

Marine Fisheries Commission Public Meeting
Riverfront Convention Center, New Bern, North Carolina
June 17, 2015

The commission met at 1 p.m. on June 17, 2015 at the Riverfront Convention Center in New Bern, N.C. to take public comment on management proposals being considered for a supplement to the Southern Flounder Fishery Management Plan Amendment 1.

The following commission members were in attendance: Sammy Corbett-Chairman, Anna Beckwith-Vice Chair, Mikey Daniels, Mark Gorges, Chuck Laughridge, Joe Shute, and Mike Wicker. Kelly Darden and Alison Willis were absent.

Chairman Corbett called the meeting to order and reminded the commission of its conflict of interest requirements and reviewed the guidelines for public comment.

Following is a summary of comments that related to southern flounder and the supplement proposals:

Paul Walker from Hampstead supported Proposal 1, except he felt that large mesh gill nets should be removed from coastal waters immediately, rather than waiting until Jan. 1, 2016.

Ron McCoy from Hampstead supported Proposal 1 and urged the commission to find common ground for growth of fisheries.

Paula Cannon from Hampstead provided comments for for-hire guide Capt. Dave Timpy, who supported Proposal 1, stating it would lead to the fastest recovery for flounder.

Earl Ward, Jr. from the Albemarle Sound area did not support any changes, saying commercial fishermen had been cut enough.

Riley Williams, member of the commission's Northern Regional Advisory Committee, did not support the supplement, saying any changes to southern flounder should be through an amendment to the fishery management plan.

Ray Brown, from Goldsboro and former commission adviser, supported using the supplement process to restore southern flounder stocks to abundant levels.

Hain Ficken from Wayne County wanted to restore flounder by getting rid of big nets, instituting a total allowable catch limit and having a 15- inch size limit for everyone.

Doris Morris from Plymouth did not support any of the proposals, saying the data did not indicate a problem because flounder catches had stayed constant, even though fishing effort and fishing time decreased.

Phil Rose from Gaston County and Arapahoe talked about declining catches in western Pamlico Sound and wanted gill nets to be licensed by area as a mechanism to more effectively manage the fishery and to help restore stocks.

David Bush, a biologist with the N.C. Fisheries Association, said there is no data to show an amendment to the fishery management plan would not be sufficient to address the issues with southern flounder.

Jerry Schill with the N.C. Fisheries Association said changes to southern flounder management should be through an amendment to the fishery management plan, not a supplement.

Jerry James from Duplin County and member of the commission's Finfish Advisory Committee supported Proposal 1, except for the gig and pound net aspects of the recommendation.

Tim Hergenrader of Pamlico County supported a large mesh gill net ban, a total allowable catch limit for pound nets and commercial gigging, a 15-inch size limit for everyone and a six-fish bag limit for recreational fishermen.

Mitchell Sawyer from New River felt the General Assembly needed to make this decision on flounder, not the Marine Fisheries Commission.

Alan Faircloth of Surf City did not support limiting the number of days for commercial gigging because weather decided when you could gig. He supported a 15-inch size limit for both recreational and commercial, an eight-fish recreational bag limit and a 100-fish commercial trip limit.

Art Smith from Belhaven said fast-tracking flounder measures through the supplement process was wrong and should not proceed.

Donald Willis from Craven County said in the past the commission had been too wrapped up in saving jobs rather than saving fish and urged the commission to do what was right and bring back the resource.

T.O. Hudgins from Pamlico County did not support management changes and said the problem in Pamlico County was from pollution.

Bruce MacLachlan from Onslow County supported a total allowable catch limit, a 15-inch size limit for both recreational and commercial fishermen and elimination of large mesh gill nets.

Lauren Morris with the N.C. Fisheries Association said the commission should follow its processes and address needed changes for southern flounder through an amendment to the fishery management plan.

Jon Whitehurst from Minnesott Beach felt large mesh gill nets needed to be removed from inland waters.

Jimmie Goodwin, Jr. said changes to flounder restrictions should go through the amendment process, that pound nets are a clean fishery, that pollution is a problem and that flounder should be grown in hatcheries.

Terry Pratt with the Albemarle Sound Fisherman's Association did not support the supplement process saying consideration of southern flounder restrictions should go through an amendment to the fishery management plan.

Stanley Warlen of Carteret County and retired scientist with the National Marine Fisheries Service said any restrictions for southern flounder should be based on good data and that a coast-wide stock assessment is needed to determine the stock status.

Chris Elkins, former Marine Fisheries Commissioner, supported a total allowable catch limit with a 50 percent decrease in harvest for the commercial fishery, closing large mesh gill nets, a 15-inch size limit for everyone, a moratorium on new pound nets and permits, and no changes in recreational harvest.

Ray Howell supported a total allowable catch limit with a 50 percent decrease in harvest for the commercial fishery, a 15-inch size limit for everyone and eliminating large mesh gill nets.

Emily Jordan, a college student who said she was speaking for young people, said how much she enjoyed fishing with her dad and urged the commission to ensure there are fish for future generations.

David Sneed with the Coastal Conservation Association – N.C. supported the supplement process, saying southern flounder was overfished and that too many juveniles were being harvested and that if the commission would take care of the fish, fishing will take care of itself.

Keith Johnson from Wake County supported the supplement process and said large mesh gill nets are why southern flounder have not recovered.

Ron Zielinski from Oriental supported Proposal 1, but said the total allowable catch limit for the commercial fishery should be a 40 percent reduction from 2013 landings, closures needed to be added from Proposal 2 if needed, and that the recreational bag limit should be reduced from six to five fish if necessary.

John Hudnall said fish run in cycles and that the last two to three years have been good and if a 15-inch size limit was implemented it would put him out of business.

Hodge Jordan from Onslow County said the supplement is needed, that large mesh gill nets should be removed from state waters and there needs to be a commercial total allowable catch limit.

Paul Biermann supported going through the fishery management plan amendment process to address issues with southern flounder.

Bradley Styron, former Marine Fisheries Commissioner, said changes to southern flounder management should be through an amendment to the fishery management plan, not a supplement.

Joe Romano from Wilmington said the supplement was circumventing the process, that there was not an emergency with southern flounder and we need positive, creative solutions and not political maneuvering.

Bud Abbott, President of the Coastal Conservation Association – NC, supported Proposals 1 and 2, and recommended using money that was designated for the Observer Program to help retrain fishermen for other jobs.

Randy King felt no changes were needed to existing flounder restrictions.

Bert Owens from Beaufort said the commission was focused on jobs and not the resource and encouraged the members to take courage and step across the line for the resource.

Ken Seigler, member of the commission's Finfish Advisory Committee, urged the commission to use the amendment process and sound science to address flounder issues, rather than going forward with a supplement.

John Hislop from Bear Creek thought the Fisheries Reform Act was a good process, but said the states seems to be moving backwards; he encouraged the commission to support the resource.

Bob Dillard from Oriental supported Proposal 1, eliminating large mesh gill nets from estuarine waters and creating a subsidy for commercial fishermen that were put out of work and/or providing their children a free education at community colleges.

Ricky Rose from Harkers Island supported a 15-inch size limit for everyone, but did not support limiting giggers to just four nights a week, saying the weather already limited the number of nights they could fish.

Hal James with the Coastal Carolina Tax Association supported minimum government, maximum freedom and free enterprise and urged the commission not to put commercial fishermen out of business.

Lonnie Brown said there were plenty of little flounder and there was no depletion of the stock.

Rena Jenkins supported a 15-inch size limit for everyone, but did not want a limit the number of nights they could flounder gig.

Raynor James from Craven County said that studies were inconclusive and that extraordinary decisions should not be made without sound data, saying user groups should decide what was best.

Joshua McGhee from Craven County said supplement proposals are rash and the commission was not looking at the data – that 2013 landings were the highest in 12 years. He urged the commission consider the economic impact of both commercial and recreational fisheries.

Jimmy Nobles from Greenville and former commission adviser opposed the supplement and talked about political agendas.

Adam Tyler, member of the Finfish and Sea Turtle advisory committees, called for a new stock assessment and an independent review to determine if a supplement is justified. He said the stock has been viable for 30 years and it was trending in a conservative direction, and expressed a lack of confidence in the Division of Marine Fisheries' ability to do stock assessments.

Sally Jo Glendenning, member of the Recreational Fishing Alliance, supported Proposal 1 saying banning gill nets would allow flounder to reach breeding size to help the stock recover.

James Reilly from Newport supported Proposal 1, except for the four-day limit on gigs. He doesn't want to get rid of commercial fishermen, but wants to ban destructive gear like large mesh gill nets and feels fishermen using this gear should transition to other jobs.

Chad Davis, a for-hire guide, supports the need for a supplement and called for a total allowable catch limit, removal of large mesh gill nets, a 15-inch size limit, a moratorium on pound nets and no changes to recreational size or bag limits.

Gurney Lee Collins, III from Beaufort felt the supplement was not appropriate and that the commission should move forward with an amendment to the Southern Flounder Fishery Management Plan.

Mike Blanton with the Albemarle Sound Fishermen's Association supported status quo for commercial fishermen and a 14-inch size limit for recreational anglers, saying most of the state is closed to gill nets and that fishermen don't need to lose any more flounder. He said 14- and 15-inch fish go in the ocean to spawn and don't return based on tagging data.

Andrew Czanderna did not support the supplement process and felt an amendment should be pursued. He wants to see a real stock assessment based on science.

John Stone from Newport gigs flounder to feed his family and friends now, but he used to gill net. He said the larger flounder aren't caught in gill nets, but that they swim off.

Myron Smith did not support the supplement and supported a smaller size limit like eight inches, fishing seven days a week, gill nets set year-round, fishing until the quota is met and that trawlers needed to use TEDs to protect turtles. He did think there was an emergency with southern flounder.

Tyler Brewer did not agree with any of the proposals for the supplement.

Jarrett Moore said the recreational size limit should be 14 inches to reduce animosity between the user groups and that banning large mesh gill nets will increase predators like gar, sharks and grass carp.

Tim White from Blounts Creek did not support some of the proposals that limited weekend gigging because it would put him out of business.

Tom Roller, President of the N.C. Guides Association, supported Proposal 1, except that giggers should be able to fish seven days a week. He said the southern flounder stock was depleted and that gill nets are efficient at catching fish and that the stock cannot be rebuilt as long as gill nets are in the water.

Janet Rose from Moyock said that valid data was lacking for all six proposals and that a new stock assessment needed to be done. She said gill net closures due to turtles had reduced landings and that no changes were needed. She encouraged the commission to consider the impact its decisions could have on the ability to get fresh fish to consumers.

Fred Fulcher from Pine Knoll Shores did not support the supplement and felt many of the proposals would cause an increase in imported seafood. He said data and peer reviews were needed to identify a problem and solution and felt upstream polluters were causing water quality problems.

Jonathan Fulcher from New Bern said the supplement proposals would be devastating and recommended reducing the size limit from 15 inches to 13 inches.

Lee Craddock from Dare County said he had flounder fished for 45 years and last year he caught the prettiest fish he had ever caught. He did not see a reason for the proposals and felt they were just a way to get large mesh gill nets out of the water.

Johnny Stallings said no changes were needed.

The meeting adjourned.

Mr. Sammy Corbett, Chair
North Carolina Marine Fisheries Commission
3441 Arendell Street
Morehead City, NC 28557

Dear Commissioner Corbett,

The following is a written copy of my oral comments for the June 17th 2015 commission meeting.

Good afternoon commissioners and Dr. Daniel.

My name is David Bush. I am here today speaking on behalf of the North Carolina Fisheries Association in effort to address the science of this process for North Carolina commercial fishermen, dealers, restaurants, and coastal communities.

I realize you are at a disadvantage as to who I am and what my credentials are. Briefly, I have worked in the commercial fishing industry with dealers and fisherman in many facets, interacting with folks from the boats to the restaurants since 2008. Simultaneously, I worked towards and received my degree in biology and minor in chemistry from UNC Wilmington, focusing my academic efforts on fisheries biology. While in pursuit of my degree, I spent a great amount of time on research focusing on flounder, with my final fisheries research project on southern flounder under the tutelage of Dr. Fred Scharf. I would not venture to speak on his behalf; however, I think it noteworthy that my research on southern flounder was performed under the guidance of one of the most well versed scientist in the state for this species.

Regardless of whether or not you consider me an amateur or hired-gun biologist as mentioned by one of your commissioners, this is not about my credentials. I am simply stating what I see in my humble opinion as a misdirection of efforts necessary for both stock and economic sustainability that you as the commission are tasked with protecting, and I am doing so only by pointing out what your well established biologists have put before you.

Let me clarify one other point, I have not and do not suggest that there is no problem with the stock. It has been said that if the public makes comments to the commission that someone in the commission feels inaccurate, they can be questioned. That works both ways. What I question, is the fact that at this point no one has presented evidence that would suggest that a properly administered amendment would not sufficiently address the concerns that have been mentioned before this commission, nor has anyone presented evidence that it is so urgent that immediate cuts of up to 60% are warranted. I question why the commission would even entertain such substantial cuts while in the same breath acknowledge that the status of the stock is unknown (per NCDMF assessment), taking regulatory interference into account - landings have been stable (NCDMF website), CPUE has increased substantially since 2010 and possibly further (landings/trips - data from May 2015 MFC MTG - John Hadley) and while recognizing the negative economic impacts this will surely cause (common sense). If the fishery were being as negatively affected as some claim, it would have crashed a long time ago.

Of the peer reviews, one stated that the assessment could be used for management based on biological considerations, but did not recommend it for quantitative considerations (which is specifically what we are trying to address) and had many concerns about the modeling and output. The second indicated that

the data was useful for management, but not the output. Moreover, the third concluded that the assessment was not useful for management because trends in data did not seem to be informative, model outputs did not appear to respond to changes in the fishery, and the stock was not limited to North Carolina waters. She recommended that a longer time period be considered and that the stock be assessed on a regional level. If according to NCDMF biologists and the peer reviewers, “...important model outputs did not appear to respond to changes in the fishery, noting high sustained fishing mortality and little corresponding change in stock biomass...” where did 25% - 60% reductions come from?

Of the three reviewers, the two who actually specialize in stock management suggested that the outputs of the assessment not be used to manage the stock.

Just to clarify, having good data is not the same thing as having a good assessment. But, if you were going to solely use this good data to manage the stock, you would look for trends in the data. Per the assessment team: “Another significant problem was that fishery-independent indices of abundance showed no trend over the time period assessed, 1991–2013, and some indices appeared to show conflicting patterns.”

Of the few remaining quotes I will mention, here is one from directly from the assessment: “After carefully considering the results of the peer review, the North Carolina Southern Flounder Plan Development Team and Management Review Team decided that the stock assessment could not be approved for management.” This is the opinion of the experts that did the assessment!

I know you have been quoted the pertinent regulations much more than enough; however, I would like to do so alongside a quote from the current assessment;

Paragraph V. C. 1. Page 19 from GUIDELINES FOR NORTH CAROLINA FISHERY MANAGEMENT PLANS

FMP Supplements

The supplement process may be used to change management measures in an existing FMP when the Secretary determines it is in the interest of the long-term viability of the fishery and the urgency of the issue makes it impossible to address it through the FMP amendment process.

G.S. 113-182.1. Fishery Management Plans paragraph (e1) Page 237

If the Secretary determines that it is in the interest of the long-term viability of a fishery, the Secretary may authorize the Commission to develop temporary management measures to supplement an existing Fishery Management Plan pursuant to this subsection.

The National Marine Fisheries Service defines a fishery as:

1. Generally, a fishery is an activity leading to harvesting of fish. It may involve capture of wild fish or raising of fish through aquaculture;

2. A unit determined by an authority or other entity that is engaged in raising or harvesting fish. Typically, the unit is defined in terms of some or all of the following: people involved, species or type of fish, area of water or seabed, method of fishing, class of boats, and purpose of the activities.

3. The combination of fish and fishers in a region, the latter fishing for similar or the same species with similar or the same gear types.

Per the assessment as mentioned earlier: “Another significant problem was that fishery-independent indices of abundance showed no trend over the time period assessed, 1991–2013, and some indices appeared to show conflicting patterns.” “...the stock appears to be rebuilding and fishing mortality is declining.”

So, now that we have removed opinion and perspective from the picture, what kind of scientific or decision-making process could cause one to read these conclusions as an issue so urgent that is impossible to address through the FMP amendment process?

Some have clung to singular aspects of the current assessment as a point from which to argue. It is your duty to look beyond opinions, and address the factual and best available science that you have. At this point, that science states that there is much uncertainty, also, NCDMF has told you in black and white that “After carefully considering the results of the peer review, the North Carolina Southern Flounder Plan Development Team and Management Review Team decided that the stock assessment could not be approved for management,” the status of the stock is unknown, and that “...the stock appears to be rebuilding and fishing mortality is declining.”

Both of those statements should give ample reason for pause before considering implementation of any immediate action or cut rather than pursuing an option such as an amendment that is ideally suited for such a situation.

Sincerely,

David Bush
Fisheries Biologist and Policy Analyst
N.C. Fisheries Association
PO Box 335
Bayboro, NC 28515-0335

cc: Ms. Anna Barrios Beckwith, MFC
Mr. Mikey Daniels, MFC
Mr. Kelly Darden, Jr., MFC
Mr. Mark Gorges, MFC
Mr. Chuck Laughridge, MFC
Mr. Joe Shute, MFC
Mr. Mike Wicker, MFC
Ms. Alison Willis, MFC
Dr. Louis Daniel, DMF
Mary Joan Pugh, Assistant Secretary, NC DENR
Donald R. van der Vaart, Secretary, NC DENR



Fred Walker <walkerhfred@gmail.com>

Comments to the MFC Flounder Supplement Proposals- I support Proposal 1 with exceptions explained below

1 message

Fred Walker <walkerhfred@gmail.com>

Mon, Jun 15, 2015 at 9:50 PM

To: samjcorbett@gmail.com, annabarriosbeckwith@yahoo.com, nccroakerjoe@yahoo.com, kdarden@embarqmail.com, captgorgesmfc@gmail.com, sobxl1@gmail.com, captjoemfc@yahoo.com, amikewicker@gmail.com, awillis.mfc@gmail.com

Cc: nancy.fish@ncdenr.gov, floundersupplement@ncdenr.gov, maryjoan.pugh@nczoo.org, donald.vandervaart@ncdenr.gov, louis.daniel@ncdenr.gov, preynolds@ncdoj.gov, Chris.Millis@ncleg.net, billrabon@ncleg.net

My name is Fred Walker and I live in Pender County. Thank you for allowing me to comment on the current supplement proposals to manage southern flounder in North Carolina. I have been an avid recreational fisherman since I was a child except for a period when I could not fish because of career and family obligations. I have watched the flounder fishery decline to the point that many recreational fisherman have given up. I fished Rich's Inlet near Hampstead all my life. My family and I would routinely catch good flounder there each year. When I began fishing again a few years ago I fished that inlet for a summer. During the summer I caught 53 flounder and only 3 of them were legal size. I was appalled. Science and experience have well established that the southern flounder is overfished and depleted. It is also a fact that commercial fishing catch 80% of the Southern Flounder in North Carolina. So I applaud your efforts to restore the flounder fishery. We can not wait any longer. Our fish are a public trust and must be managed for the resource and not particular groups. We can maintain a viable commercial fishery but it must be managed for the resource not for maximum exploitation. And we must remove destructive large mesh gill nets from our waters. Frankly, they are too good, over catch the resource and kill other fish species and other animals. North Carolina is the only state that allows the use of large mesh gill nets in this fashion. According the National Marine Fisheries website 96% of the Southern Flounder sold in the United States come from North Carolina. We overfish our precious Southern Flounder resource to sell to other states who protect their flounder fishery. It is time to stop. Economically it has been proven again and again that recreational fishing has a far larger impact on the economy than commercial fishing. But jobs are killed by commercially overexploiting our fisheries. If changes are made to protect the resource we can continue to have a viable, clean commercial fishery and as our fisheries expand we will unleash growth in recreational supporting jobs such as guides, employees in grocery stores, convenience stores, clothing stores, bait shops, tackle shops, marine business manufacturers, marinas, boat builders, boat sales, boat service, hotels, restaurants, hardware stores, and the overall economy.

Therefore, I support Proposal 1 with the following exceptions.

a) Large mesh gill net fishing should be stopped immediately not on January 1, 2016. It has been proven irrefutably that the Southern Flounder fishery is depleted, overfished and that overfishing continues. It would not make any sense to allow the overfishing through another fall when the largest number of flounder are taken by large mesh gill nets. It would be similar to a doctor allowing a patient who was critically low on blood to bleed for another day before stopping the blood loss.

b) Large mesh gill nets should be disallowed for all fisheries in North Carolina waters. Not totally removing large mesh gill nets will only create more by-catch issues. Flounder will continue to be caught and killed only adding to the current strife.

There is also an "elephant" in the room which you must address. Otter Trawl shrimping continues to take 4 pounds of fin fish for each pound of shrimp caught. These fin fish include red drum, black drum, croaker, spot, speckled trout, and flounder. For North Carolina to have a good fishery Otter Trawls must be removed from our internal waters. To wait only continues to destroy our fishery resource and the actual bottom of our estuaries.

You have a tough job. But if you objectively look at this issue and resolve to only work for the resource you will make the correct decision. Southern Flounder is a public trust, you are the caretakers. As I have stated before, It would be a tragedy if your legacy as commissioners and our legacy as fishermen was that we "squandered our precious fishery resource".

Thank you

Fred Walker
449 Old River Acres Dr
Burgaw nc
28425
[9102316008](tel:9102316008)



June 17, 2015

Good Afternoon. I am providing these comments on behalf of Capt Dave Timpy, Wavelength Charters. Capt Timpy could not make the meeting today because of a fishing charter today that was scheduled last March.

Thank you for the opportunity to provide comment. I am a recreational fisherman and charter boat captain operating out of Wrightsville Beach.

I fully support Proposal 1, including the proposed restrictions on commercial gigging. It is clear from the best available data documented by the NCDMF that southern flounder has been overfished since 2005 and overfishing is occurring. Based on the draft supplement, it is very probable that the updated stock assessment will confirm past determinations that the southern flounder stock is depleted. We all know fishing is not as good as it used to be.

Proposal 1 will lead us to the fastest flounder recovery of all the proposals under consideration.

Please do what's best for our fish.

Capt Dave Timpy
Wilmington

PROBLEMS WITH THE FLOUNDER PROPOSAL

1. THE 4 DAY FISH WEEK FOR COMMERCIAL GIGGING

- ❖ Flounder gigging can only be done when the weather is nice, no wind, rain or muddy water.
- I've gigged for over 20 years and kept records of when and where I catch fish at each year. With 30 days in a month and you try to fish all month because of weather, dirty water, storms; you are lucky to get 17 to 18 days out of the month that you can fish.
 - Monday to Thursday only gives you four days a week, with four weeks in an average month that is only 16 days. Now add things like wind, weather, and muddy water you get approximate eight days a month you can fish. This rule would take someone who commercial flounder gigs for a living, and bankrupt them.

2. THE 36 FLOUNDER LIMIT

- ❖ When you go gigging, flounder do not move up every night. Things like barometric pressure, moon phase, and the tide affect the fish. If you go four or five nights a week on an average you will find fish two nights, the other two to three nights you barely cover your gas.
- ❖ By putting a catch limit by number of fish only on gigging puts an unfair-financial burden on the commercial giggers only.
 - 36 fish a night, that is when you can get them; on average would weigh 1.5 to 2 lbs., that is 50 to 70 lbs. Average price \$3.00lb, that's \$150 - \$200 that night.
- ❖ If you could catch 36 fish every time you went, that would be great. There is no guarantee that when you gigging, fish will be there. You need to have a good night ever now and then. If you had bad weather all week, and now you finally get to go, it might be that it was only one night during that week.
 - You can only make \$150- \$210 that week. This rule would be crippling to someone like me, that all I do is commercially flounder gig. I don't run nets or any other kinds of commercial fishing. I gig 8 months out of the year. These two rules could bankrupt almost all commercial giggers.
- ❖ The 36 flounder only goes to southern flounder; it would be too hard to identify the differences and the species when they are under water with mud or sand on their back. This would double the amount of dead discard.

3. INCREASING SIZE LIMIT TO 15 INCHES

- ❖ By increasing the size limit for the first year or two would have diminishing results, due to the dead discard.
 - When a commercial fisherman are out on the water and go behind a recreational fisherman, the fish he finds that they have thrown back from being undersized, he still picks up and can sell, that way these fish don't go to waste. On average on a weekend I will find 10 to 12 dead flounder that are 14.5 inches long.
- ❖ There should be no increase of any kind to recreational fisherman. The dead discard would be huge. Recreational fishermen don't have the experience to distinguish the different sizes of fish. Recreational fisherman most of the time have two people aboard the boat, that is a 12 fish limit. They kill on average 18 to 20 flounder to get that 12. If anything, give them a 1 or 2 fish under 15 inch size limit.

REMINDERS:

1. First you must remember commercial flounder gigging is only 8% of the total harvest but you are restricting it the most. I read the 63 page report turned in by the biologist and I talked with Chris Stewart, one of the biologists who wrote the report. These people are biologist and they understand the science of fish, but they don't know the aspects of fishing.
2. The biologist has agreed that the stock assessment is inaccurate due to the fish spawning with the migratory fish. The fish do not stay just in this area; the fish that were tagged and released here in North Carolina are caught in South Carolina and Florida. However, I trust the biologist at what they say and if the fish need protecting then we need to do something.
3. In the report from the department of marine fisheries, every scenario the biologist came up with had the same ending, which was May or may not increase the spawning biomass and that is the most important thing.

WHAT SHOULD BE CONSIDERED?

1. Close commercial flounder gigging and recreational flounder gigging for the month of November.
2. Gill nets should be reduced from 1,000 yards to 500 yards during the month of November
3. Pound nets should have the larger escape panels put in place during the month of November.
4. Make a five or ten dollar special device permit for all giggers, (this would allow the biologist to know how many people are actually gigging, recreational, which would give them better data. Right now it is just a guess as to how many fish are being caught)

The main migration of flounder is during the month of November, if you close commercial gigging and recreational gigging, all of these fish will be released. If you reduce gill nets, to 500 yards, their catch will be cut in half for November and all these fish will be released. The same is true with pound nets; the larger escape panels for November will release a lot more of their fish. All the fish that are released in November are the spawning biomass, we are doubling down, reducing the amount of fish caught and letting spawning fish make it back out to the ocean. This way, all the commercial fisherman can still make a living and the fish are being protected. You wouldn't need a 25% reduction if you increase the spawning biomass. Whatever rule you make, you must realize November is the key, you must allow these fish to spawn.

There is no guarantee that the fish that are saved by your proposal will ever make it to the spawning biomass. If i don't gig a flounder in September, someone else will or it will get caught in the next net, or caught by the next hook device. The fish only have a 50% chance of ever making it to the spawning biomass, if you save the fish in November then it has a 100% chance of becoming part of the spawning biomass.

ADDITIONAL POINTS:

Last, I know you get a lot of pressure from recreational fisherman; we had these same meetings in 2005. The recreational fisherman complained that they couldn't catch any fish because of all the nets. 10 years later, we've taken gill nets out of the water on weekends, and reduced them to 1000 yards, yet the recreational fisherman are still complaining that they can't catch fish so now it is the commercial giggers fault. The truth is, they have limited experience and knowledge, they are experts at what they do for a living, but this is not what they do. If they were great at fishing, then they would be commercial fisherman. Just because I buy a welder, doesn't mean I can weld; you buy a boat, a set of lights, and a gig makes you a boat owner, not a fisherman.

For recreational giggers to be complaining so much, they caught 96,748 lbs.
Commercial caught 127,413 lbs. last year

There are approximately 200 recreational fishermen for every 1 commercial; there is only 3500 commercial fisherman for the whole state of North Carolina. If you stop commercial fishing on the weekends, you will be creating more animosity between the recreational and commercial fisherman.

QUESTION FOR THE BOARD:

In your proposal we had the largest jump in the amount of fish caught in the last 10 years, but you look at this as a bad thing, however, maybe we are doing something right because something had to be able to create this amount of fish. If we were not letting enough of the spawning biomass go, then where did all these fish come from?

Thank you for your time and consideration, any questions please contact Mitch Williams at 910.340.2997

**COMMENTS TO THE MARINE FISHERIES COMMISSION
On SOUTHERN FLOUNDER MANAGEMENT**

June 17, 2015

By Jerry Schill, President; North Carolina Fisheries Association, Inc.

THANK YOU MR. CHAIRMAN AND MEMBERS OF THE COMMISSION:

I'M JERRY SCHILL, PRESIDENT OF THE NORTH CAROLINA FISHERIES ASSOCIATION.

AS WE NOTED PUBLICLY AT YOUR MAY MEETING, WE BELIEVE THE MANAGEMENT OF SOUTHERN FLOUNDER SHOULD BE ADDRESSED BY AN AMENDMENT TO THE FISHERY MANAGEMENT PLAN, AS THE SCIENCE AND YOUR OWN GUIDELINES DO NOT ELEVATE THIS AS A SUPPLEMENT TO THE FMP.

WE, ONCE AGAIN, WILL SAY THAT, RATHER THAN A SUPPLEMENT, YOU SHOULD BE GOING THROUGH THE AMENDMENT PROCESS. HAD YOU BEGUN THE PROCESS BACK IN FEBRUARY, THE AMENDMENT WOULD BE WELL UNDERWAY.

THANK YOU.

COMMENTS ON NC MARINE FISHERIES COMMISSION MEMBERS' SOUTHERN FLOUNDER SUPPLEMENT PROPOSALS

Stanley M. Warlen

Newport, NC

My name is Dr. Stanley M. Warlen. I have lived in Carteret County since 1965 and during that time spent over 33 years employed as a Fishery Research Biologist with the NOAA , National Marine Fisheries Service Laboratory in Beaufort, NC studying fish and fisheries in North Carolina. I am now retired.

I firmly believe that any fishery regulations or changes therein should be based on the best scientific data and evidence collected through careful research. Any proposals should be subjected to an extensive peer review process to ensure scientific accuracy and compliance with all applicable law.

Since it appears that there is no evidence that the southern flounder stock is in danger of being overfished, then why is there even one proposal to limit catch by commercial or recreational interests. If the state of NC had any evidence that the southern flounder stock is in danger wouldn't it have brought it forward by now? The Atlantic coast population of southern flounder is a single stock extending from NC to Florida. To fully understand the population dynamics of this species it would be necessary to conduct research throughout its entire geographic range. That is to say, conduct a coast-wide stock assessment study. A stock assessment study on only a portion of the population cannot be indicative of the stock status in the entire population. We must know what is happening in the total population in order to better know what is happening in one portion.

Mortality of marine fishes is commonly thought of as either human caused mortality (i.e. fishing mortality) or all other mortality (i.e. natural mortality). Either type results in a reduction in the number of fish in a population. Estimating either type is a very difficult job requiring considerable time, money and expertise. Natural mortality starts early in the life history (e.g. egg and larval stages) and continues throughout the life span of the species. So if we are to know changes in the number of fish in a population, then we need to know the contribution of each type of mortality on the population. As difficult as it is to ascertain fishing mortality in a species, such knowledge is only one piece of the puzzle of changes in fish numbers. It is not reasonable or even the least bit accurate to ascribe changes in fish population numbers or age and size features to one type of mortality or the other without good estimates of both types of mortality.

Until we know what is the contribution of each mortality in the population of southern flounder we should not forge ahead and put the entire burden or blame on the backs of commercial and recreational fishermen. Therefore, I implore you to await further fishery research on stock assessment and population dynamics of southern flounder before making any changes to the NC Southern Flounder Fishery Management Plan. The livelihoods of fishermen, processors and retailers are at stake and the access to this valuable seafood resource for consumers should not be limited.

ALBEMARLE FISHERMENS ASSOC.

6-17-2015

Terry Pratt, President

COMMENTS ON SOUTHERN FLOUNDER MANAGEMENT PLAN

N.C. D.M.F. says that southern flounder are overfished and overfishing is occurring.

Not according to N.C.D.M.F.'s own statistics, that say catch levels and fish size have remained consistent for more than twenty (20) years. There is nothing to support the use of a supplement process to the southern flounder management plan. The more appropriate way to improve a stock assessment is through the amendment process.

REMBER MENHADEN and spotted sea trout? Upon further evaluation - those stock assessments were revised to show much healthier populations that did not require unnecessary harvest reductions.

Southern flounder are very important to all N.C. citizens - commercial and recreational fishermen, service industries, and the consumer.

N.C. has been, and can with proper management, continue to harvest southern flounder to feed N.C. consumers home grown seafood.

The ALBEMARLE FISHERMENS ASSOC. DOES NOT support a supplement to the southern flounder management plan.

WE WOULD SUPPORT AN AMENDMENT.