

STATE MANAGED SPECIES – BLUE CRAB

**FISHERY MANAGEMENT PLAN UPDATE  
BLUE CRAB  
AUGUST 2023**

**STATUS OF THE FISHERY MANAGEMENT PLAN**

**Fishery Management Plan History**

Original FMP Adoption:	December 1998	
Amendments:	Amendment 1	December 2004
	Amendment 2	November 2013
	Amendment 3	February 2020
Revisions:	Revision to Amendment 2	May 2016
	Revision to Amendment 3	May 2020
Supplements:	None	
Information Updates:	None	
Schedule Changes:	August 2016	
Comprehensive Review:	2023	

The original North Carolina Blue Crab Fishery Management Plan (FMP) was adopted in December 1998 (NCDMF 1998). The plan adopted several management changes including: (1) requiring sinking lines to be used on all crab pot buoys, (2) prohibited commercial gears (except attended gill nets) in crab spawning sanctuaries March 1–August 31, (3) prohibited baiting peeler pots except with live legal-size male blue crabs, (4) repealed the exemption for culling peelers before reaching shore in the hard crab fishery, (5) prohibited the possession of white line peelers June 1–30, (6) changed the unattended pot rule from ten days to seven days, (7) prohibited setting pots in any navigation channel marked by State or Federal agencies, (8) modified crab pot area regulations to use depth instead of distance from shore, (9) implemented marking requirements for recreational pots, (10) defined collapsible traps as non-commercial gear, and (11) established a permit for shedding operations.

Amendment 1 was adopted in December 2004 (NCDMF 2004). The amendment implemented several management changes including: (1) established a 6.75-inch maximum size limit for mature females from September 1 through April 30 if the spawner index fell below the threshold for two consecutive years, (2) established a 5.25-inch maximum size limit for female peeler crabs from September 1 through April 30 if the spawner index fell below the threshold for two consecutive years, (3) prohibited the sale of white-line peelers but allow possession by licensed peeler operations and requiring white-line peelers to be kept separate from pink and red-line peelers, (4) extended the pot cleanup period by nine days, (5) changed the unattended pot rule from seven days to five days, (6) required a four-inch stretch mesh tail bag for crab trawls in western Pamlico Sound (including the Pamlico, Pungo, Bay, and Neuse rivers), (7) separated hard and peeler crab trawl

landings on trip tickets, (8) modified channel net rule to incorporate limited blue crab bycatch provisions identical to those for shrimp trawls, (9) modified user conflict rule to resolve user conflicts on a regional basis, (10) allowed crab pots in all designated long haul areas in Hyde, Beaufort, and Pamlico counties, (11) modified the dates for designated crab pot areas from May 1–October 31 to June 1–November 30, (12) changed designated pot area boundary description to a standardized six foot depth contour in many areas, and (13) prohibited the use of trawls in designated pot areas.

Amendment 2 was adopted in November 2013 (NCDMF 2013). The amendment implemented several management changes including: (1) repealed the spawner index trigger (and associated maximum size limits for mature female and peeler blue crabs) and replaced it with adaptive management framework based on the results of the annual Traffic Light Stock Assessment update, (2) opened long haul areas in the Pungo River to pots, (3) added Lower Broad Creek to non-pot areas in rule, (4) modified crab dredging rule to conform to current harvest management, (5) incorporated Pamlico Sound four-inch crab trawl line into rule, (6) redefined criteria for exempting escape rings in crab pots from the 1.5-inch pot mesh size to un-baited pots and pots baited with a male crab, (7) repealed proclamation authority that allowed for the exemption of escape ring requirement to allow harvest of peeler crabs, (8) adopted the no trawl line in Pamlico Sound and Newport River boundary in rule as new boundary for areas where closure of escape rings to take small mature female crabs is allowed, (9) modified trawl nets rule to identify Pamlico, Back, and Core sounds as areas that can open to peeler trawling by proclamation, (10) modified rule to clearly state the intent of the exceptions, culling tolerance, and separation requirements for various crab categories, and (11) established proclamation authority to require terrapin excluders in crab pots and establish a framework for developing criteria and terrapin excluder specifications.

The North Carolina Marine Fisheries Commission (MFC) adaptive management strategy for blue crabs under Amendment 2 relied on the Traffic Light Stock Assessment to provide information on relative condition of the stock. The reference years (1987–2009) for assigning the signals in the Traffic Light Stock Assessment remained constant and the analysis was updated annually by July each year. The name of this analysis comes from assigning a color (red, yellow, or green) to categorize relative levels of different indicators for either a fish population or a fishery. The Traffic Light Stock Assessment effectively illustrates long term trends in the population.

Based on results of the annual Traffic Light update with 2015 data, management action was required by the MFC. At its May 19, 2016 business meeting, the MFC was presented with several management options identified in the adaptive management framework in Amendment 2 to the N.C. Blue Crab FMP (NCDMF 2016). To improve the condition of the blue crab stock, the MFC adopted the following management measures: (1) require one additional escape ring in crab pots and one of the three escape rings must be located within one full mesh of the corner of the pot and within one full mesh of the bottom of the apron/stairs (divider) of the upper chamber of the pot; (2) eliminate the harvest of v-apron immature female hard crabs (excluding peeler crabs); and include v-apron immature female hard crabs in the culling tolerance; (3) prohibit the harvest of dark sponge crabs (brown and black) April 1–April 30 each year; and include dark sponge crabs in the culling tolerance; (4) lower the culling tolerance from 10% to 5% for all crabs, except mature

females; and (5) prohibit the harvest of crabs with dredges except incidental to lawful oyster dredging as outlined in rule 15A NCAC 03L .0203(a)(2).

All adaptive management measures became effective June 6, 2016, except for the additional escape ring requirement which was postponed until January 15, 2017 (NCDMF 2016). This delay coincided with the annual pot closure period to allow fishermen time to modify pots. The above actions taken by the MFC are documented in the May 2016 Revision to Amendment 2 to the N.C. Blue Crab FMP (NCDMF 2016).

Comprehensive Review of the Blue Crab FMP was originally scheduled to begin in July 2018, but at its August 2016 business meeting, the MFC voted to begin the review immediately to assess the status of the blue crab stock and identify more comprehensive management strategies. Consequently, review of the Blue Crab FMP for development of Amendment 3 began in August 2016. The stock assessment was completed and accepted for management use, and Amendment 3 was adopted by the MFC at its February 19, 2020 business meeting (NCDMF 2020a). The amendment maintained measures implemented with the May 2016 Revision to the Blue Crab FMP and implemented several management changes including: 1) crab harvest and pot closure periods (January 1–31 north of the Highway 58 bridge to Emerald Isle and March 1-15 south of the Highway 58 bridge, 2), a 5-inch minimum size limit for mature female crabs statewide, 3) replacing the annual Traffic Light Stock Assessment update with an adaptive management framework based on an interim update of the 2018 benchmark assessment, 4) removal of all cull ring exempted areas, 5) revised the boundaries for crab spawning sanctuaries in Drum Inlet and Barden Inlet and established new crab spawning sanctuaries in Beaufort, Bogue, Bear, Browns, New River, Topsail, Rich, Mason, Masonboro, Carolina Beach, Cape Fear River, Shallotte, Lockwoods Folly, and Tubbs inlets with March 1–October 31 closure, 6) crab trawling prohibition in areas of the Pamlico, Pungo, and Neuse rivers where trawling for shrimp was prohibited, 7) crab bycatch allowance in oyster dredges reduced to 10% of the total weight of the combined oyster and crab catch or 100 pounds, whichever is less 8) adopted a framework to designate Diamondback Terrapin Management Areas, and 9) addressed water quality issues requiring partnering with other commissions and state agencies.

The Diamondback Terrapin Management Area (DTMA) framework in Amendment 3 contains the criteria required to identify areas of the state where terrapin excluder devices are required. Two DTMA's were established in May 2020 in Masonboro Sound and the lower Cape Fear River. This action, taken by the MFC, is documented in the May 2020 Revision to Amendment 3 to the N.C. Blue Crab FMP and implemented by Proclamation PT-1-2021 (NCDMF 2020b). These areas have documented terrapin populations and waterbody characteristics in which diamondback terrapins are susceptible to incidental capture. Beginning in March 2021, all pots in these areas are required to be modified with a North Carolina Division of Marine Fisheries (DMF) approved diamondback terrapin excluder device in each funnel March 1–October 31. The February 2023 revision to Amendment 3 to the Blue Crab FMP updated the approved list of terrapin excluder device types and sizes required or gear modifications to be used in crab pots fished within designated DTMA's.

The Blue Crab FMP, Amendments, and Revisions are available on the DMF website at: <https://deq.nc.gov/about/divisions/marine-fisheries/managing-fisheries/fishery-management-plans#state-managed-species>

## **Management Unit**

The management unit includes the blue crab (*Callinectes sapidus*) and its fisheries in North Carolina coastal waters.

## **Goal and Objectives**

The goal of Amendment 3 to the North Carolina Blue Crab FMP is to manage the blue crab fishery to achieve a self-sustaining population that provides sustainable harvest using science-based decision-making processes. The following objectives will be used to achieve this goal:

- Implement management strategies that maintain/restore the blue crab spawning stock with multiple cohorts and adequate abundance to prevent recruitment overfishing.
- Restore, enhance, and protect habitat and environmental quality necessary to maintain or increase growth, survival, and reproduction of the blue crab population.
- Use biological, environmental, habitat, fishery, social, and economic data needed to effectively monitor and manage the blue crab fishery and its ecosystem impacts.
- Promote stewardship of the resource through increased public awareness regarding the status and management of the blue crab fishery, including practices that minimize bycatch and discard mortality.

## **DESCRIPTION OF THE STOCK**

### **Biological Profile**

The blue crab is common to all North Carolina coastal waters but are most abundant in the Albemarle and Pamlico sounds and their tributaries. Blue crabs mature at approximately 12–18 months of age and have an average lifespan of three years with some living as long as eight years (Fischler 1965; Johnson 2004; Rugolo et al. 1997). Mating occurs in brackish areas of the estuary and lower portions of rivers from late spring to early fall, and spawning occurs in high-salinity waters near ocean inlets from early summer to fall (Forward et al. 2003; Whitaker 2006). The first larval stage is carried offshore by ocean currents where several stages of development occur (Van Engel 1958; Epifanio 1995). Settlement of larval blue crabs occurs in the estuaries after winds and tides transport them through the inlets from the ocean. Once within the estuary, larval blue crabs settle in beds of submerged aquatic vegetation and other complex habitats, like salt marsh and oyster shell, where they become juvenile blue crabs. Juvenile blue crabs gradually migrate to lower salinity waters in the upper estuaries and rivers to grow (molt) and mature (Etherington and Eggleston 2000). Molting is a process of growth in blue crabs that requires shedding the hard exoskeleton. Following each molt, the shell is soft for several hours until it hardens, during this

time the crab is more vulnerable to predators. Juvenile and adult blue crabs typically eat what is available to them such as dead and live fish, crabs, shrimp, and shellfish (Laughlin 1982; Williams 1984; Hines et al. 1990; Cordero and Seitz 2014) and serve as food for predator species such as striped bass and red drum (Binion-Rock 2018). Male and female blue crabs are easily identified by the shape of the apron on their abdomen. A mature male crab is called a "jimmy" and is easily recognized by the blue shading on its shell and claws and a T-shaped apron on its underside. Female crabs are called "sooks" as adults and "she-crabs" when immature. The immature female apron is triangular-shaped and held tightly against the abdomen. The mature female's apron becomes rounded and can be easily pulled away from the body after the final molt. The "sponge crab" is a female that has an egg mass on its abdomen.

### **Stock Status**

Results of the 2018 benchmark blue crab stock assessment (2016 terminal year) indicate the stock is overfished and overfishing is occurring (NCDMF 2018).

### **Stock Assessment**

The 2018 benchmark blue crab stock assessment used a sex-specific two-stage model applied to available data to assess the status of North Carolina's blue crab stock for 1995–2016 (NCDMF 2018). Data were available from commercial fishery monitoring and several fishery-independent surveys (Program 100, Program 120, Program 195). Only hard crab landings were incorporated in the model, neither recreational nor soft/peeler landings were included, primarily due to their minimal contribution to the overall harvest. The two-stage model was developed based on the catch-survey analysis designed for species lacking information on the age structure of the population. The model synthesized information from multiple sources, tracked population dynamics of male and female recruits and fully recruited animals, estimated critical demographic and fishery parameters such as natural and fishing mortality, and thus, provided a comprehensive assessment of blue crab status in North Carolina. The hierarchical Bayesian approach was used to estimate model parameters, which can incorporate uncertainty associated with the data and model assumptions.

The model estimated an overall declining trend in catch, relative abundance indices, population size of both male and female recruits and fully recruited crabs, with a rebound starting in 2007 (Figure 1). Females had higher natural mortality estimates than males. The estimated fishing mortality remained high before 2007 and decreased by approximately 50% afterward (Figure 1).

The status of the blue crab stock was evaluated using biological reference points (BRPs) based on maximum sustainable yield (MSY). The MSY-based BRPs have been widely used in fishery stock assessments including blue crabs, e.g., Chesapeake Bay 2001 (Miller et al. 2011), Florida 2007 (Murphy et al. 2007), and Gulf of Mexico 2013 assessments (VanderKooy 2013).

The fishing mortality that maximizes the total yield (FMSY) was set to be the threshold for overfishing, and 0.75 FMSY was set to be the target fishing mortality. The spawner abundance at FMSY (SPMSY) and 0.75 FMSY were set to be the threshold and target for an overfished population, respectively. In the current stock assessment, the population is determined to be

overfished if the average spawner abundance in 2016 falls below SPMSY and is determined to be undergoing overfishing if the average F in 2016 is above FMSY.

The 2018 benchmark stock assessment is available on the DMF website at: <https://www.deq.nc.gov/about/divisions/marine-fisheries/managing-fisheries/fishery-management-plans#BlueCrab-8716>.

## **DESCRIPTION OF THE FISHERY**

### **Current Regulations**

#### **General Statutes**

All management authority for North Carolina's blue crab fishery is vested in the State of North Carolina. Statutes that have been applied to the blue crab fishery include:

- Definitions relating to resources. G.S. 113-129
- Definitions relating to activities of public. G.S. 113-130
- Jurisdiction of fisheries agencies. G.S. 113-132
- It is unlawful for any person without the authority of the owner of the equipment to take fish from said equipment. G.S. 113-268(a)
- It is unlawful for any vessel in the navigable waters of the State to willfully, wantonly, and unnecessarily do injury to any seine, net or pot. G.S. 113-268(b)
- It is unlawful for any person to willfully destroy or injure any buoys, markers, stakes, nets, pots, or other devices or property lawfully set out in the open waters of the state in connection with any fishing or fishery. G.S. 113-268(c)

#### **Marine Fisheries Commission Rules**

The MFC has established several rules that directly govern the harvest of blue crabs. Below are rules and excerpts from rules that directly affect the blue crab fishery. The rules below do not cover all gear, area, or other rules which may impact the blue crab fishery. As regulations may change, please contact the DMF for the most current regulations.

#### Definitions

Blue crab shedding: The process whereby a blue crab emerges soft from its former hard exoskeleton. A shedding operation is any operation that holds peeler crabs in a controlled environment. A controlled environment provides and maintains throughout the shedding process one or more of the following: (i) food, (ii) predator protection, (iii) salinity, (iv) temperature controls, or (v) water circulation, utilizing technology not found in the natural environment. A shedding operation does not include transporting pink or red-line peeler crabs to a permitted shedding operation. 15A NCAC 03I .0101(2)(c).

Peeler crab: A blue crab that has a soft shell developing under a hard shell and having a white, pink, or red-line or rim on the outer edge of the back fin or flipper. 15A NCAC 03I .0101(2)(f).

Commercial fishing equipment or gear: All fishing equipment used in coastal fishing waters except: (i) cast nets; (ii) collapsible crab traps, a trap used for taking crabs with the largest open dimension no larger than 18 inches and that by design is collapsed at all times when in the water, except when it is being retrieved from or lowered to the bottom; (iii) dip nets or scoops having a handle not more than eight feet in length and a hoop or frame to which the net is attached not exceeding 60 inches along the perimeter; (iv) gigs or other pointed implements which are propelled by hand, whether or not the implement remains in the hand; (v) hand operated rakes no more than 12 inches wide and weighing no more than six pounds and hand operated tongs; (vi) hook and line and bait and line equipment other than multiple hook or multiple bait trotline; (vii) landing nets used to assist in taking fish when the initial and primary method of taking is by the use of hook and line; (viii) Minnow traps when no more than two are in use; (ix) seines less than 30 feet in length; (x) spears, Hawaiian slings or similar devices, that propel pointed implements by mechanical means, including elastic tubing or bands, pressurized gas or similar means. 15A NCAC 03I .0101(3)(c).

Mesh length: The diagonal distance from the inside of one knot to the outside of the other knot, when the net is stretched hand tight. 15A NCAC 03I .0101(3)(k).

### Crab Harvest Restrictions

Hard crab minimum size limit of five inches measured from tip of spike to tip of spike for all hard blue crabs. It is unlawful to possess mature female hard crabs with a dark (brown or black) sponge from April 1 through April 30 statewide. Juvenile female hard crabs may not be harvested. Soft crabs shall be separated where taken and placed in a separate container. Peeler crabs shall be separated where taken and placed in a separate container. White-line peeler crabs shall be separated from pink and red-line peeler crabs were taken and placed in a separate container. Male crabs to be used as peeler bait are exempt from the five-inch size limit from March 1 through October 31 and shall be placed in a separate container. A culling tolerance of not more than five percent by number shall be allowed for white-line peelers in the pink and red-line peeler container. It is unlawful to sell white-line peelers, possess white-line peelers unless they are to be used by the harvester in the harvester's permitted blue crab shedding operation, possess male white line peelers from June 1 through September 1. It is unlawful to possess more than 50 crabs per person per day not to exceed 100 blue crabs per vessel per day for recreational purposes. To comply with management measures in the N.C. Blue Crab Fishery Management Plan, the Director of the DMF, may by proclamation, close the harvest of blue crabs and may impose any or all the following restrictions on the commercial and recreational harvest of blue crab: specify, areas, season; time periods, means and methods, culling tolerance, and limit harvest based on size, quantity, sex, reproductive stage, or peeler stage. 15A NCAC 03L .0201.

From January 1 to January 31, it is unlawful to possess blue crabs taken from all Coastal Fishing Waters of the state north and east of a line extending southeast from the Highway 58 Bridge to a point offshore at 34° 36.3292'N, 77° 2.5940'W to the North Carolina/Virginia state line (15A

NCAC 03R .0118(1)). From March 1 to March 15, it is unlawful to possess blue crabs taken from all Coastal Fishing Waters of the state south and west of a line extending southeast from the Highway 58 Bridge to a point offshore at 34° 36.3292'N, 77° 2.5940'W to the North Carolina/South Carolina state line (15A NCAC 03R .0118(2)). 15A NCAC 03L .0201 (a) and (b).

### Spawning Sanctuaries

It is unlawful to set or use trawls, pots, and mechanical methods for oysters or clams or take crabs with the use of commercial fishing equipment from crab spawning sanctuaries from March 1 through August 31 for the crab spawning sanctuaries described in 15A NCAC 03R .0110(1) and from March 1 through October 31 for the crab spawning sanctuaries described in 15A NCAC 03R .0110(2). During the remainder of the year the Director may, by proclamation, close these areas and may impose any or all the following restrictions: areas, time periods, means and methods, and limit harvest based on size, quantity, sex, reproductive stage, or peeler stage. 15A NCAC 03L .0205.

### Peeler and Soft Crabs

It is unlawful to possess more than 50 blue crabs in a shedding operation without first obtaining a Blue Crab Shedding Permit from the DMF. 15A NCAC 03O .0503(c).

### Recreational Harvest

- Blue crabs may be taken without a commercial license if the following gears are used; cast nets, collapsible crab traps with the largest open dimension no larger than 18 inches, a dip net having a handle not more than eight feet in length and a hoop or frame to which the net is attached not exceeding 60 inches along the perimeter; single bait-and-line equipment, or seines less than 30 feet. 15A NCAC 03I .0101(3)(c)(i), (ii), (iii), (vi), and (ix).
- Recreational crab pot buoys must be any shade of hot pink in color, be no less than five inches in diameter and length, and be engraved with the owner's last name and initials. If a vessel is used the buoy must also be engraved with the gear owner's current motorboat registration number or owner's U.S. vessel documentation name. 15A NCAC 03J .0302(a)(1) and (2).
- It is unlawful for a person to use more than one crab pot attached to the shore along privately owned land or to a privately-owned pier without possessing a valid Recreational Commercial Gear License. 15A NCAC 03J .0302(b).
- Up to five crab pots may be used by holders of the Recreational Commercial Gear License. 15A NCAC 03O .0302(a)(3).
- Peeler pots are not permitted to be used by holders of the Recreational Commercial Gear License. 15A NCAC 03O .0302(a)(3).
- One multiple hook or multiple bait trotline up to 100 feet in length may be used to harvest blue crabs. 15A NCAC 03O .0302(a)(4).
- Trotlines must be marked at both ends with any shade of hot pink in color, be no less than five inches in diameter and length, and be engraved with the owner's last name and initials. If a



vessel is used the buoy must also be engraved with the gear owner's current motorboat registration number or owner's U.S. vessel documentation name. 15A NCAC 03J .0302.

### Trawls

- It is unlawful to use trawl nets in designated pot areas opened to the use of pots within an area bound by the shoreline to the depth of six feet. 15A NCAC 03J .0104(b)(6).
- It is unlawful to use shrimp trawls for the taking of blue crabs in internal waters, except that it shall be permissible to take or possess blue crabs incidental to commercial shrimp trawling provided the weight of the crabs shall not exceed; 50% of the total weight of the combined crab and shrimp catch; or 300 pounds, whichever is greater. For individuals using shrimp trawls authorized by a Recreational Commercial Gear License, 50 blue crabs, not to exceed 100 blue crabs if two or more Recreational Commercial Gear License holders are on board may be possessed. The Fisheries Director may, by proclamation, close any area to trawling for specific time periods in order to secure compliance with this rule. 15A NCAC 03J .0104(f)(1), (f)(2)(A), and (B), and (g).
- From December 1 through March 31, it is unlawful to possess finfish caught incidental to shrimp and crab trawling in the Atlantic Ocean unless the weight of the combined catch of shrimp and crabs exceeds the weight of finfish; except that trawlers working south of Bogue Inlet may keep up to 300 pounds of kingfish, regardless of their shrimp or crab catch weight. 15A NCAC 03J .0202(5).
- It is unlawful to take or possess crabs aboard a vessel in internal waters except in areas and during such times as the Fisheries Director may specify by proclamation. 15A NCAC 03L .0202(a).
- It is unlawful to take crabs with crab trawls with a mesh less than three inches, except in areas of western Pamlico Sound where the minimum mesh length is four inches. The Director may, by proclamation, specify other areas for trawl mesh length and increase the minimum mesh length to no more than four inches. 15A NCAC 3L .0202(b)(1) and (2).
- It is unlawful to use trawls with a mesh length less than two inches or with a combined total headrope length exceeding 25 feet for taking soft or peeler crabs. 15A NCAC 03L .0202(c).
- It is unlawful to use trawl nets for any purpose in any of the special secondary nursery areas, except that the Fisheries Director, may, by proclamation, open any or all of the special secondary nursery areas, or any portion thereof to crab trawling from August 16 through May 14. 15A NCAC 03N .0105(b), 03R .0105, 03L .0100 and .0200.
- It is unlawful to use trawl nets in areas listed in 15A NCAC 03R .0106, except that certain areas may be opened to peeler trawling for single-rigged peeler trawls or double-rigged boats whose combined total headrope length does not exceed 25 feet. 15A NCAC 03J .0104(b)(4) and 03R .0106(1).

## Crab Pots

- It is unlawful to leave pots in any coastal fishing waters for more than five consecutive days, when such pots are not being employed in fishing operations, except upon a timely and sufficient showing of hardship. 15A NCAC 03I .0105(b)(1), (b)(2)(A) and (B), (b)(3), and (c).
- From January 1 to January 31, it is unlawful to use crab pots in Coastal Fishing Waters of the state north and east of a line extending southeast from the Highway 58 Bridge to a point offshore at 34° 36.3292'N, 77° 2.5940'W to the North Carolina/Virginia state line (15A NCAC 03R .0118(1)). From March 1 to March 15, it is unlawful to use crab pots in Coastal Fishing Waters of the state south and west of a line extending southeast from the Highway 58 Bridge to a point offshore at 34° 36.3292'N, 77° 2.5940'W to the North Carolina/South Carolina state line (15A NCAC 03R .0118(2)). 15A NCAC 03J .0301 (a)(1)(a) and (b).
- From June 1 through November 30 the use of crab pots is restricted in certain areas north and east of the Highway 58 Bridge at Emerald Isle. These areas are described in 15A NCAC 03R .0107(a). To allow for the variable spatial distribution of crustacea and finfish, the Fisheries Director may, by proclamation, specify time periods for or designate the areas described in 15A NCAC 03R .0107(b); or any part thereof, for the use of pots. From May 1 through November 30 in the Atlantic Ocean and west and south of the Highway 58 Bridge at Emerald Isle in areas and during time periods designated by the Fisheries Director by proclamation. 15A NCAC 03J .0301(a)(2)(A) and (B), (a)(3), and 03R .0107(a) and (b).
- It is unlawful to use pots in any navigation channel maintained and marked by State or Federal agencies. 15A NCAC 03J .0301(b)(1).
- It is unlawful to use pots in any turning basin maintained and marked by the North Carolina Ferry Division. 15A NCAC 03J .0301(b)(2).
- It is unlawful to use pots in a commercial fishing operation unless each pot is marked by attaching a floating buoy which shall be of solid foam or other solid buoyant material no less than five inches in diameter and no less than five inches in length. Buoys may be any color except any shade of yellow or any shade of hot pink, or any combination of colors that include any shade of yellow or any shade of hot pink. The pot owner's last name and initials shall be engraved on the attached buoy or identified by attaching engraved metal or plastic tags to the buoy. If a vessel is used, the identification shall include either the pot owners current motor boat registration number or vessel documentation name. 15A NCAC 03J .0301(c)(1) and (2)
- It is unlawful to use crab pots in coastal fishing waters unless each pot contains no less than three unobstructed escape rings that are at least 2 and 5/16 inches inside diameter and two must be located in the opposite outside panels of the upper chamber of the pot and at least one must be located within one full mesh of the corner and one full mesh of the bottom of the divider in the upper chamber of the pot except: unbaited pots, pots baited with a male crab 15A NCAC 03J .0301(g).
- It is unlawful to use more than 150 pots per vessel in the Newport River. 15A NCAC 03J .0301(i).

- It is unlawful to remove crab pots from the water or remove crabs from pots between one hour after sunset and one hour before sunrise. 15A NCAC 03J .0301(j).
- It is unlawful to use pots to take crabs unless the line connecting the pot to the buoy is non-floating. 15A NCAC 03J .0301(k).

#### Crab Dredging

- It is unlawful to take blue crabs with dredges except incidental to lawful oyster dredging operations provided the weight of the crabs does not exceed 10% of the total weight of the combined oyster and crab catch or 100 pounds, whichever is less. 15A NCAC 03L .0203 (1) & (2)

#### Diamondback Terrapin Management Areas

- For areas described in Proclamation PT-1-2022 including the Masonboro Island and Bald Head Island areas, from March 1 through October 31 it is unlawful to set or use crab pots without the correct use of Division of Marine Fisheries Approved Diamondback Terrapin Bycatch Reduction Devices. PT-1-2022.

#### Miscellaneous

- It is unlawful to possess, sell, or purchase fish under four inches in length except for use as bait in the crab pot fishery in North Carolina with the following provision: such crab pot bait shall not be transported west of U.S. Interstate 95 and when transported, shall be accompanied by documentation showing the name and address of the shipper, the name and address of the consignee, and the total weight of the shipment. 15A NCAC 03M .0103(1).

### **Wildlife Resources Commission Rules**

#### Blue Crab 15A NCAC 10C .0413

- Blue crabs shall have a minimum carapace width of five inches (point to point) and it is unlawful to possess more than 50 crabs per person per day or to exceed 100 crabs per vessel per day. 15A NCAC 10C .0413(a)(b).
- There is no closed season. 15A NCAC 10C .0413(c)
- Blue crabs shall not be sold. 15A NCAC 10C .0413 (d).

#### Taking Nongame Fishes By Special Device For Bait Or Personal Consumption 15A NCAC 10C .0402

- A single, multiple bait line for taking crabs not to exceed 100 feet in length, marked on each end with a solid float no less than five inches in diameter, bearing legible identification of the user's name and address, and under the immediate control and attendance of the person using the device, with a limit of one line per person and no more than one line per vessel. 15A NCAC 10C .0402(b)(12).

- A collapsible crab trap with the largest open dimension not greater than 18 inches, and that by design is collapsed at all times when in the water, except when being retrieved or lowered to the bottom, with a limit of one trap per person. 15A NCAC 10C .0402(b)(13).
- It is unlawful to sell nongame fishes or aquatic animals. 15A NCAC 10C .0402(c).

#### Special Devices 15A NCAC 10C .0404

- It is unlawful to use crab pots in inland fishing waters, except by persons owning property adjacent to the inland fishing waters of coastal rivers and their tributaries who are permitted to set two crab pots to be attached to their property and not subject to special device license requirements. 15A NCAC 10C .0404(e).

### **Commercial Fishery**

Since 1994, the North Carolina Trip Ticket Program (NCTTP) has collected data on the commercial harvest of blue crab. Commercial blue crab landings (hard, soft, and peeler crabs) averaged 36.6 million pounds for the period 1995–2016 (stock assessment years; Table 1). Generally, commercial blue crab landings have been lower since around 2012 and ranged from a high of 67.1 million pounds in 1996 to a low of 9.5 million pounds in 2022, which was 26% lower than 2021 and 73% lower than the 36-year average (Table 1; Figure 2). Commercial blue crab landings have been below the stock assessment years' average since 2003 (Figure 2). Crab pots account for most commercial blue crab landings (96.54% in 2022) followed by peeler pots (3.18% in 2022), crab trawls (0.2% in 2022), and other gears, including gill nets and shrimp trawls (0.1% in 2022; Figure 3). Most crabs landed in 2022 were hard crabs (95.58%), followed by peeler (3.04%) and soft (1.38%) crabs (Figure 4).

### **Recreational Fishery**

A survey of Recreational Commercial Gear License (RCGL) holders conducted during 2002–2008 by the DMF indicated blue crabs were the most abundant species landed (by weight) by RCGL participants. During this time, on average, blue crabs accounted for 20% (116,797 pounds) of the total poundage (587,172 pounds) of all species landed by RCGL holders. This survey was discontinued in 2009 due to lack of funding; meaning more recent estimates of RCGL harvest are unavailable. The harvest of RCGL exempted shore and pier-based pots, as well as other non-commercial gear is unknown.

The Marine Recreational Information Program is primarily designed to sample anglers using rod and reel as the mode of capture. Since blue crab are also harvested recreationally throughout coastal North Carolina, primarily by pots, this program does not provide precise estimates of recreational harvest. To address this, the division began a mail survey of Coastal Recreational Fishing License (CRFL) holders in the fall of 2010 to generate recreational harvest estimates for blue crab. One weakness of the survey is that a CRFL is not required to harvest blue crab, so the harvest from the recreational sector is likely underestimated. Full year results from this survey are available for 2011–2022 (Table 1; Figure 5). Generally, recreational blue crab harvest estimates are low, ranging from 47,766 blue crabs (approximately 15,922 pounds, using an average of three

crabs per pound) in 2018 to 120,979 blue crabs (approximately 40,326 pounds) in 2012. During 2011–2022, the average annual recreational harvest of blue crab was 66,744 blue crabs (approximately 22,248 pounds).

## **MONITORING PROGRAM DATA**

### **Fishery-Dependent Monitoring**

The number of blue crab lengths obtained from fishery-dependent sources from 1995 through 2022 ranged from 7,254 in 2022 to 33,007 in 1995 (Table 2). Mean carapace width (CW) varied little and ranged from 5.6 inches to 5.9 inches. Minimum CW ranged from 1.2 inches to 3.9 inches. Maximum CW ranged from 7.8 inches to 9.1 inches. In general, the commercial fishery harvests a narrow size range of blue crab, with most crabs ranging from 4.5 to 6.5 inches CW. The length composition and modal length of blue crab caught in the commercial fishery have varied little over time (Figure 6).

The annual length of 50% maturity is compared to the mean from the stock assessment years of 1995–2016 (113.4 mm CW [4.5 inches]). In 2022, the length of 50% maturity was 112.6 mm CW (4.4 inches), slightly below the mean for the stock assessment years. (Figure 7).

### **Fishery-Independent Monitoring**

The blue crab stock assessment uses several fishery-independent indices for the recruit and fully recruited indices, including the Estuarine Trawl Survey (Program 120), the Pamlico Sound Survey (Program 195), and the Juvenile Anadromous Trawl Survey (Program 100). The base years used for the blue crab stock assessment were 1995–2016.

### **Recruit Abundance**

The recruit indices use data from the Estuarine Trawl Survey and the Pamlico Sound Survey to monitor blue crab recruit abundance. Each index consists of blue crabs less than 127 mm CW (5.0 inches). Two indices are derived from Program 120: a male recruit index and a female recruit index (Figure 8). Four recruit indices are derived from Program 195: June indices by sex and September indices by sex (Figures 9 and 10).

Male recruit abundance in Program 120 has been below the stock assessment years' mean (4.5 crabs/tow) since 2012 when relative abundance was 5.5 crabs/tow (Figure 8A). Female recruit abundance has also been below the stock assessment years' mean (2.8 crabs/tow) since 2012 (3.3 crabs/tow; Figure 8B). In 2022, male recruit abundance fell to the lowest in the time series at 0.7 crabs/tow. The lowest female recruit abundance was in 2020 with 0.4 crabs/tow. In 2022, female recruit abundance increased slightly to 0.5 crabs/tow.

Recruit abundance for Program 195 varies greatly from year to year. In June 2022, male recruit abundance increased to 9.9 crabs/tow from a time series low in 2021 of 4.9 crabs/tow (Figure 9A). In June 2022, female recruit abundance increased to 6.7 crabs/tow from a time series low in 2021 of 3.9 crabs/tow (figure 9B).

In September 2022, male and female recruit abundance increased compared to time series lows in 2021. Male recruit abundance increased to 0.4 crabs/tow and female recruit abundance increased to 0.3 crabs/tow. It should be noted the COVID pandemic impacted sampling in 2020 and 2021. In 2020, sampling was limited to 28 stations sampled in June and 35 stations sampled in September. A total of 35 stations were sampled in June 2021 and 32 stations were sampled in September 2021. Limited sampling likely impacted abundance indices calculated from Sound Survey data in these years.

### **Fully Recruited Abundance**

The adult indices include data from the Juvenile Anadromous Trawl Survey (Program 100) and the Pamlico Sound Survey (Program 195). Indices consist of blue crabs greater than or equal to 127 mm CW (5.0 inches). Four indices are derived from Program 100, a male fully recruited index and a female fully recruit index by season (summer and fall; Figures 11 and 12). Program 195 is also used to derive June fully recruited indices by sex and September fully recruited indices by sex (Figures 13 and 14).

In 2022, male fully recruited summer abundance in Program 100 fell to 0.6 crabs/tow which is below the stock assessment years' mean (1.3 crab/tow) and female fully recruited summer abundance was 0.2 crabs/tow which is below the stock assessment years' mean (0.5 crabs/tow) (Figures 11A and 11B). In 2022, male fully recruited fall abundance increased from 2021 (0.6 crabs/tow) to 1.1 crabs/tow but remains below the stock assessment years' mean (2.1 crabs/tow). Female fully recruited fall abundance increased from 2021 (0.3 crabs/tow) to 1.1 crabs/tow, which is still below the stock assessment years' mean (2.4 crabs/tow; Figures 12A and 12B).

Program 195 fully recruited abundance does not vary in the same way as recruit abundance and is more variable in June compared to September for female blue crabs. In 2022, male fully recruited June abundance was 0.2 crabs/tow which is below the stock assessment years' mean (1.6 crabs/tow; Figure 13A). Female fully recruited June abundance was 0.6 crabs per/tow in 2022 which is below the stock assessment years' mean (3.2 crabs/tow) (Figure 13B). In 2022, male fully recruited September abundance was 0.08 crabs/tow which is below the stock assessment years' mean (1.6 crabs/tow; Figure 14A). The female fully recruited September abundance was 0.05 crabs/tow in 2022 which is below the stock assessment years' mean (3.4 crabs/two; Figure 14B). To note: the COVID pandemic impacted Program 195 sampling in 2020 and 2021. In 2020, sampling was limited to 28 stations sampled in June and 35 stations sampled in September. A total of 35 stations were sampled in June 2021 and 32 stations were sampled in September 2021. Limited sampling likely impacted abundance indices calculated from the Pamlico Sound Survey data.

### **RESEARCH NEEDS**

Several research needs were identified in N.C. Blue Crab Fishery Management Plan Amendment 3; the bulleted list below outlines the specific needs and highlights the priority of each management and research need.

## **High**

- Implement long-term monitoring of blue crab discards in other fisheries (e.g., gill net, trawl).
- Develop statewide fishery-independent survey(s) to monitor the abundance of all blue crab life stages.
- Expand time and area coverage of existing fishery-independent surveys.
- Better characterize the magnitude of recreational harvest.
- Develop better estimates of life-history parameters, especially growth and natural mortality.
- Explore alternative biological reference points.
- Research interaction rates of non-target species in the blue crab fishery and identify factors that may lead to interactions (e.g., migration patterns, habitat utilization).
- Identify biological characteristics of submerged aquatic vegetation beds of ecological value to blue crab and implement restoration and conservation measures.
- Research mature female migration routes and seasonal habitat use (e.g., inlets, staging areas).
- Research gear modifications to minimize interactions with non-target species (e.g., diamondback terrapin) in the blue crab fishery.
- Research the impacts of land use activities and shoreline clearing on water quality and the blue crab stock.
- Research the impact of endocrine disrupting chemicals on the various life stages of blue crabs and ways to reduce their introduction into estuarine waters, including discharge from wastewater treatment plants.

## **Medium**

- Characterize the harvest and discard of blue crabs from crab shedding operations.
- Explore alternative model types.
- Research the impact of increased predator abundance on the blue crab stock.
- Identify key environmental factors that significantly impact North Carolina's blue crab stock and investigate assessment methods that can account for these environmental factors.
- Identify, map, and protect habitat of ecological value to blue crab (in particular juvenile habitat) and implement restoration and conservation measures.
- Assess the impact of inlet dredging activities on mature female blue crabs.
- Implement monitoring of hazardous events (e.g., hurricane, extreme hot or cold weather) affecting blue crab population dynamics and harvest.
- Research the extent, causes, and impacts of hypoxia and anoxia on blue crab behavior and population abundance in estuarine waters.

- Research the impact of invasive species (e.g., blue catfish) on the blue crab stock.

## **Low**

- Investigate and support research on promising methods to age blue crabs.
- Evaluate the genetic stock structure of blue crabs within North Carolina and the magnitude of mixing between populations.
- Identify programs outside the DMF that collect data of potential use to the stock assessment of North Carolina's blue crabs.
- Research and identify key market forces and their effects on the blue crab industry.

## **MANAGEMENT STRATEGY**

Amendment 3 adopted an adaptive management framework, replacing the traffic light assessment, based on the peer-reviewed and approved stock assessment model. Division staff will update the stock assessment at least once between full reviews of the FMP. If the stock is overfished and/or overfishing is occurring or it is not projected to meet sustainability requirements, management measures will be adjusted using the director's proclamation authority. If the stock is not overfished and overfishing is not occurring, management measures may be relaxed provided it will not jeopardize the sustainability of the blue crab stock. Any quantifiable management measure with the ability to achieve sustainable harvest (as defined in the stock assessment), either on its own or in combinations, may be considered. The director's proclamation authority for adaptive management is contingent on consultation with the Northern, Southern, and Shellfish/Crustacean advisory committees as well as approval by the MFC. Several management issues were explored in Amendment 3.

## **FISHERY MANAGEMENT PLAN SCHEDULE RECOMMENDATIONS**

Amendment 3 management measures were fully implemented as of January 1, 2021. An update to the 2018 benchmark stock assessment will begin in 2023. Results of the stock assessment update will be used to inform future management.

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## TABLES

Table 1. Blue crab recreational harvest (number and weight) and releases (number; Recreational Mail Survey) and commercial harvest (weight; North Carolina Trip Ticket Program), 1987–2022. Recreational harvest weight is calculated using a standard conversion of 3 crabs per pound.

Year	Recreational			Commercial	Total Weight Landed
	Number Landed	Number Released	Weight Landed (lb)	Weight Landed (lb)	
1987	-	-	-	32,423,604	32,423,604
1988	-	-	-	35,604,423	35,604,423
1989	-	-	-	34,724,673	34,724,673
1990	-	-	-	38,070,328	38,070,328
1991	-	-	-	41,829,676	41,829,676
1992	-	-	-	41,068,374	41,068,374
1993	-	-	-	43,672,732	43,672,732
1994	-	-	-	53,513,124	53,513,124
1995	-	-	-	46,443,653	46,443,541
1996	-	-	-	67,080,200	67,080,200
1997	-	-	-	56,090,109	56,090,109
1998	-	-	-	62,076,170	62,076,171
1999	-	-	-	57,545,843	57,546,676
2000	-	-	-	40,638,384	40,638,384
2001	-	-	-	32,179,345	32,180,390
2002	-	-	-	37,736,319	37,736,319
2003	-	-	-	42,769,797	42,769,797
2004	-	-	-	34,130,608	34,130,608
2005	-	-	-	25,430,119	25,430,119
2006	-	-	-	25,343,158	25,343,158
2007	-	-	-	21,424,960	21,424,960
2008	-	-	-	32,916,691	32,916,691
2009	-	-	-	29,707,232	29,707,232
2010	-	-	-	30,683,011	30,683,011
2011	114,426	81,763	38,142	30,035,392	30,073,534
2012	120,979	79,072	40,326	26,785,669	26,825,995
2013	94,174	61,452	31,391	22,202,623	22,234,014
2014	100,597	67,413	33,532	26,231,112	26,264,644
2015	71,587	60,135	23,862	32,099,183	32,150,905
2016	72,645	82,781	24,215	25,460,121	25,491,033
2017	72,645	67,667	24,215	19,263,702	19,297,371
2018	47,766	57,024	15,922	17,013,532	17,028,276
2019	81,815	78,784	27,272	22,989,674	23,014,642
2020	78,646	78,742	26,215	13,549,083	13,575,299
2021	48,675	42,561	16,225	12,790,419	12,806,644
2022	72,910	37,768	24,303	9,507,688	9,531,991
Mean	66,744	53,024	22,248	33,917,520	34,624,762

Table 2. Blue crab length (carapace width [CW], inches) data from commercial fish house samples, 1995–2022.

Year	Mean CW	Minimum CW	Maximum CW	Total Number Measured
1995	5.6	2.0	8.3	33,007
1996	5.7	2.7	8.3	23,333
1997	5.6	2.7	8.1	22,001
1998	5.7	3.4	7.9	15,246
1999	5.6	1.2	7.8	13,456
2000	5.7	3.4	8.0	15,560
2001	5.7	2.9	9.1	18,316
2002	5.6	3.5	8.3	11,417
2003	5.8	3.3	7.8	11,802
2004	5.7	3.2	8.6	17,386
2005	5.6	3.2	8.3	10,474
2006	5.6	3.3	8.1	10,867
2007	5.7	3.4	8.0	14,898
2008	5.9	3.0	8.7	20,420
2009	5.9	3.7	8.7	17,910
2010	5.8	2.7	8.4	16,123
2011	5.8	2.9	8.3	16,461
2012	5.8	3.8	8.6	12,918
2013	5.8	1.9	8.5	17,616
2014	5.9	2.3	8.5	11,304
2015	5.8	2.2	9.0	14,681
2016	5.8	3.5	9.0	13,531
2017	5.8	3.6	8.1	9,978
2018	5.8	3.7	8.1	7,698
2019	5.7	3.9	8.4	11,814
2020	5.6	1.9	7.9	7,832
2021	5.7	3.3	7.8	10,294
2022	5.9	3.6	8.7	7,254

## FIGURES

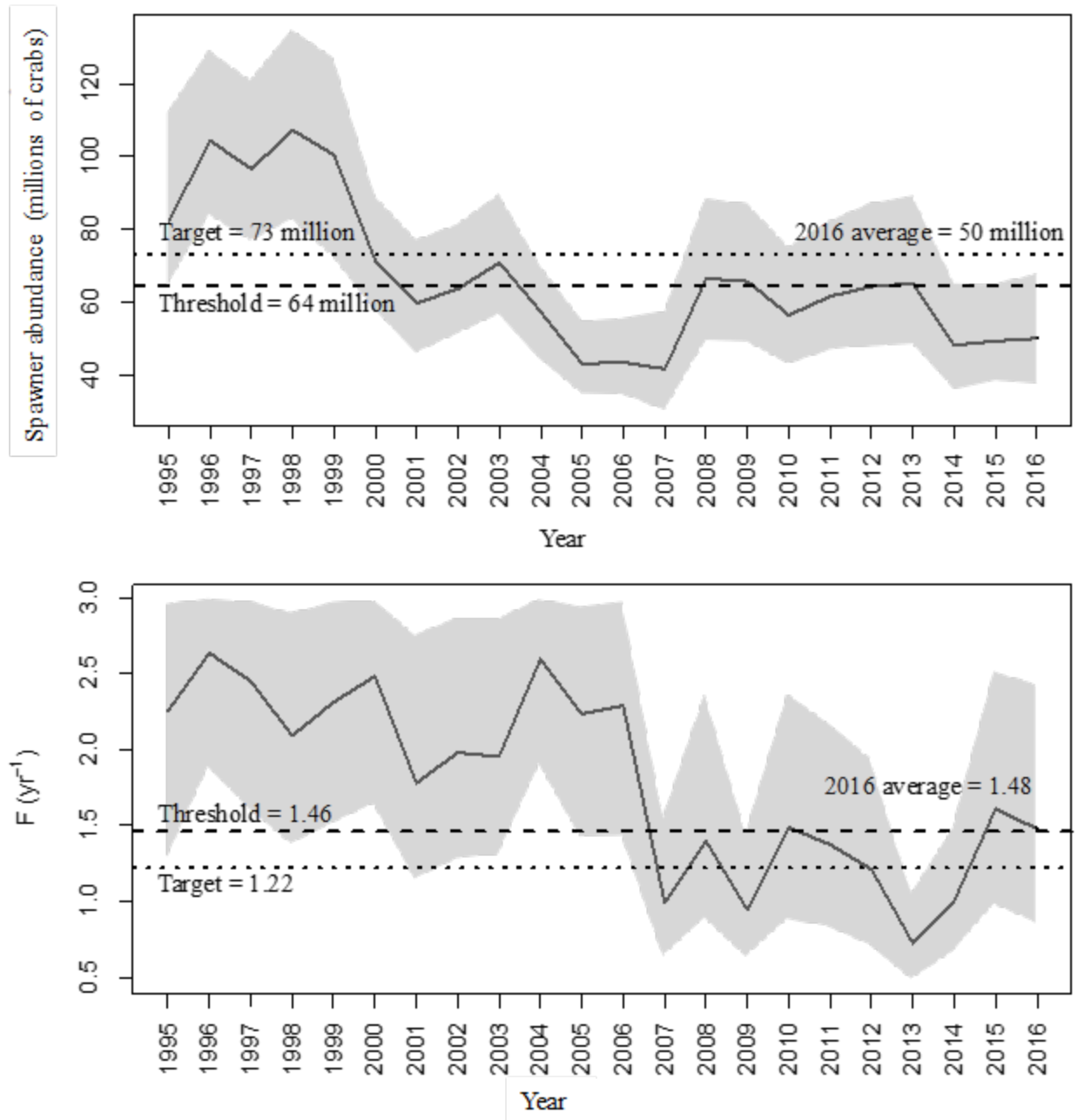


Figure 1. Estimated spawner abundance (mature female blue crabs; top) and fishing mortality (F; bottom) from the 2018 blue crab stock assessment (NCDMF 2018). The solid lines represent the posterior mean and the shaded area represents the 95% credible interval. The threshold and target values are the posterior means (dashed lines).

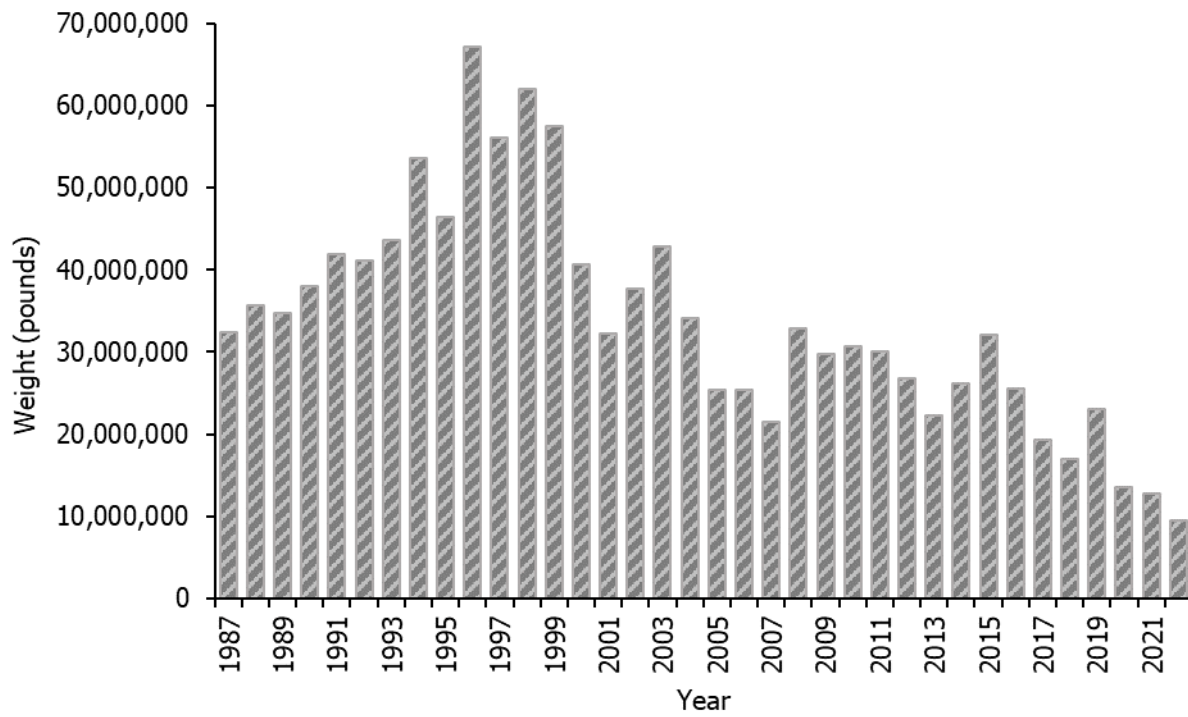


Figure 2. Annual blue crab commercial landings (North Carolina Trip Ticket Program), 1987–2022. Landings include hard, soft, and peeler crabs.

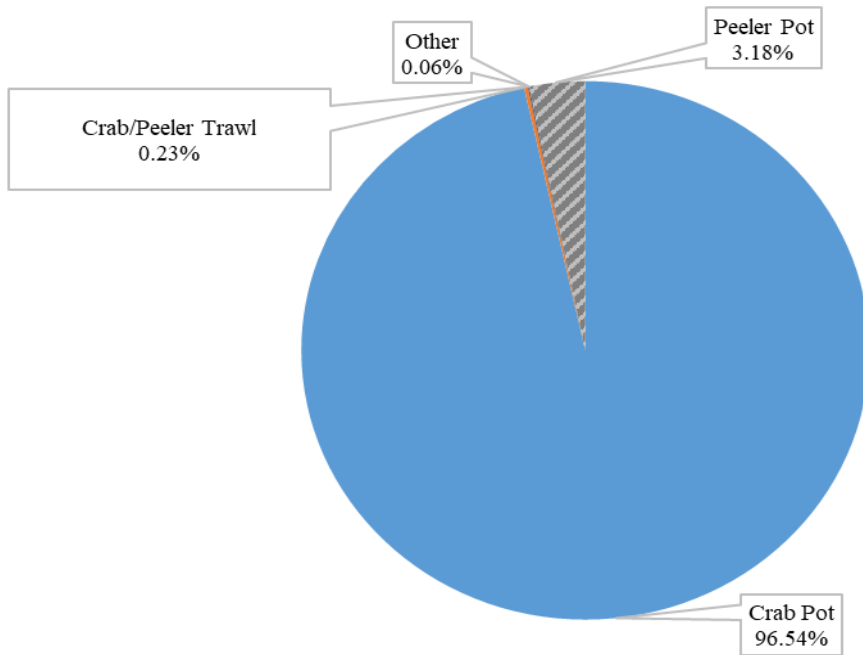


Figure 3. Commercial harvest (pounds) of blue crab by gear, 2022.

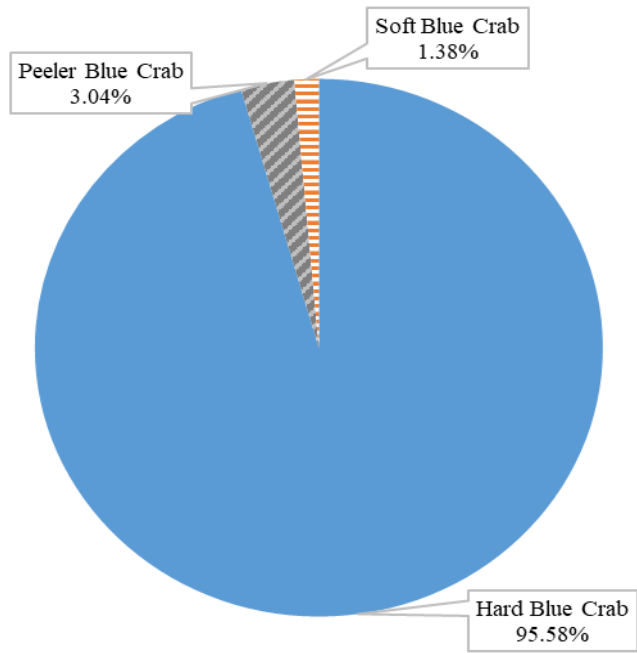


Figure 4. Commercial harvest (pounds) of blue crab by crab type, 2022.

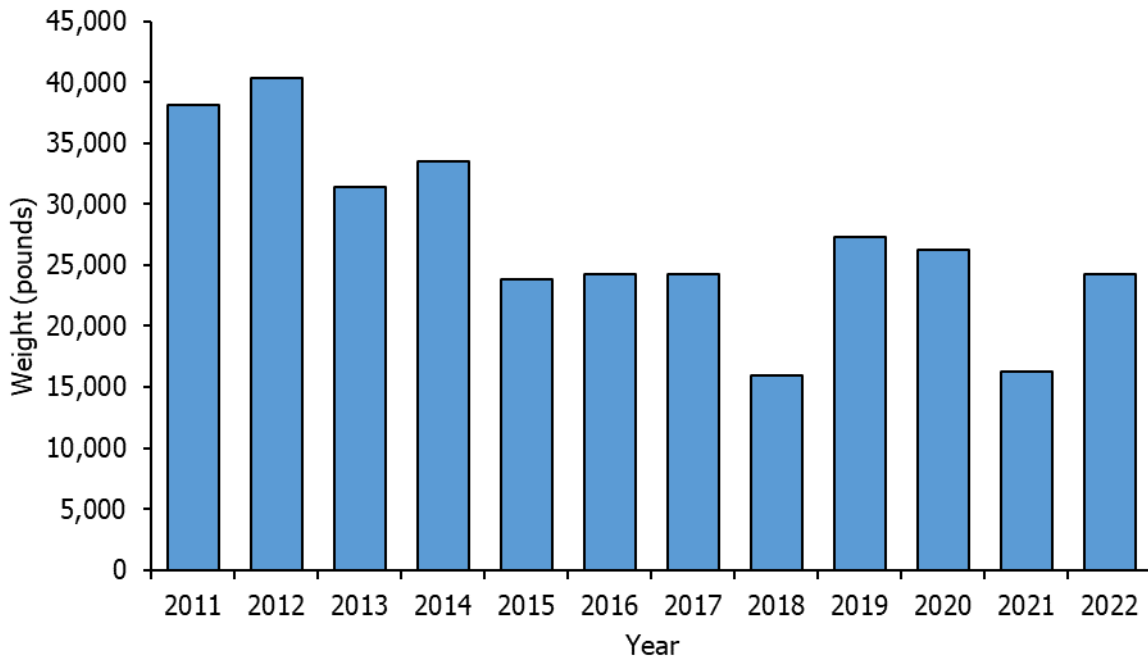


Figure 5. Annual blue crab recreational harvest, 1987–2022. Recreational mail survey began in October 2010 with the first full year of data available for 2011.

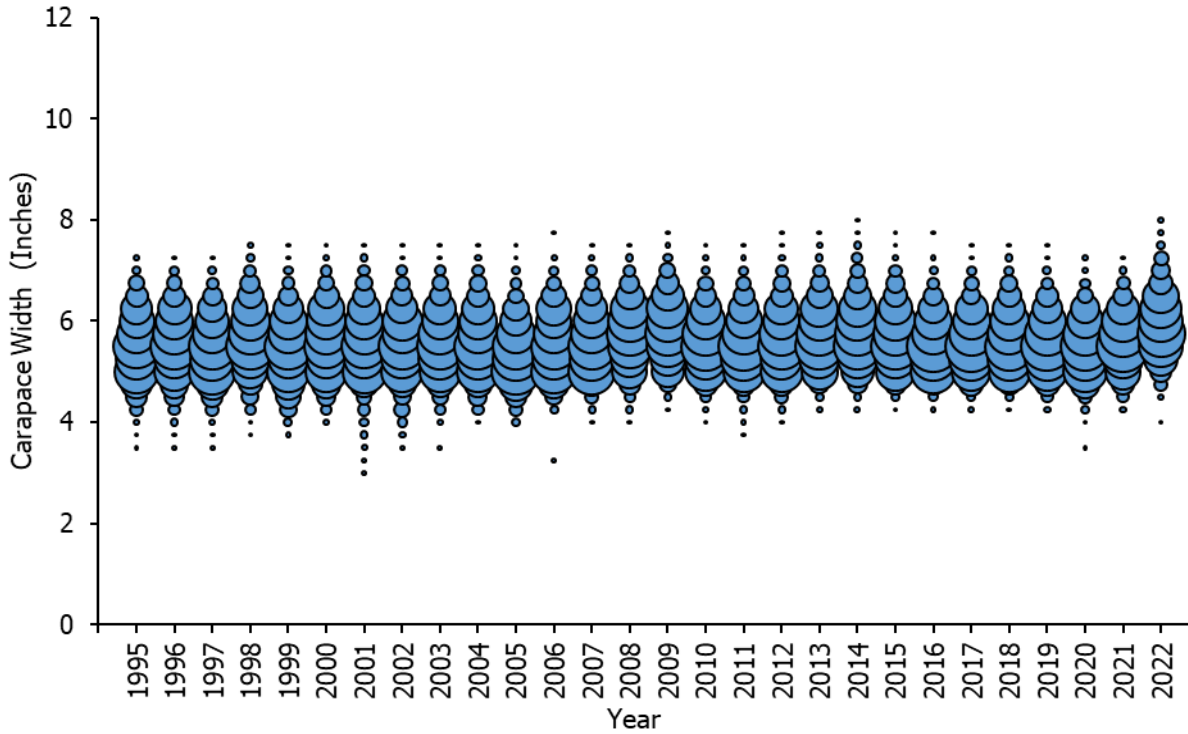


Figure 6. Commercial length frequency (carapace width, inches) of hard blue crab harvested, 1995–2022. Bubbles represent fish at length and the bubble size is proportional to the number of fish at that length.

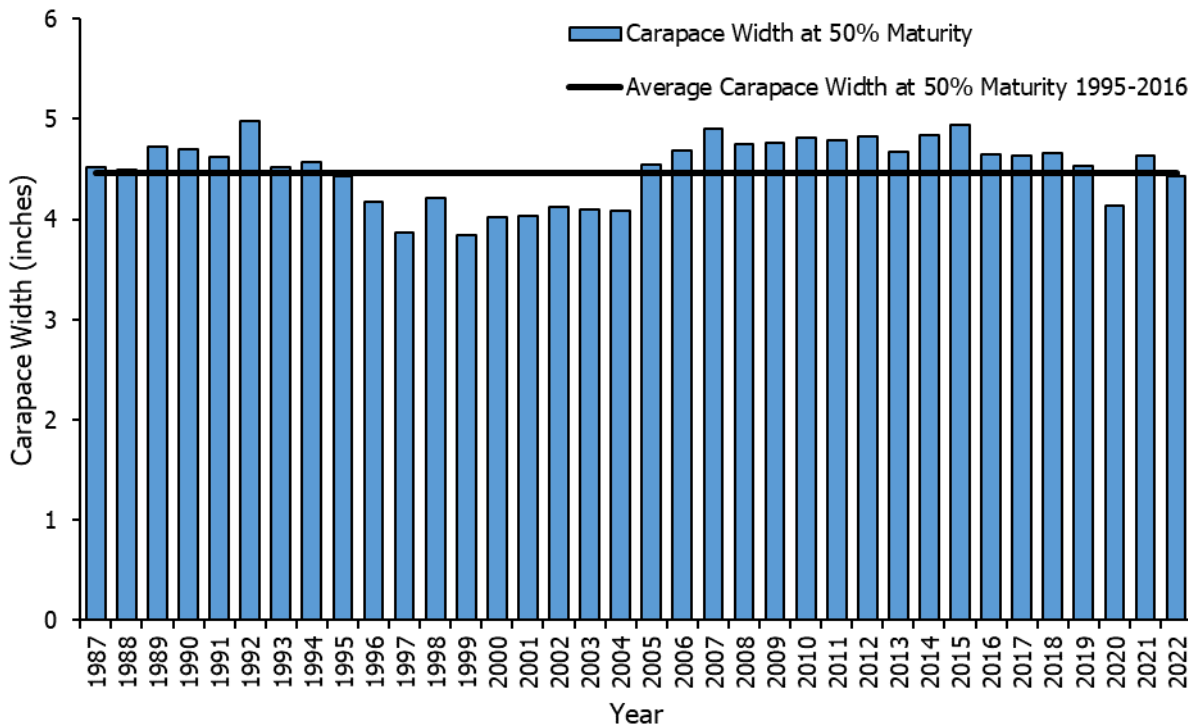


Figure 7. Length at 50% maturity for female blue crabs compared to stock assessment years, 1995–2016. Fishery-dependent and independent data were included in the analysis.

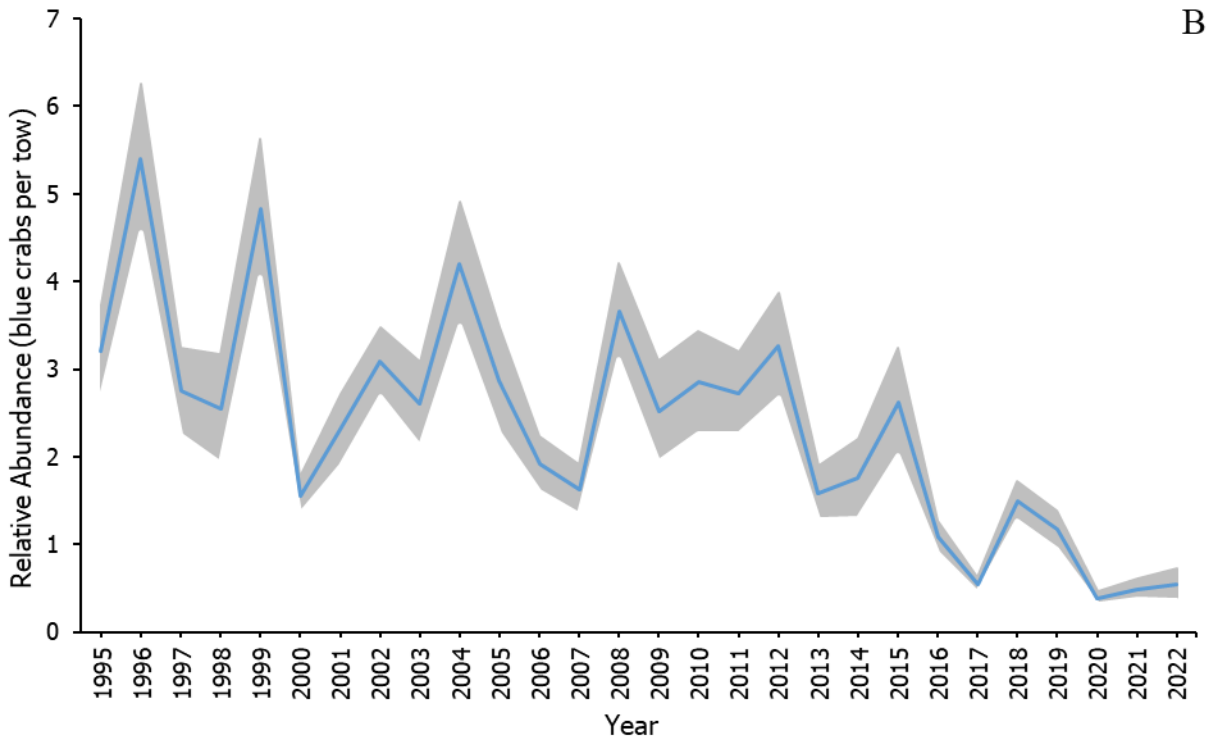
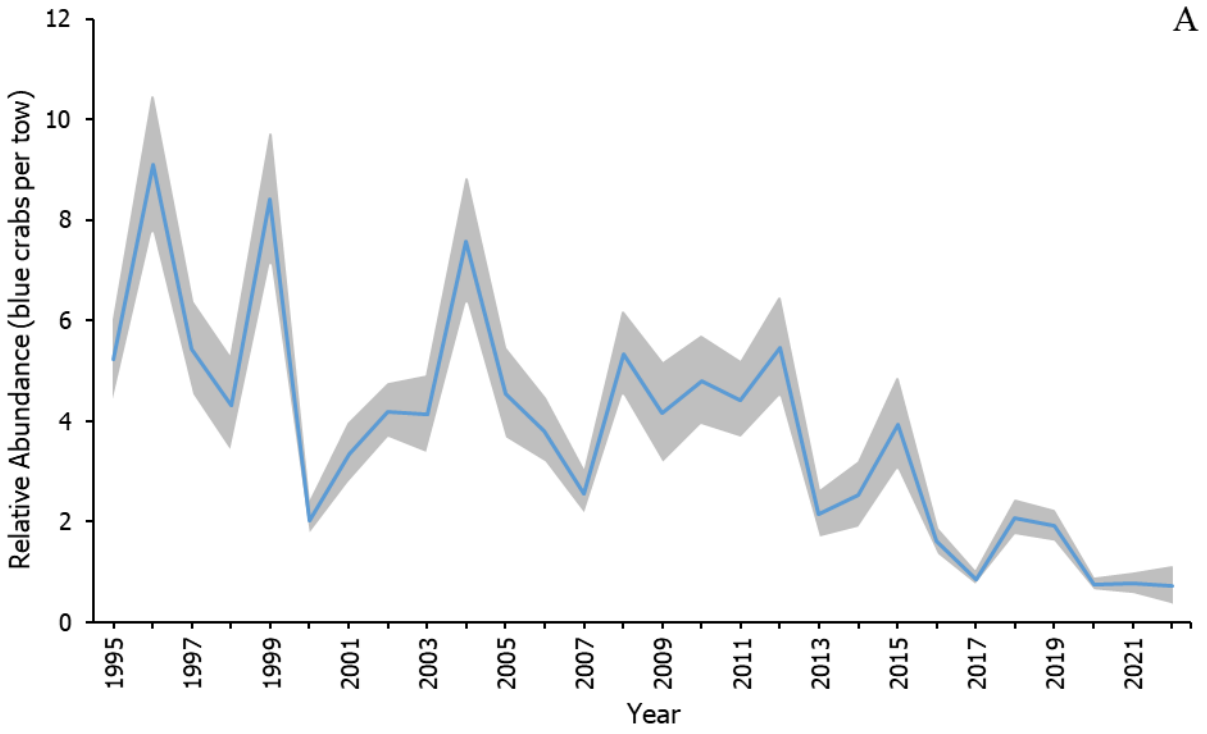


Figure 8. Nominal index (number of crabs per tow) of recruit crab relative abundance (<127 mm CW) captured in Program 120 in May and June by male (A) and female (B), 1995–2022.



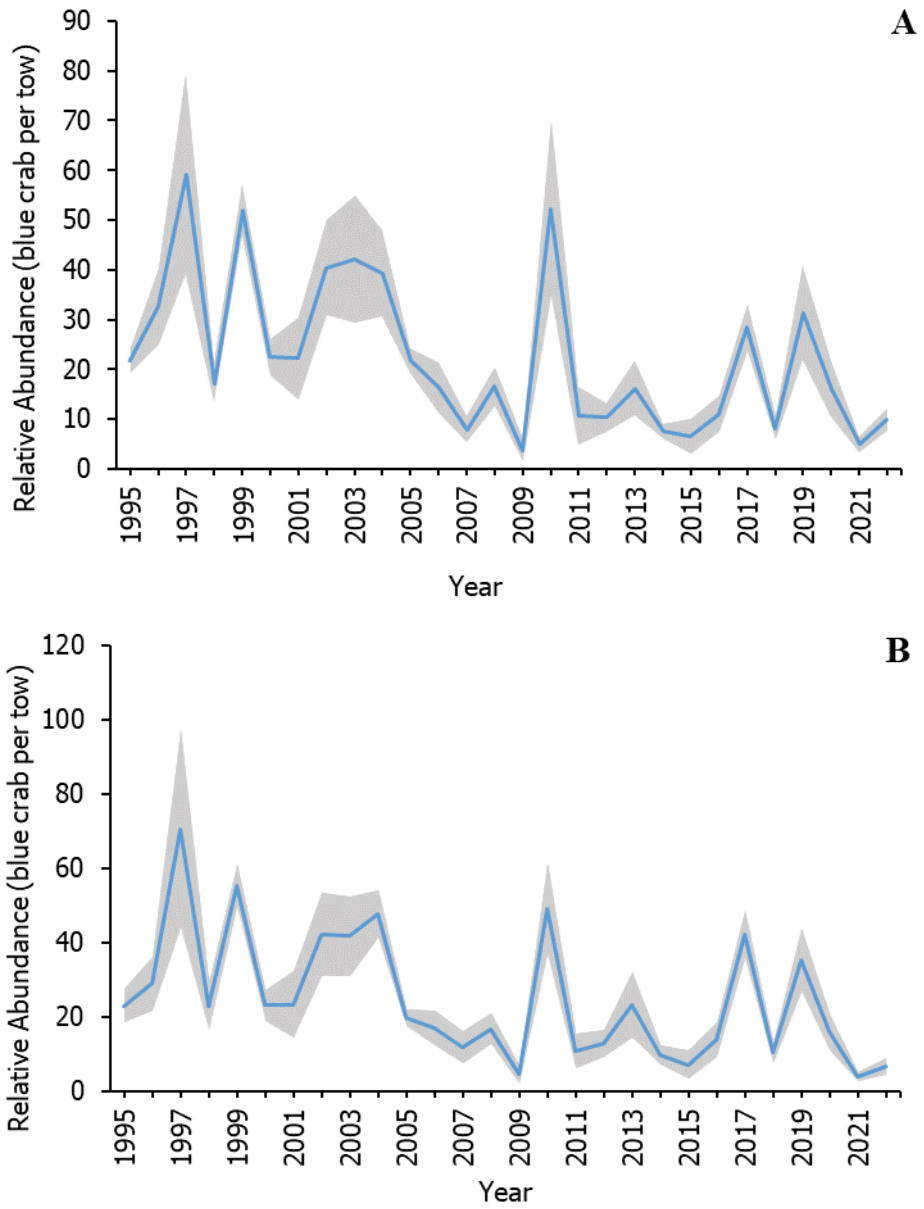


Figure 9. Nominal index (number of crabs per tow) of recruit crabs relative abundance (<127 mm, 5 inches, CW) captured in Program 195 by June male (A), June female (B), 1995–2022 for all strata combined. [Note: in 2020 and 2021 less than 54 stations were sampled]

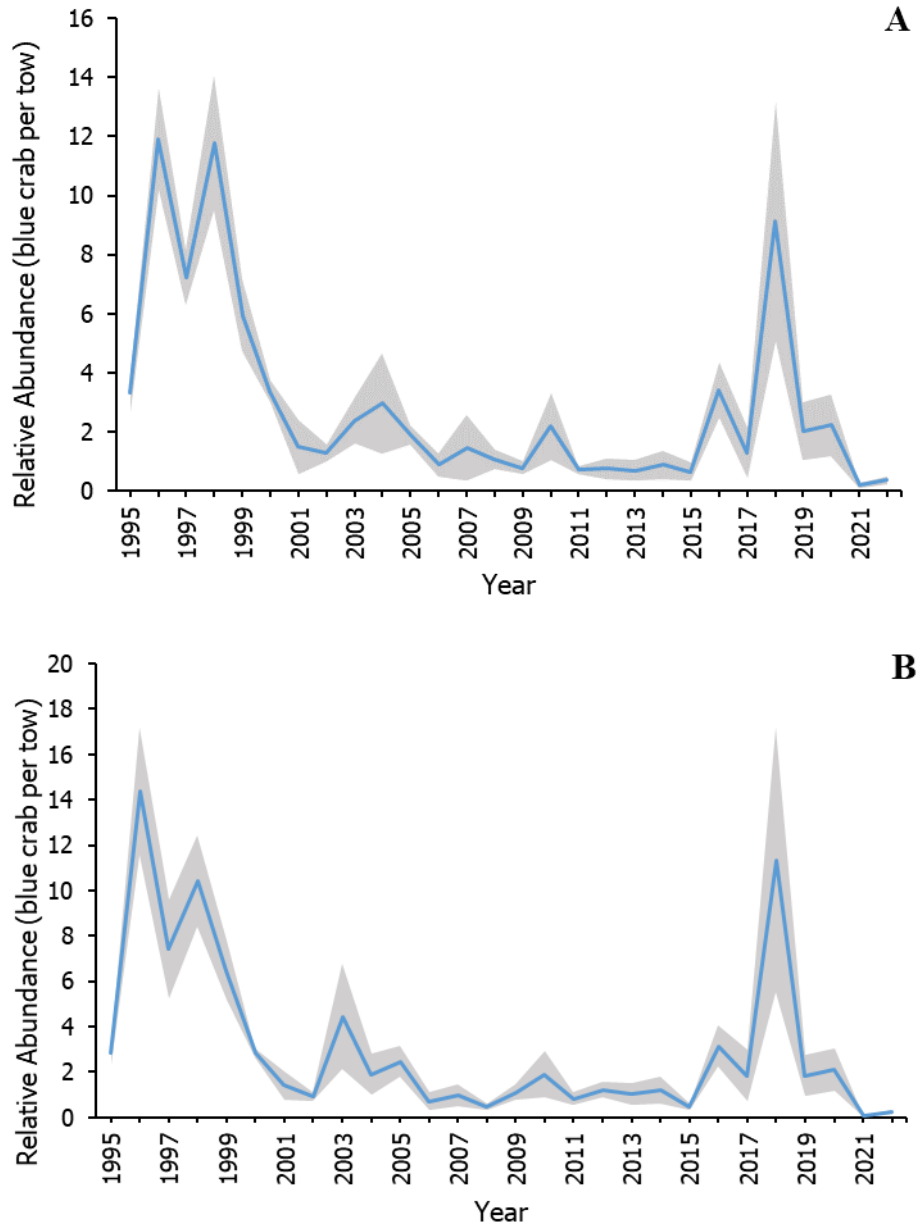


Figure 10. Nominal index (number of crabs per tow) of recruit crabs relative abundance (<127 mm, 5 inches, CW) captured in Program 195 by September male (A), September female (B), 1995–2022 for all strata combined. [Note: 2018 September sampling was conducted in October and in 2020 and 2021 less than 54 stations were sampled in both months]

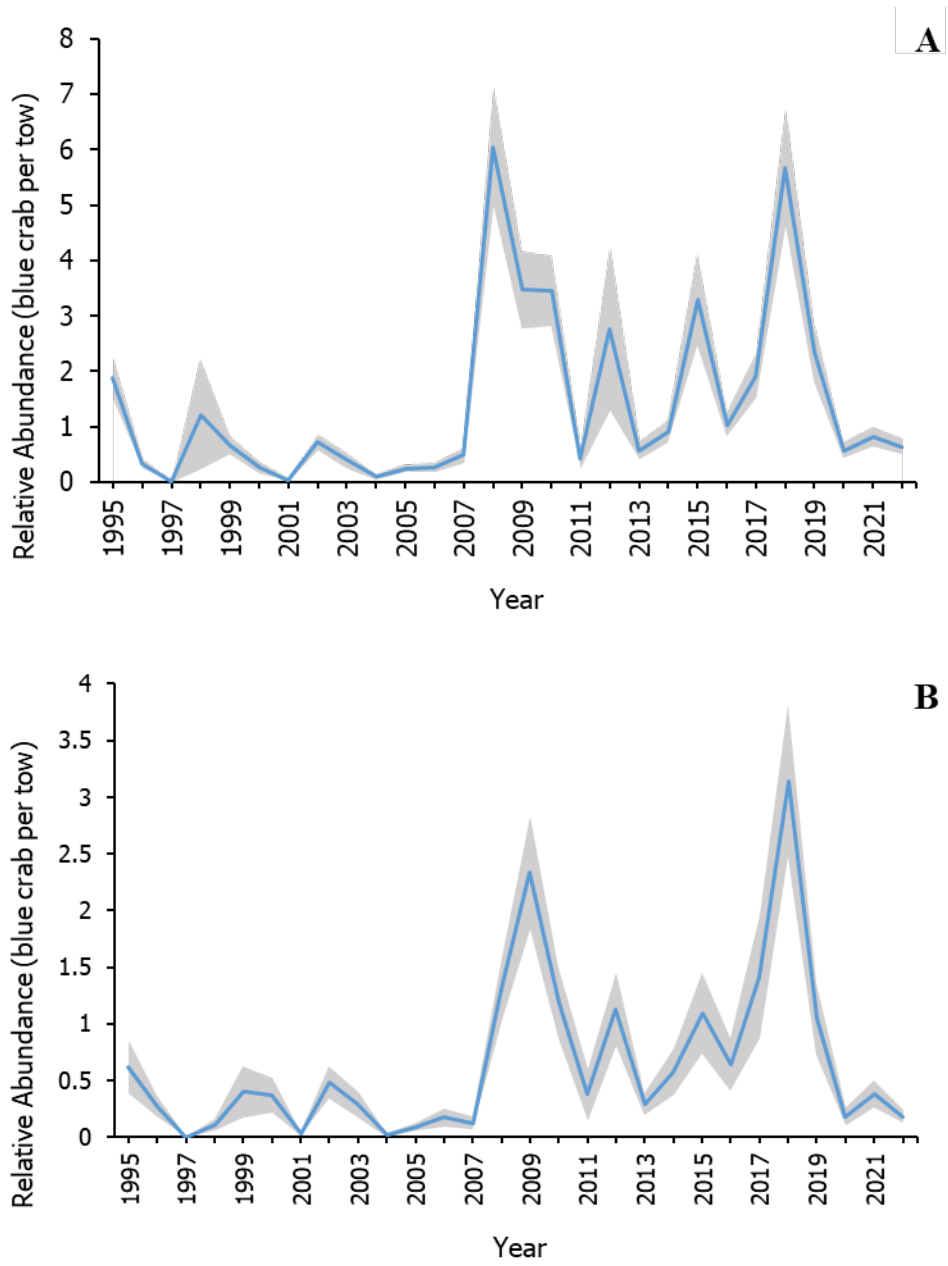


Figure 11. Nominal index (number of crabs per tow) of fully recruited crabs relative abundance ( $\geq 127$  mm, 5 inches; CW) captured in Program 100 in summer for male (A) and female (B), 1995–2022.

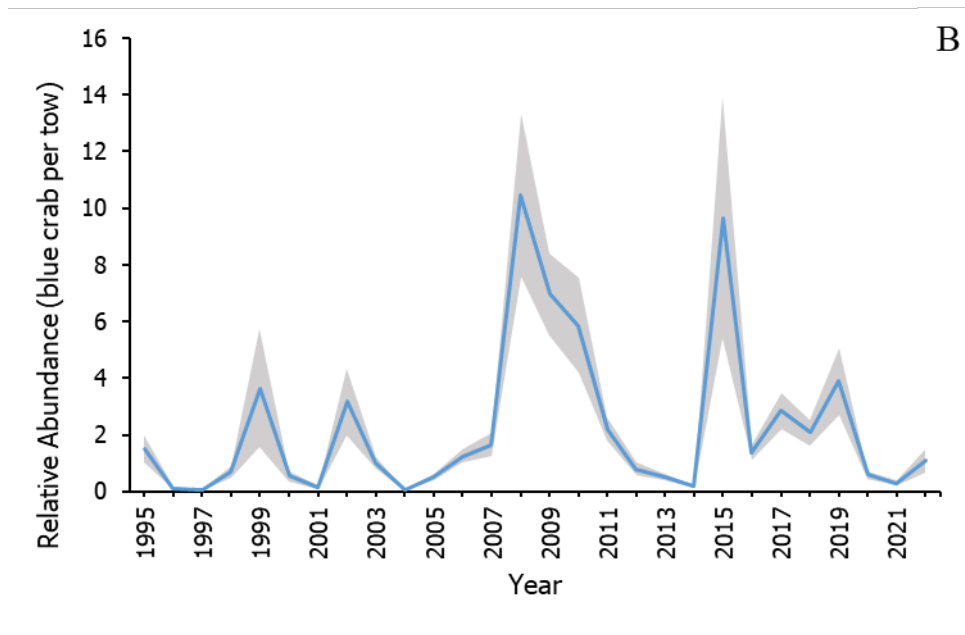
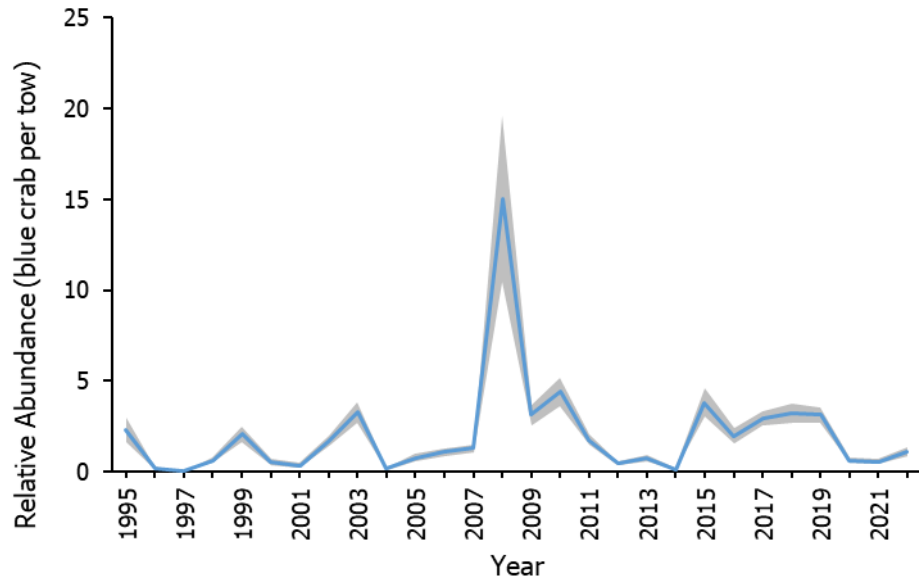


Figure 12. Nominal index (number of crabs per tow) of fully recruited crabs relative abundance ( $\geq 127$  mm, 5 inches; CW) captured in Program 100 in fall for male (A) and female (B), 1995–2022.

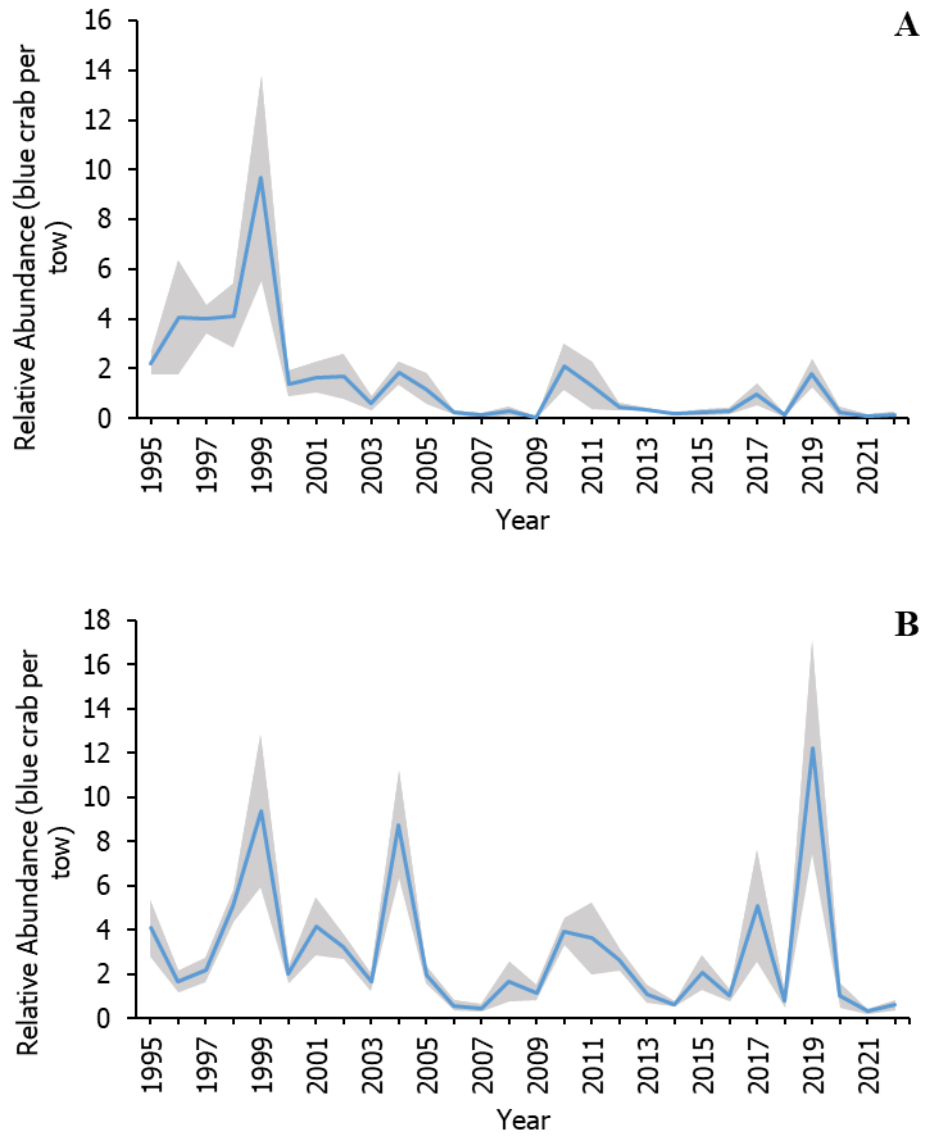


Figure 13. Nominal index (number of crabs per tow) of fully recruited crabs relative abundance ( $\geq 127$  mm, 5 inches, CW) captured in Program 195 for June male (A) and female (B), 1995–2022 for all strata combined. [Note: in 2020 and 2021 less than 54 stations were sampled in both months]

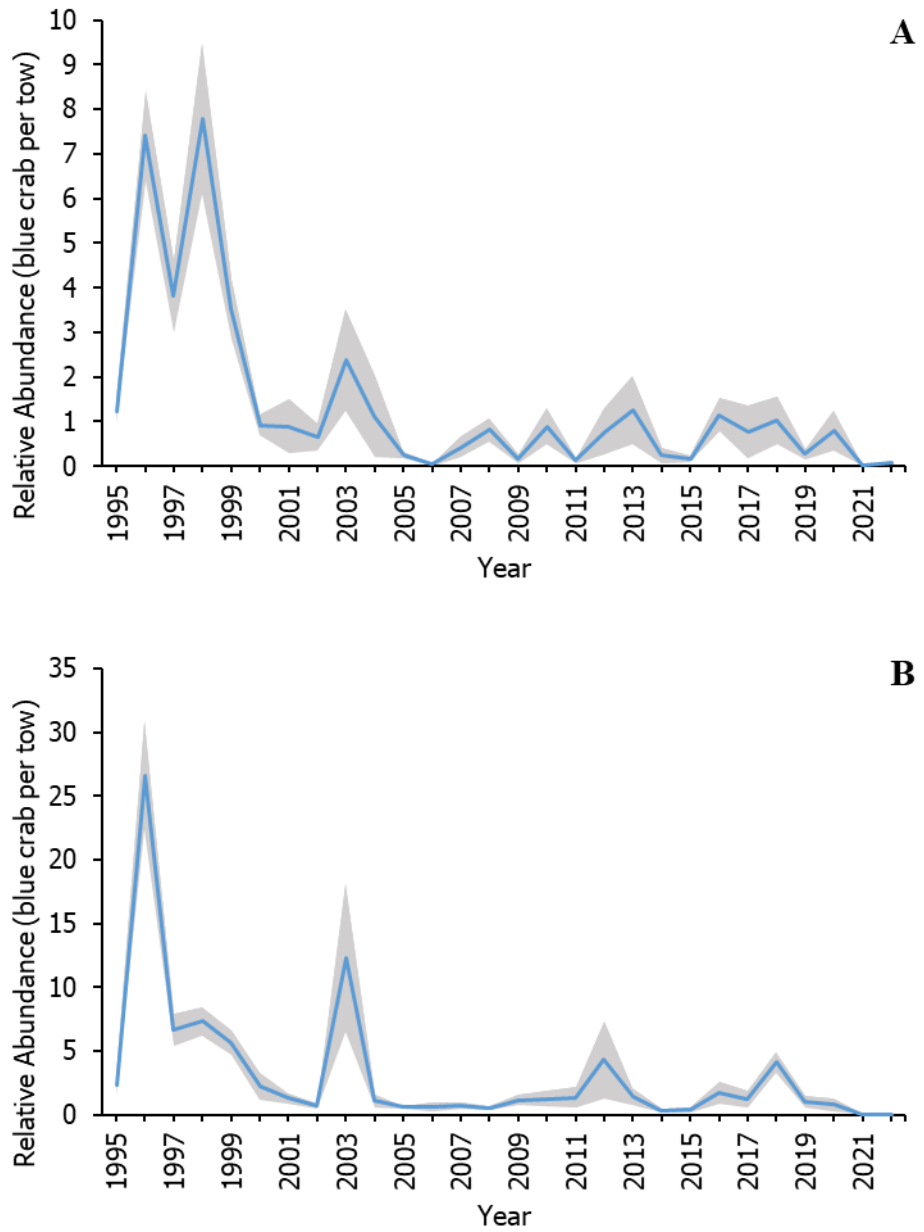


Figure 14. Nominal index (number of crabs per tow) of fully recruited crabs relative abundance ( $\geq 127$  mm, 5 inches, CW) captured in Program 195 for September male (A) and female (B), 1995–2022 for all strata combined. [Note: 2018 September sampling was conducted in October and in 2020 and 2021 less than 54 stations were sampled in both months]