT AND WATER QUALITY ADVISORY COMMITTEE & COASTAL HABITAT PROTECTION PLAN STEERING COMMITTEE**

*Statutorily required standing committee comprised of commissioners and advisers that considers matters concerning habitat and water quality that may affect coastal fisheries resources.*

**Commissioners:** Pete Kornegay – chair, Dr. Martin Posey – vice chair

**DMF Staff Lead:** Anne Deaton - [anne.deaton@ncdenr.gov](mailto:anne.deaton@ncdenr.gov)

**Meeting Frequency:** Committee can meet quarterly, depending on assignments from MFC. CHPP Steering Committee can meet a couple of times a year.

### **SHELLFISH/CRUSTACEAN ADVISORY COMMITTEE**

*Statutorily required standing committee comprised of commissioners and advisers that considers matters concerning oysters, clams, scallops and other molluscan shellfish, shrimp and crabs.*

**Commissioners:** Sam Romano – chair, Pete Kornegay – co-vice chair, Dr. Martin Posey – co-vice chair

**DMF Staff Lead:** Tina Moore - [tina.moore@ncdenr.gov](mailto:tina.moore@ncdenr.gov)

**Meeting Frequency:** Can meet quarterly, depending on assignments from MFC

### **CONSERVATION FUND COMMITTEE**

*Committee comprised of commissioners that makes recommendations to the MFC for administering funds to be used for marine and estuarine resources management, including education about the importance of conservation.*

**Commissioners:** Sam Romano - chair, Tom Hendrickson and Robert McNeill

**DMF Staff Lead:** Randy Gregory - [randy.gregory@ncdenr.gov](mailto:randy.gregory@ncdenr.gov)

**Meeting Frequency:** Meets as needed

### **LAW ENFORCEMENT AND CIVIL PENALTY COMMITTEE**

*Statutorily required committee comprised of commissioners that makes final agency decisions on civil penalty remission requests.*

**Commissioners:** Rob Bizzell - chair, Doug Cross and Tom Hendrickson

**DMF Staff Lead:** Col. Carter Witten – [carter.witten@ncdenr.gov](mailto:carter.witten@ncdenr.gov)

**Meeting Frequency:** Meets as needed

### **COASTAL RECREATIONAL FISHING LICENSE ADVISORY COMMITTEE**

*Committee consisting of the three recreational seats and the science seat to provide the DMF advice on the projects and grants issued using Coastal Recreational Fishing License trust funds.*

**Commissioners:** Pete Kornegay – chair, Rob Bizzell, Tom Roller, and Robert McNeill

**DMF Staff Lead:** Jamie Botinovch - [jamie.botinovch@ncdenr.gov](mailto:jamie.botinovch@ncdenr.gov)

**Meeting Frequency:** Meets as needed

## **NOMINATING COMMITTEE**

*Committee comprised of commissioners that makes recommendations to the MFC on at-large and obligatory nominees for the Mid- and South Atlantic Fishery Management Councils.*

**Commissioners:** Robert McNeill – chair, Pete Kornegay, Tom Roller and Mike Blanton

**DMF Staff Lead:** Chris Batsavage - [chris.batsavage@ncdenr.gov](mailto:chris.batsavage@ncdenr.gov)

**Meeting Frequency:** Typically meets once a year

## **STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY BOARD**

*Statutorily required three-person board consisting of DEQ, DMF and MFC designees who apply eligibility criteria to determine whether an applicant is eligible for a SCFL.*

**Commission Designee:** Mike Blanton

**DMF Staff Lead:** Marine Patrol Capt. Garland Yopp – [garland.yopp@ncdenr.gov](mailto:garland.yopp@ncdenr.gov)

**Meeting Frequency:** Meets two to three times a year, could need to meet more often depending on volume of applications

## **N.C. COMMERCIAL FISHING RESOURCE FUND COMMITTEE**

*Committee comprised of commissioners that the commission has given authority to make funding decisions on projects to develop and support sustainable commercial fishing in the state.*

**Commissioners:** Doug Cross – chair, Mike Blanton and Sam Romano

**DMF Staff Lead:** William Brantley – [william.brantley@ncdenr.gov](mailto:william.brantley@ncdenr.gov)

**Meeting Frequency:** Meets two to three times a year

## **WRC/MFC JOINT COMMITTEE ON DELINEATION OF FISHING WATERS**

*Committee formed to help integrate the work of the two commissions as they fulfill their statutory responsibilities to jointly determine the boundaries that define North Carolina's Inland, Coastal and Joint Fishing Waters as the agencies go through a statutorily defined periodic review of existing rules.*

**MFC Commissioners:** Rob Bizzell, Dr. Martin Posey and Pete Kornegay

**DMF Staff Lead:** Anne Deaton - [anne.deaton@ncdenr.gov](mailto:anne.deaton@ncdenr.gov)

**Meeting Frequency:** Meets as needed

## **SHELLFISH CULTIVATION LEASE REVIEW COMMITTEE**

*Three-member committee formed to hear appeals of decisions of the Secretary regarding shellfish cultivation leases issued under G.S. 113-202.*

**MFC Commissioners:** Rob Bizzell

**DMF Staff Lead:** Jacob Boyd – [jacob.boyd@ncdenr.gov](mailto:jacob.boyd@ncdenr.gov)

**Meeting Frequency:** Meets as needed

## **COASTAL HABITAT PROTECTION PLAN STEERING COMMITTEE**

*The CHPP Steering Committee, which consists of two commissioners from the Marine Fisheries, Coastal Management and Environmental Management commissions reviews and approves the plan, recommendations, and implementation actions.*

**MFC Commissioners:** Dr. Martin Posey, Pete Kornegay

**DMF Staff Lead:** Anne Deaton – [anne.deaton@ncdenr.gov](mailto:anne.deaton@ncdenr.gov)

**Meeting Frequency:** Meets as needed