

MARINE FISHERIES COMMISSION BUSINESS MEETING
Doubletree by Hilton University Brownstone Hotel, Raleigh, N.C.
Aug. 16-17, 2017

N.C.G.S. 138A-15(e) mandates at the beginning of any meeting of a board, the chair shall remind all members of their duty to avoid conflicts of interest under Chapter 138. The chair also shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time.

N.C.G.S. 143B-289.54.(g)(2) states a member of the Marine Fisheries Commission shall not vote on any issue before the Commission that would have a "significant and predictable effect" on the member's financial interest. For purposes of this subdivision, "significant and predictable effect" means there is or may be a close causal link between the decision of the Commission and an expected disproportionate financial benefit to the member that is shared only by a minority of persons within the same industry sector or gear group. A member of the Commission shall also abstain from voting on any petition submitted by an advocacy group of which the member is an officer or sits as a member of the advocacy group's board of directors. A member of the Commission shall not use the member's official position as a member of the Commission to secure any special privilege or exemption of substantial value for any person. No member of the Commission shall, by the member's conduct, create an appearance that any person could improperly influence the member in the performance of the member's official duties.

Commissioners having questions about a conflict of interest or appearance of conflict should consult with counsel to the Marine Fisheries Commission or the secretary's ethics liaison. Upon discovering a conflict, the commissioner should inform the chair of the commission in accordance with N.C.G.S. 138A-15(e).

Aug. 16

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| 2 p.m. | Call to Order* |
| | Conflict of Interest Reminder |
| | Roll Call |
| | Approval of Agenda** |
| | Approval of Meeting Minutes** |
| 2:15 p.m. | Chairman's Report <ul style="list-style-type: none">• Letters• Ethics Training Reminder• 2017 Meeting Schedule Reminder• 2018 Proposed Meeting Schedule• Election of Vice Chair** |
| 2:45 p.m. | Director's Report – Director Braxton Davis
<i>Reports and updates on recent Division of Marine Fisheries activities</i> <ul style="list-style-type: none">• Division of Marine Fisheries Quarterly Update• Legislative Update• Atlantic States Marine Fisheries Commission – Michelle Duval and Chris Batsavage• Informational Materials<ul style="list-style-type: none">– Landings Update– Protected Resources Update<ul style="list-style-type: none">○ Observer Program○ Incidental Take Permit Updates– Mid-Atlantic Fishery Management Council Update– South Atlantic Fishery Management Council Update– Highly Migratory Species |
| 4 p.m. | Committee Reports <ul style="list-style-type: none">• Strategic Habitat Area – Region 4 |
| 6 p.m. | Public Comment Period |

Aug. 17

- 8:30 a.m. SCFL Eligibility Report/Set Eligibility Pool Cap – Major Jason Walker
Each year the commission must set a cap on the number of Standard Commercial Fishing Licenses in the License Eligibility Pool
- **Vote on setting cap on number of licenses in the Eligibility Pool****
- 9 a.m. Landings Overview – Stephanie McInerny, Alan Bianchi and Chris Wilson
- 9:30 a.m. Blue Crab Traffic Light Assessment Update – Jason Rock
- 10 a.m. Stock Status Report – Tina Moore
- Red Drum Update- Lee Paramore
- 11 a.m. Fishery Management Plan Update – Catherine Blum
- Status of Ongoing Plans
 - Fishery Management Plan Annual Review
 - **Vote on Five-Year Schedule****
- 11:30 p.m. Rulemaking Update – Catherine Blum
- Periodic Review and Expiration of Existing Rules
 - **Vote to approve final report on 15A NCAC 03Q .0100 rules, per G.S. 150B-21.3A****
 - **Vote to approve final report on all other 15A NCAC 03 rules, per G.S. 150B-21.3A****
 - **Vote to approve final report on 15A NCAC 10C .0100 rules, per G.S. 150B-21.3A and contingent on approval by the Wildlife Resources Commission****
- 11:45 a.m. Rules Suspensions – Kathy Rawls
The commission must vote to continue suspension of the following rule(s)
- **Vote on continued suspension of 15A NCAC 03M .0301****
- Noon Issues from Commissioners
- 12:30 p.m. Meeting Assignments and Preview of November Agenda Items – Nancy Fish
- 12:45 p.m. Adjourn

2017 Meeting Dates

Feb. 15-16	Hilton Wilmington Riverside, Wilmington
May 17-18	BridgePointe Hotel and Marina, New Bern
Aug. 16-17	Brownstone, Raleigh
Nov. 15-16	Hilton Garden Inn, Kitty Hawk

** Times indicated are merely for guidance. The commission will proceed through the agenda until completed.*

***Potential Action Items*

Minutes



Marine Fisheries Commission Business Meeting Minutes
BridgePointe Hotel and Marina
New Bern, North Carolina
May 17-18, 2017

The commission held a business meeting May17-18, at the BridgePointe Hotel and Marina in New Bern, North Carolina.

The briefing book, presentations and audio from this meeting can be found at <http://portal.ncdenr.org/web/mf/05-2017-briefing-book>.

BUSINESS MEETING - MOTIONS AND ACTIONS

Chairman Sammy Corbett convened the Marine Fisheries Commission business meeting at 2 p.m. on May 17 and reminded commissioners of their conflict of interest and ethics requirements.

The following commission members were in attendance: Sammy Corbett-Chairman, Joe Shute - Vice Chairman, Mark Gorges, Brady Koury, Chuck Laughridge, Janet Rose, Rick Smith, Mike Wicker and Alison Willis.

The agenda was approved by consensus.

The minutes from the February 2107 business meeting were approved by consensus.

Chairman's Report

Marine Fisheries Commission Liaison Nancy Fish reviewed letters that had been sent and received by the commission.

Commissioners were reminded of their ethics training requirements and their annual requirement to submit a Statement of Economic Interest form to the N.C. Ethics Commission.

Director's Report

Division Director Braxton Davis updated the commission on division activities occurring since the February 2017 business meeting, including:

- An update on fisheries-related legislation being considered by the N.C. General Assembly;
- An overview of the 2016 commercial and recreational landings;
- The addition of a new bluefish release category to the division's Saltwater Fishing Tournament;
- Issuance of a new, laminated wallet-sized Estuarine Gill Net Permit that is more user-friendly and durable;
- Promotion of Carter Whitten to captain of the N.C. Marine Patrol in the southern district; and
- A discussion on the implementation of the 2017 cobia season.

Closed Session /Southern Flounder Litigation

The commission went into closed session to receive an update from its counsel, Assistant Attorney General Phillip Reynolds, on a lawsuit brought by the Carteret County Fishermen's Association Inc., the N.C. Fisheries Association Inc., and Carteret, Dare and Hyde counties vs.

the N.C. Department of Environmental Quality/Division of Marine Fisheries and the N.C. Marine Fisheries Commission regarding southern flounder (Carteret County Superior Court, Case No. 16 CVS 0945).

**Motion by Chuck Laughridge that pursuant to NCGA 143-318.11(a)(3), the commission go into closed session to discuss ongoing litigation pertaining to the matter of CCFA et al vs. NCDEQ et. al. Second by Alison Willis.
Motion carries unanimously.**

Moved out of closed session without objection.

Reynolds explained at its last meeting the commission had consented to allow three members, Chairman Sammy Corbett, Vice-Chairman Joe Shute and Commission Mike Wicker, to participate in a Court Ordered mediation and authorized them to reach an agreement-in-principle that, if reached, would be presented to the full Commission for its approval. The mediated settlement conference was held on May 11, 2017 and an agreement-in-principal was reached. Reynolds advised that this agreement-in-principal was discussed during the closed session and that the terms of the mediation agreement will be finalized through a settlement agreement, which includes:

- A 15-inch size limit for southern flounder;
- A 6-inch minimum mesh size for anchored large-mesh gill nets; and
- A 5 ¾ -inch mesh size for escape panels in pound nets.

Additionally, in accordance to the terms of the agreement-in-principle, the commission will not seek to adopt a supplement to the Southern Flounder Fishery Management Plan until it acts to adopt an amendment to the Plan. The agreement-in-principle also required plaintiffs to withdraw their complaint with prejudice and waive and release of any and all claims related to the action that were or could have been brought against the defendants on or before the filing of the plaintiffs' Amended Complaint (i.e. September 30, 2016).

Reynolds told the commission that these terms will be formalized through an agreement.

Motion by Rick Smith to accept the terms of the agreement reached in principle during mediation on May 11, 2017 pertaining to the matter of CCFA et al vs. NCDEQ et. al which will be finalized with a settlement agreement at a future date. Second by Joe Shute.

Motion carries 8-0 with one abstention.

Director's Report, continued

The division provided an overview of recent actions from the Atlantic States Marine Fisheries Commission, the South Atlantic Fishery Management Council and the Mid-Atlantic Fishery Management Council, along with an update on the division's Protected Resources Section, including the Observer Program.

Motion by Chuck Laughridge to write letters to the ASMFC Atlantic Menhaden Management Board and to North Carolina's ASMFC board members in support of Option 3-D in the draft amendment to the Atlantic Menhaden Plan. Second by Joe Shute.

Motion carries unanimously.

Motion by Chuck Laughridge to send letters to the ASMFC and the SAFMC expressing support for the transfer of management of cobia to the ASMFC to provide North Carolina with a state quota allocation to be managed by the MFC and DMF. Second by Joe Shute. Motion carries 7-0 with one abstention.

Motion by Chuck Laughridge that DMF provide to the MFC at its August meeting the amount of time, man hours and money spent on managing the Observer Program and to give the MFC data on how to manage this fishery to stay in compliance.

Motion withdrawn.

Motion by Chuck Laughridge to send a letter to the governor, Senate president pro-tem, Speaker of the House and all legislators asking that the industry take over management of the ITPs. Motion withdrawn.

Motion by Chuck Laughridge to have an estimate of the unobserved interactions under the sturgeon and sea turtle ITPs.

Motion withdrawn.

Public Comment Period

The following individuals spoke:

Sheila Holman, Assistant Secretary for the Environment at the Department of Environmental Quality, on behalf of herself and Secretary Michael Regan, thanked the commission for its hard work on behalf of the state's fisheries resources. She let the commission know she looked forward to working with them and encouraged them to call her if she could provide any needed assistance.

David Sneed, Executive Director of the Coastal Conservation Association – N.C., discussed the N.C. General Assembly's ongoing legislative session and encouraged commissioners to stay involved with legislative activity. He spoke in support of H 867, the Coastal Fisheries Conservation and Economic Development Act, saying it provided needed improvements to the 1997 Fisheries Reform Act. Sneed also discussed a provision in S 257, the Appropriations Act of 2017, that would eliminate the at-large seats on the commission, questioning how that would help fisheries management.

Ned Jones, with the Triangle Fly Fishers and Trout Unlimited, commended the commission on its approval of the N.C. Wildlife Federation's petition for rulemaking and encouraged the commission to follow the letter and spirit of the petition. He said changes resulting from the petition will help fisheries in future years.

David Knight, who runs the Sound Solutions campaign for the N.C. Wildlife Federation, looks forward to engaging the division and commission in a transparent rulemaking process as a result of the approved petition for rulemaking that had been submitted by the federation. He feels the

division should evaluate two distinct policy alternatives representing opposite ends of the spectrum when drafting the required fiscal note for the proposed rules. The first should be no action, or status quo, and the other should be a complete ban on shrimp trawling. Knight wants the division to use the economic study done by Dr. Chris Dumas and Dr. Jenny Nesslage when developing the fiscal impact analysis for the proposed rules. He also expressed support for H 867, saying the 1997 Fisheries Reform Act needed a comprehensive reform.

Heidi Smith outlined concerns she had with an email exchange with Commissioner Laughridge regarding personal comments she sent to the commission regarding the N.C. Wildlife Federation petition for rulemaking. Smith said she felt intimidated when Laughridge asked if her employer knew or endorsed her comments. She said that in a subsequent public records request Laughridge did not include the exchange. Laughridge asked if Smith was a Carteret County school employee, explaining that he didn't want her to get in trouble if she made a mistake and used her work email for personal business. Smith said she was not a Carteret County school employee.

Donald Willis said he had made his money from the recreational fishery for 30 years and it was nice to see the resource being put first. He said there may be some cuts that impact him financially, but he was willing to take cuts if it will bring the fishery back for everyone.

Cobia Management

Division biologist, Steve Poland, with the Fisheries Management Section, gave the commission an update on South Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission actions related to cobia. Poland also provided an update on the implementation of state management measure and reporting requirements related to the 2017 season.

**Motion by Chuck Laughridge to close the recreational cobia fishery from Jan. 1, 2018 to April 30, 2018. Seconded by Mike Wicker.
Motion carries 8-0.**

**Motion by Janet Rose to extend the 2017 recreational cobia season, currently scheduled to close at 12:01 a.m. Sept. 1, to Sept. 30. Second by Brad Koury.
Motion fails 3-5.**

Rulemaking and Periodic Review and Expiration of Existing Rules

Catherine Blum, the division's rulemaking coordinator, gave an overview of the 2016/2017 rulemaking cycle. She reported 15 rules became effective May 1, 2017 and were published in a supplement to the commission's rulebook, which was included in the commission's meeting materials. The rules covered several subjects, including management strategies to implement amendments to the Oyster and Hard Clam fishery management plans. Other rules established the new Permit for Weekend Trawling for Live Shrimp, as was recommended under the 2015 Shrimp Fishery Management Plan Amendment 1.

Blum then walked the commission through the proposed rules that were before the commission for consideration as they related to the Periodic Review and Expiration of Existing Rules process. The nine rules being considered are jointly adopted by the Marine Fisheries Commission and the Wildlife

Resources Commission and are subtitled “Jurisdiction of Agencies: Classification of Waters.” For the required steps in the process, both agencies must approve these rules.

Motion by Joe Shute to approve the draft report on 15A NCAC 10C .0100 rules and to proceed to public notice, per G.S. 150B-21.3A. Seconded by Chuck Laughridge. Motion carries unanimously.

Rule Suspension

Kathy Rawls, the division’s Fisheries Management Section Chief, reviewed a rule on cobia that had been suspended after the commission’s February 2017 meeting.

Motion by Chuck Laughridge to suspend N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0516 COBIA in its entirety. Seconded by Joe Shute. Motion carries unanimously.

Stocked Anadromous Species

There was discussion about beginning rulemaking to preserve stocked anadromous fish and commission counsel advised that the proposed rule being discussed would not affect species that were managed under a fishery management plan. The commission then decided to ask the division to provide information at its August 2017 meeting on preserving and restoring spawning stocks of anadromous species like striped bass and American shad to a natural spawning population in river systems where these fish are stocked.

Motion by Chuck Laughridge to ask the Division of Marine Fisheries to provide information regarding the following:

- **To preserve and restore spawning stocks of anadromous species in NC coastal rivers there will be no sale of stocked striped bass and American shad from any river system where these fish are stocked to restore a naturally spawning population.**
- **Any large mesh and small mesh gill nets that interact with these stocked anadromous species shall be attended 24 hours a day.**
- **Recreational limits will be no more than one per day with restricted seasons as needed.**
- **Both commercial and recreational rules will remain in effect until spawning stock biomass has reached 50 percent of historic levels.**

Seconded by Rick Smith

Motion carries 6-1 with one abstention.

Support of H-867, the Coastal Fisheries Conservation and Development Act

The commission voted to send letters to the governor and the General Assembly in support of H 867, the Coastal Fisheries Conservation and Economic Development Act.

Motion by Brad Koury to have the chairman send a resolution in support of House Bill 867 to the governor, Senate president pro-tem, speaker of the House and full legislative body. This shall be done by email no later than May 25, 2017 and followed by a letter sent as above by May 31, 2017. Second by Rick Smith.

Roll call vote:

Mark Gorges – yes
Brad Koury – yes
Chuck Laughridge – yes
Janet Rose – no
Joe Shute – abstain
Rick Smith – yes
Mike Wicker – yes
Alison Willis – no
Sammy Corbett – no
Motion carries 5-3 with one abstention.

The meeting adjourned.

DRAFT

Chairman's Report



**NORTH CAROLINA MARINE FISHERIES COMMISSION RESOLUTION
ON
HOUSE BILL 867, THE COASTAL FISHERIES CONSERVATION AND
DEVELOPMENT ACT**

WHEREAS, the North Carolina Marine Fisheries Commission held a business meeting on May 17-18, 2017 at the BridgePointe Hotel and Marina in New Bern; and

WHEREAS, at this meeting a motion was made by Commissioner Brad Koury and seconded by Commissioner Rick Smith, to send a resolution in support of House Bill 867 to the governor, Senate president pro-tem, speaker of the House and full legislative body, with the requirement that this shall be done by email no later than May 25, 2017 and followed by a letter sent as above by May 31, 2017; and

WHEREAS, a roll call vote was requested, with the following results:

Mark Gorges – yes
Brad Koury – yes
Chuck Laughridge – yes
Janet Rose – no
Joe Shute – abstain
Rick Smith – yes
Mike Wicker – yes
Alison Willis – no
Sammy Corbett – no

WHEREAS, all commercial members of the commission voted against this motion and the recreational industry member abstained; and

NOW, THEREFORE, BE IT RESOLVED, by a roll call vote of 5 to 3, with one abstention, that the Marine Fisheries Commission did vote to support House Bill 867, the Coastal Fisheries Conservation and Development Act.

Adopted this the 18th day of May, 2017.



Sammy Corbett, Chairman
N.C. Marine Fisheries Commission



**NORTH CAROLINA MARINE FISHERIES COMMISSION
DEPARTMENT OF ENVIRONMENTAL QUALITY**

COMMISSIONERS

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

SAMMY CORBETT
Chairman

MARK GORGES
Wrightsville Beach
CHUCK LAUGHRIDGE
Harkers Island
JANET ROSE
Moyock
JOE SHUTE
Morehead City

RICK SMITH
Greenville
MIKE WICKER
Raleigh
ALISON WILLIS
Harkers Island
BRAD KOURY
Burlington

June 14, 2017

Mr. Robert E. Beal, Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201

Dear Mr. Beal:

I am writing on behalf of the N.C. Marine Fisheries Commission regarding the Atlantic Menhaden Interstate Fishery Management Plan. On May 17, 2017, our commission voted to support Option 3-D in the draft amendment to the plan. I'd like to ask that you share this letter with the Atlantic Menhaden Management Board.

Please note that these comments do not necessarily reflect the position of the N.C. Department of Environmental Quality or the N.C. Division of Marine Fisheries.

Thank you in advance for keeping our recommendation in mind as the amendment to this plan is being developed and please know how much we appreciate the work you do on behalf of our Atlantic Coast fisheries.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Marine Fisheries Commission



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DEPARTMENT OF ENVIRONMENTAL QUALITY**

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BRAD KOURY
Burlington

June 14, 2017

Mr. Robert E. Beal, Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201

Dear Mr. Beal:

I am writing on behalf of the N.C. Marine Fisheries Commission regarding the management of cobia. On May 17, 2017, our commission voted to send letters to the Atlantic States Marine Fisheries Commission and the South Atlantic Fishery Management Council expressing support for the transfer of management of cobia to the Atlantic States Marine Fisheries Commission to provide North Carolina with a state quota allocation to be managed by the N.C. Marine Fisheries Commission and the N.C. Division of Marine Fisheries.

Please note that these comments do not necessarily reflect the position of the N.C. Department of Environmental Quality or the N.C. Division of Marine Fisheries.

Thank you in advance for consideration of this request and please know how much we appreciate the work you do on behalf of our Atlantic Coast fisheries.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Marine Fisheries Commission



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Harkers Island
BRAD KOURY
Burlington

June 14, 2017

Mr. Gregg Waugh, Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, S.C. 29405

Dear Mr. Waugh:

I am writing on behalf of the N.C. Marine Fisheries Commission regarding the management of cobia. On May 17, 2017, our commission voted to send letters to the Atlantic States Marine Fisheries Commission and the South Atlantic Fishery Management Council expressing support for the transfer of management of cobia to the Atlantic States Marine Fisheries Commission to provide North Carolina with a state quota allocation to be managed by the N.C. Marine Fisheries Commission and the N.C. Division of Marine Fisheries.

Please note that these comments do not necessarily reflect the position of the N.C. Department of Environmental Quality or the N.C. Division of Marine Fisheries.

Thank you in advance for consideration of this request and please know how much we appreciate the work you do on behalf of our South Atlantic fisheries.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett".

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Division of Marine Fisheries



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July 21, 2017

Dear Coastal Recreational Fishing License Committee Members and Advisers:

As you are aware from my earlier letters dated March 29 and April 13 of this year, the Wildlife and Sport Fish Restoration Program within the U.S. Fish and Wildlife Service (USFWS) determined that the North Carolina Division of Marine Fisheries (DMF) lacked sufficient statutory authority to administer and disburse funds from the North Carolina Marine Resources Fund (Fund), as required by the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act. Based on the concerns expressed by USFWS, I postponed the May 10, 2017 meeting of the Coastal Recreational Fishing License Committee (Committee) in consultation with Director Braxton Davis, chair of the committee, until the concerns could be addressed.

Recently, the North Carolina General Assembly addressed the concerns of the USFWS by amending N.C. Gen. Stat. §§ 113-307.1, -175.1 and -175.5 to vest the DMF with the sole authority to administer the Fund (Session Law 2017-57, Assent to Provisions of Certain Federal Fisheries Acts). While the purpose of the Fund and the source of its revenue remain unaffected, the North Carolina Marine Fisheries Commission (Commission) no longer has statutory authority over the Fund. Because the purpose of the Committee was to administer the Fund and its authority to make funding decisions was predicated on the Commission's statutory authority over the Fund, the Committee is no longer able to fulfill its intended purpose. As such, effective immediately, I am hereby dissolving the Committee and disbanding its advisory group.

Please accept my sincerest appreciation for your service and hard work on the Committee, as well as for your commitment to our State's marine resources.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman
Marine Fisheries Commission

cc: Michael Regan, Secretary, N.C. Department of Environmental Quality
Braxton Davis, Director, N.C. Division of Marine Fisheries
N.C. Marine Fisheries Commission

COUNTY OF HYDE

Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-Chair
Benjamin Simmons, III
Tom Pahl
Dick Tunnell

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
252-926-3701 Fax

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCC
Clerk to the Board



HYDE COUNTY BOARD OF COMMISSIONERS RESOLUTION IN OPPOSITION OF HOUSE BILL 867

WHEREAS, on January 3, 2017, the Hyde County Board of Commissioners passed a Resolution in Opposition to Petition for Rulemaking to Amend 15A Admin. Code 3L.0101, 3L.0103, 3M.0522, 3M.0523, 3N.0151, and 3R.0105 to Designate Special Secondary Nursery Areas and Reduce Bycatch Mortality in North Carolina Coastal Fishing Waters as Presented by the North Carolina Wildlife Federation; and,

WHEREAS, on March 6, 2017, the Hyde County Board of Commissioners passed a Resolution on Vote of No Confidence in the North Carolina Marine Fisheries Commission; and,

WHEREAS, there is now House Bill 867, which is just another attempt at destroying our commercial fishing industry in North Carolina waters; and,

WHEREAS, newly created opposition to our commercial shrimping and fishing industries is the same wolf in a different disguise. Originally, it was the NC Wildlife Federation (NCWF) and the Coastal Conservation Association (CCA). It has now developed into two new special interest groups, NC Camo Coalition and NC Sound Solutions. All of them are supported by big money recreational interests.

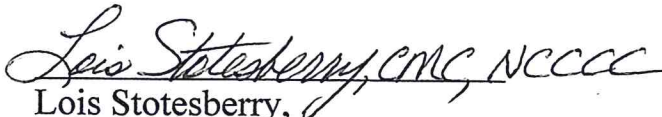
NOW, THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners stand steadfast in their resolution of no confidence in the North Carolina Marine Fisheries Commission and also in their resolution against amending 15A in the attempt to designate special secondary nursery areas and

reduce bycatch mortality in North Carolina fishing waters. Furthermore, we stand in total opposition of House Bill 867.

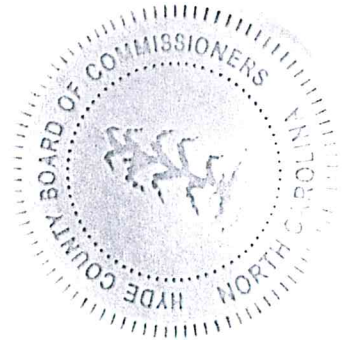
Adopted this the 10th day of July, 2017.



Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners



Lois Stotesberry,
Clerk to the Board



REMINDER

MANDATORY EDUCATION REQUIREMENTS

MANDATORY EDUCATION.

Public Servants and Ethics Liaisons. The State Government Ethics Act *requires* that every public servant and ethics liaison complete an ethics and lobbying education presentation/program approved by the State Ethics Commission *within 6 months* of the person's election, reelection, appointment, or employment **and** complete a refresher ethics presentation *at least every two years thereafter*.

The willful failure of a public servant serving on a board to comply with the education requirements may subject the person to removal from the board. The willful failure of a public servant who is a State employee to comply with the education requirement may be considered a violation of a written work order permitting disciplinary action. Therefore, if there are public servants in your agency or on your covered state board or commission who are past due for completing their ethics education requirements, **those individuals should attend a live presentation, distance video-streamed presentation or complete the online education as soon as possible.**

Legislators. The State Government Ethics Act *requires* that every legislator complete an ethics and lobbying education presentation/program approved by the State Ethics Commission and the Legislative Ethics Committee *within 2 months* of either the convening of the General Assembly to which the legislator is elected or the legislator's appointment, whichever is later, **and** complete a refresher ethics education presentation *at least every two years thereafter*.

The willful failure of a legislator to comply with these education requirements may subject the legislator to sanctions under the Legislative Ethics Act.

Legislative Employees. The State Government Ethics Act *requires* that every legislative employee complete an ethics and lobbying education presentation/program approved by the State Ethics Commission and the Legislative Ethics Committee *within 3 months* of the person's employment **and** complete a refresher ethics education presentation *at least every two years thereafter*.

The willful failure of a legislative employee to comply with these education requirements may subject the person to disciplinary action by their hiring authority.

Legislators and Legislative Employees may check the status of their ethics education by going to the General Assembly intra-net page. Legislators and legislative employees who are past due for completing their ethics education requirements should contact Denise Adams with the Research Division of the General Assembly at denise.adams@ncleg.net or 919-301-1991 to coordinate/schedule their ethics education training.

ETHICS AND LOBBYING EDUCATION TRAINING.

Public Servants and Ethics Liaisons may complete the required basic or refresher ethics and lobbying education training by either attending a live presentation, a distance video streamed presentation or completing the online education modules.

- **Live and Distance Video-Streamed Presentation Dates.** The State Ethics Commission has scheduled live ethics and lobbying education presentations and distance video-streamlined presentations for the remainder of 2014. Dates, locations, and registration information are on the Commission's website at:
www.ethicscommission.nc.gov/education/eduSchedule.aspx.
- **Online Education.** The State Ethics Commission also offers online ethics and lobbying education. The education modules and instructions are on the Commission's website at:
www.ethicscommission.nc.gov/education/eduOnline.aspx.

Legislators may complete the required basic or refresher ethics and lobbying education training by attending a live presentation at the beginning of the legislative session jointly provided by the Ethic Commission and the Research Division of the General Assembly.

Legislative Employees may complete the required basic or refresher ethics and lobbying education training by going online to the General Assembly intra-net page.

REGISTRATION AND QUESTIONS.

- **Public Servants and Ethics Liaisons** please contact Sue Lundberg at (919) 715-2071 or by e-mail at Education.Ethics@doa.nc.gov to register for ethics and lobbying education training or if you have ethics education questions.
- **Legislators and Legislative Employees** please contact the General Assembly ethics hotline at 919-301-1991 or email Denise Adams at denise.adams@ncleg.net if you have questions about the ethics and lobbying education training or have ethics education questions.

Thank you for giving this matter your immediate attention and for sharing this information with all members of your covered board, commission or committee, all staff and employees covered under the State Government Ethics Act, and all legislators and legislative employees.



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

Mailing Address:
P.O. Box 27255
Raleigh, NC 27611-7255

Phone: (919) 733-7173
Fax: (919) 715-0135

KIM WESTBROOK STRACH
Executive Director

State Board of Elections and State Ethics Commission Merged into One New State Board

On June 1, 2017, a panel of superior court judges dismissed a lawsuit challenging the constitutionality of Session Law 2017-6, the [state law](#) creating the Bipartisan State Board of Elections and Ethics Enforcement (State Board). The new State Board merges the N.C. State Board of Elections and the N.C. State Ethics Commission and assumes duties formerly overseen by these two agencies, along with lobbying compliance carried out by the Secretary of State. Though parties to the lawsuit may seek additional review on appeal, for now, the consolidated State Board is the agency to enforce North Carolina's elections, ethics and lobbying laws.

Currently, the ethics staff and the election staff of the State Board are housed in different buildings. However, the goal is for all staff to be housed in one building by September 1, 2017. **So, the ethics staff will be moving soon, but until then we will remain at our present location at 424 North Blount Street in Raleigh and our direct telephone number remains 919-814-3600.**

Although the State Board is a new entity, the State Government Ethics Act (Ethics Act) remains in effect and applies to the same individuals as it did prior to this merger. **The duties and obligations of the Ethics Act remain, including the *SEI filing requirements and the Ethics Education training requirements*.** In addition, the duties of Agency Heads, including Board Chairs, and those of Ethics Liaisons remain the same.

If you have questions or need additional help, please feel free to contact us at 919.814.3600

Sue Lundberg, Education Attorney - Gretchen Aycock, SEI Attorney

2017 Meeting Planning Calendar

January						
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Director's Report





ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 21, 2017

MEMORANDUM

FA 8-17

TO: Marine Fisheries Commission
FROM: Division of Marine Fisheries
SUBJECT: False Albacore Information

At its August 2016 business meeting, the Marine Fisheries Commission asked the Division of Marine Fisheries to evaluate the need for state management of false albacore by August 2017. Background information on life history, landings, and prior management and regulations have been provided for the commission to review and determine if and what type of management it may wish to consider, prior to any advisory committee review.

False albacore (*Euthynnus alletteratus*), also known as “little tunny,” are one of the most common members of the mackerel/ tuna family Scombridae. They are a tuna-shaped fish that is steel blue on top and silver below with wavy stripes along the posterior portion of the back and scattered dark spots below the pectoral fin. Anglers can confuse false albacore with Atlantic bonito due to similarity in size and coloration. False albacore are typically found in tropical to temperate waters of the Atlantic Ocean, Gulf of Mexico, Caribbean Sea and Bermuda; they are also found in the Mediterranean Sea and Black Sea. They are a schooling species that migrate north in the spring and south in the fall and winter through the coastal waters. Both sexes are fast-growing, and males are larger than females. Females as young as a year old (10.6 to 14 inches) are capable of spawning; males mature at approximately 16 inches. False albacore spawn April through November in the Atlantic Ocean. The maximum age of false albacore is thought to be 10 years old.

A 2002 stock assessment of false albacore in the Gulf of Mexico found that the stock was not overfished nor undergoing overfishing. However, little information exists on the status of the species in the South Atlantic, and as a result, their status is considered unknown. Until 2011, false albacore was part of the South Atlantic Fishery Management Council’s Coastal Migratory Pelagics Fishery Management Plan for data collection purposes only; there were no management measures for these fish under the plan. Amendment 18 to the plan removed them from the management unit since data would still be collected through current sampling regimes. Also, based on the data available at the time, false albacore did not appear to meet the federal national standard guidance for stocks in need of conservation and management. Additionally, the Mid-Atlantic Fishery Management Council did not include false albacore in their Unmanaged Forage

[fish] Amendment in 2016 because of their large size and higher trophic level. Due to high public concern for the species, particularly from the recreational fishery, council staff recommended that the council consider developing management actions for the species in the future (including a potential small tuna fishery management plan). In North Carolina, there are no commercial or recreational regulations currently in place.

The species tends to have low commercial value in the United States; however, it is commercially important in many other countries and is sold fresh, dried, canned, smoked, and frozen. Much of the commercially-caught fish in North Carolina is shipped out of state. False albacore is a popular recreational fish because of their hard fighting ability when hooked. If these fish are kept by recreational anglers, they are often used as bait (strip or live) for the shark, billfish, and wahoo fisheries. The predominant gear for the recreational fishery is hook and line, either sight casting or trolling. In the commercial fishery, false albacore are landed with multiple gears, including longlines, gill nets, hook and line, and trolling. Presented below are a summary of landings data from the last 20 years from the North Carolina Trip Ticket Program and the Marine Recreational Information Program.

- Landings in both fisheries declined from the mid-1990s through the early to mid-2000s. Commercial landings started increasing in 2002, with the highest landings in the last 10 years in 2014 and 2016. Recreational landings started increasing in 2007, with peak landings in the last 10 years in 2013 and 2016. Both the commercial and recreational fishery landings have been above the time-series average for the last five years (Figure 1).
- Coastwide, North Carolina has averaged approximately 31 percent of the total commercial catch over the last 20 years, though this has ranged from 17 percent to a high of 59 percent in 1997 (Figure 2). The North Carolina recreational harvest has averaged 6 percent of the total coastwide recreational landings over the last 20 years; harvest from North Carolina peaked in 2016, and accounted for 12 percent of the coastwide harvest (Figure 3). Additionally, the recreational releases have averaged 8 percent of the total number of fish released coastwide, though annually this percentage varies as the number of coastwide releases are highly variable (Figure 4). In both fisheries, the highest annual landings are from Florida.
- Though variable, the majority of commercial landings from the last 20 years have been from federal waters (Figure 5). However, landings from state waters were higher in 2012, 2015 and 2016. In 2012 and 2015, false albacore caught in state waters accounted for a little over half of the commercial landings. In 2016, landings from state waters were 66.5 percent of the total landings (Figure 5). False albacore are caught commercially all year, but most of the fish are landed October through February. Commercial fisherman averaged less than 200 pounds of false albacore per trip.
- Since 1997, most of the fish caught by the recreational fishery have been live releases; this number has ranged from 56 percent to 96 percent of the total number of fish caught (Figure 6). While there are no release mortality estimates for false albacore, similar pelagic fish have release mortalities ranging from near 0 to 39 percent; values are dependent on hook type, hooking location, and angling/handling time. Recreationally, fish are caught year-round with the majority of fish caught in the September/October time period (Figure 7).

- Like the commercial catch, most of the recreationally-caught fish are from federal waters (Figure 8). However, in 2015, more false albacore were recreationally harvested from state waters (75.7 percent; Figure 8a). Recreational releases also vary by year; however, releases were higher in state waters for three of the last four years (Figure 8b).
- Lengths from the Marine Recreational Information Program, or MRIP, and the division fish house sampling programs show the observed mean length of false albacore landed has been variable over the last 20 years. In 2016, the average length was approximately 23 inches fork length for both the commercial and recreational fisheries (Figure 9). Mean lengths of the observed catch have been over 14 inches, or the length at 50 percent maturity, for both sectors the last 20 years. In 2016, the commercial lengths ranged from 16 inches to 35 inches fork length and recreational lengths ranged from 12 inches to 33 inches fork length.

Division Recommendation

North Carolina accounts for a relatively low proportion of the overall coastwide landings of false albacore. Most of these landings are from federal waters, potentially making state management and enforcement difficult. Additionally, the Mid-Atlantic Fishery Management Council will potentially be developing a small tuna fishery management plan, which would help to regulate the fishery in federal waters. At this time, the division does not feel management actions are needed, but will continue to monitor landings, and collect biological information, to help inform any future management decisions.

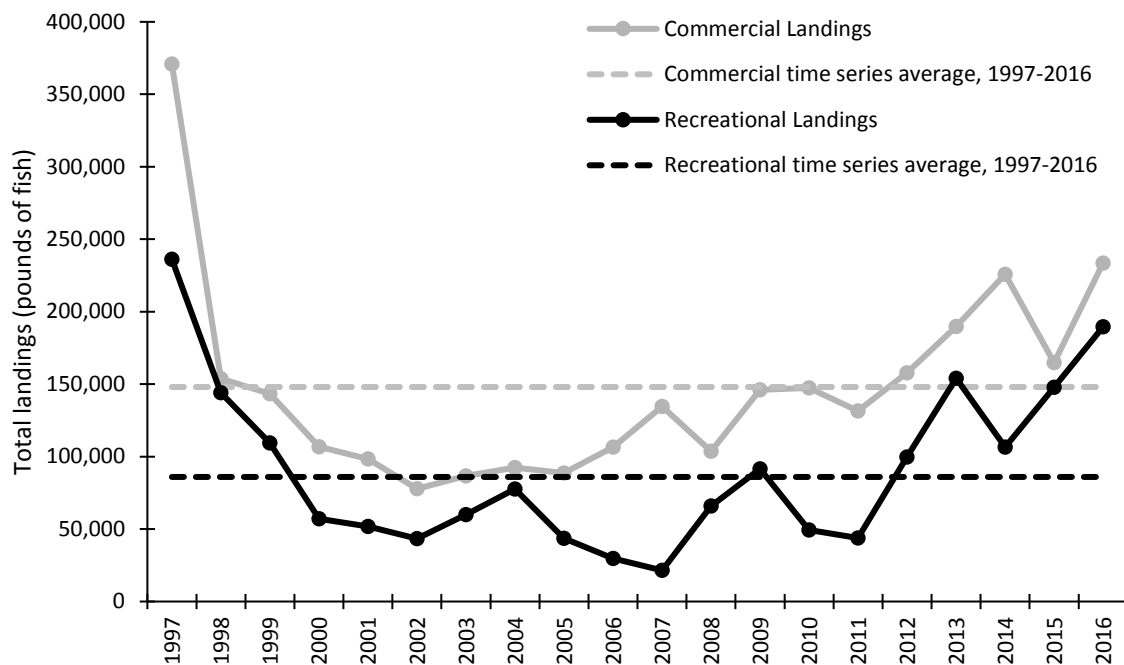


Figure 1. North Carolina commercial (NCTTP) and recreational (MRIP) false albacore landings (pounds), 1997-2016.

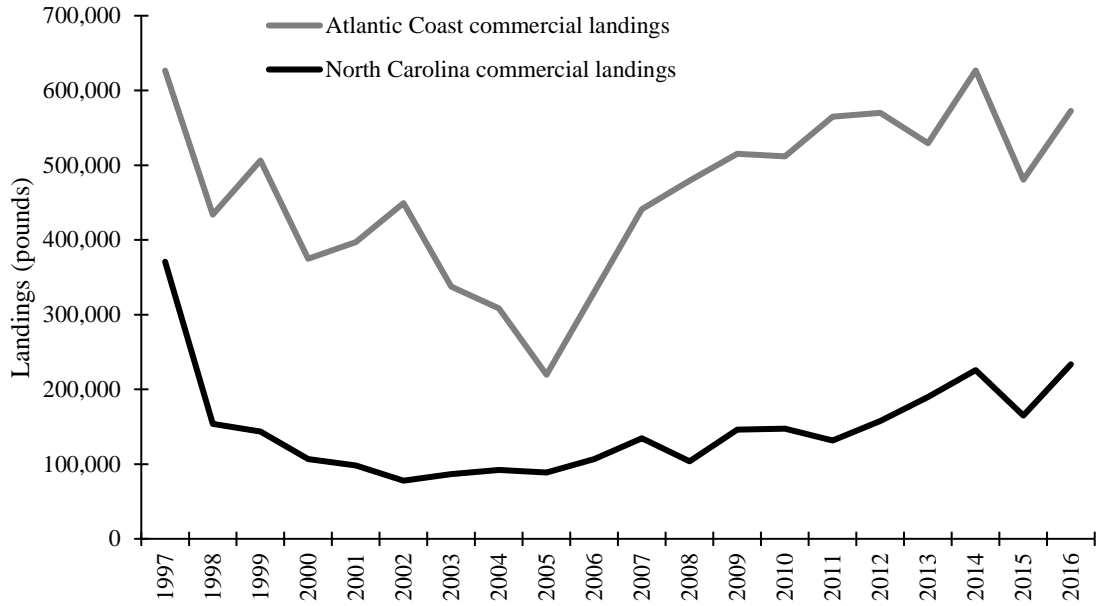


Figure 2: Coastwide (ACCSP) and North Carolina (NCTTP) commercial false albacore landings (pounds), 1997-2016.

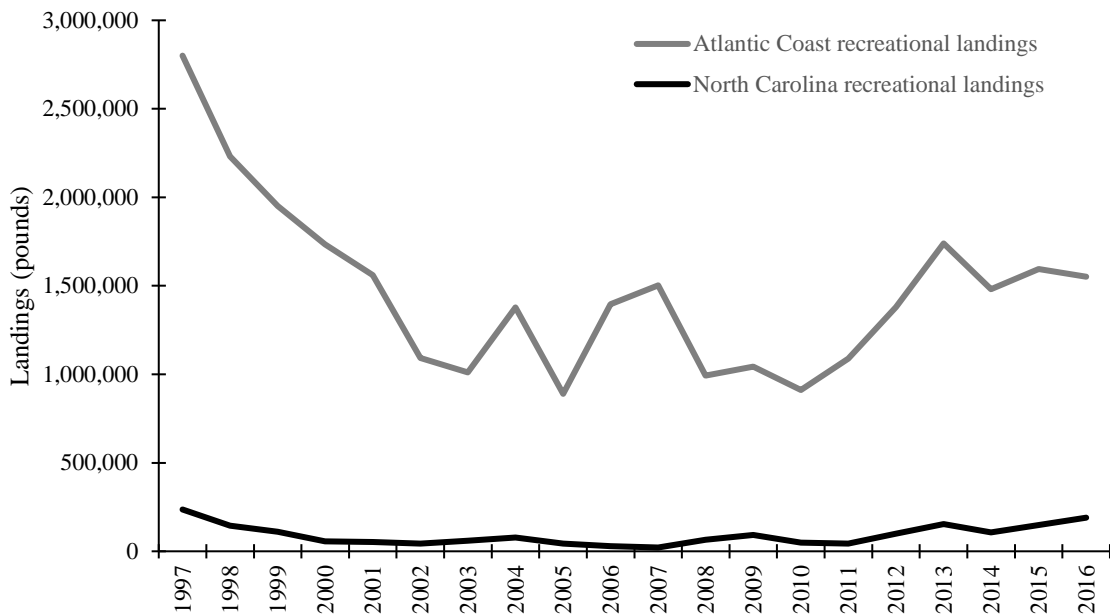


Figure 3: Coastwide and North Carolina (MRIP) recreational false albacore landings (pounds), 1997-2016.

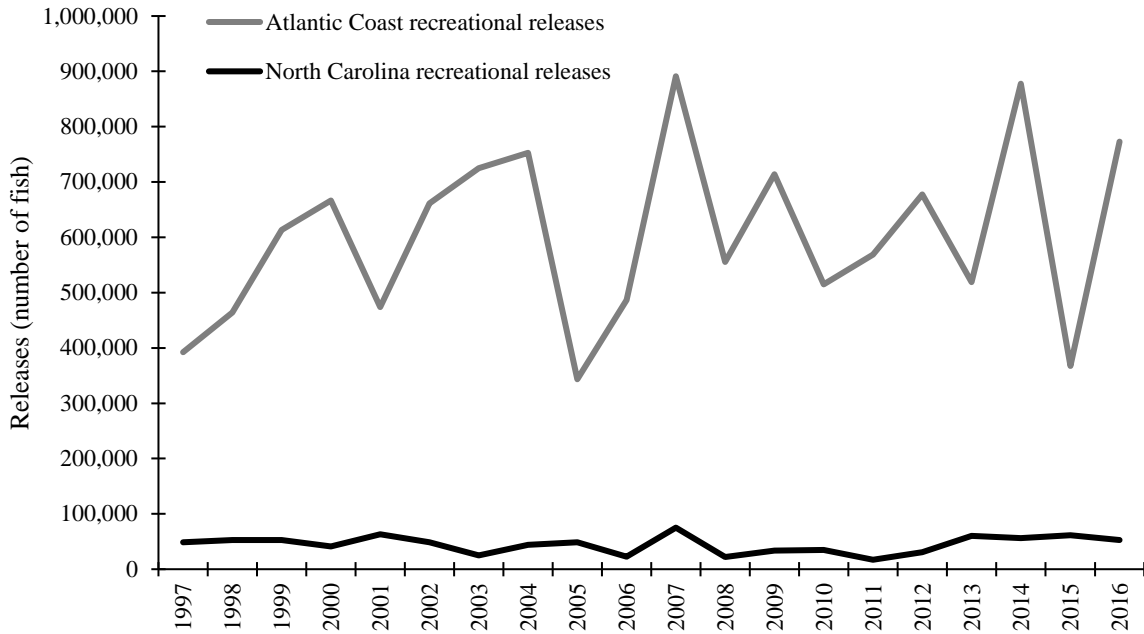


Figure 4: Coastwide and North Carolina (MRIP) recreational false albacore releases (numbers), 1997-2016.

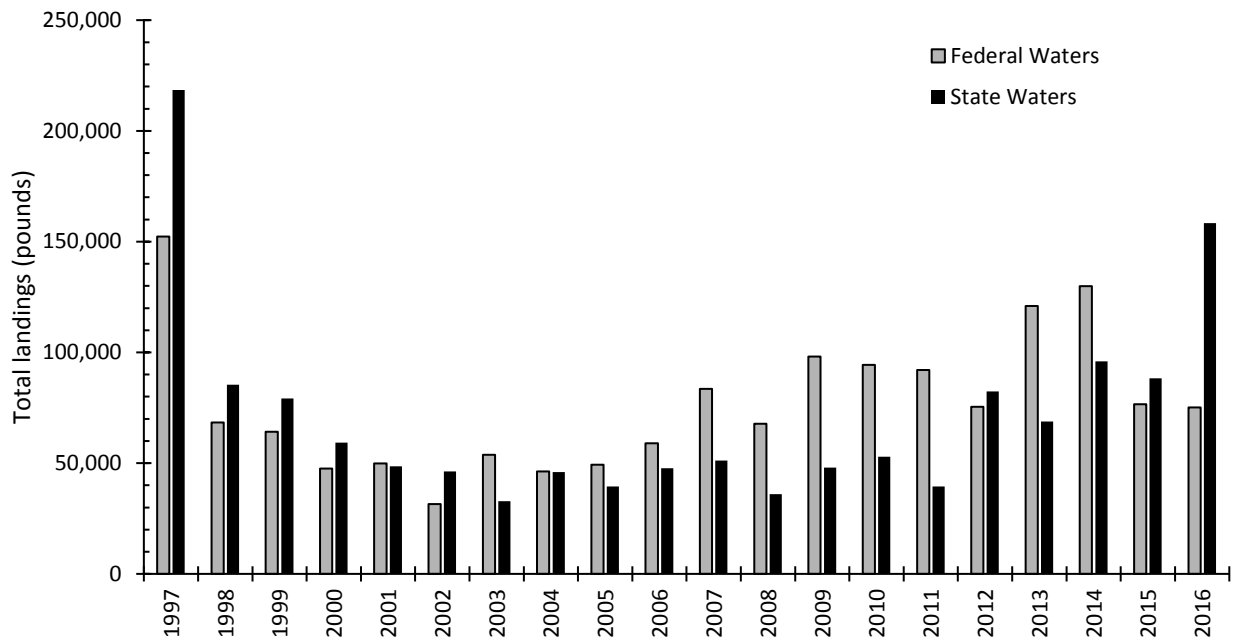


Figure 5. North Carolina commercial (NCTTP) false albacore landings (pounds) broken out by state and federal waters, 1997-2016.

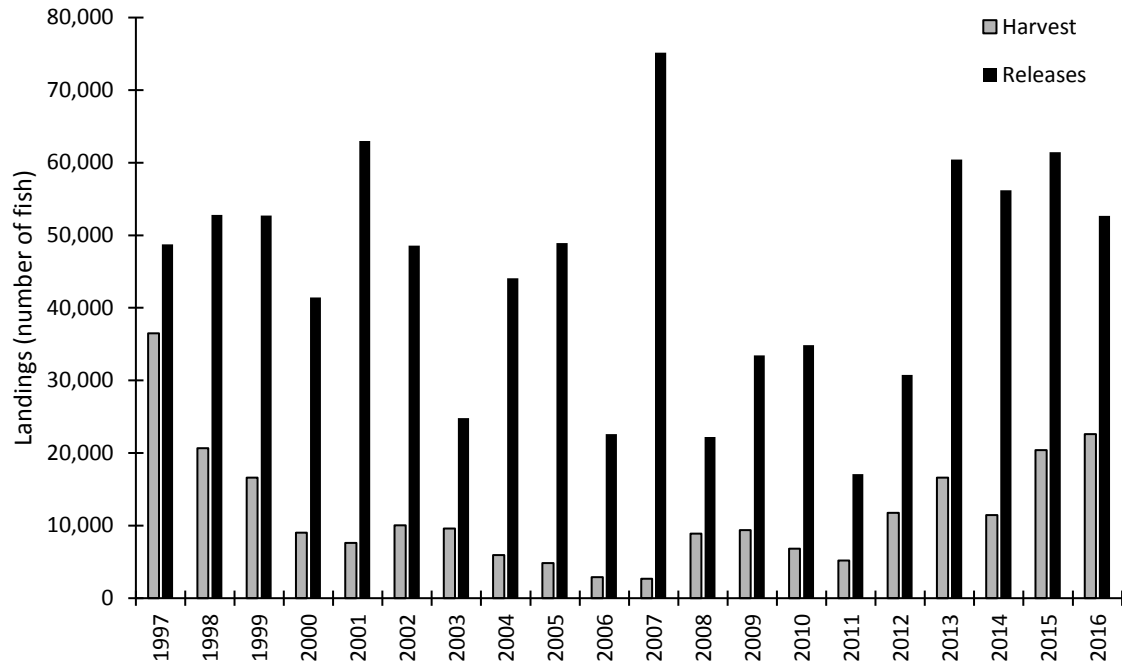


Figure 6. North Carolina recreational (MRIP) false albacore landings (numbers), 1997-2016.

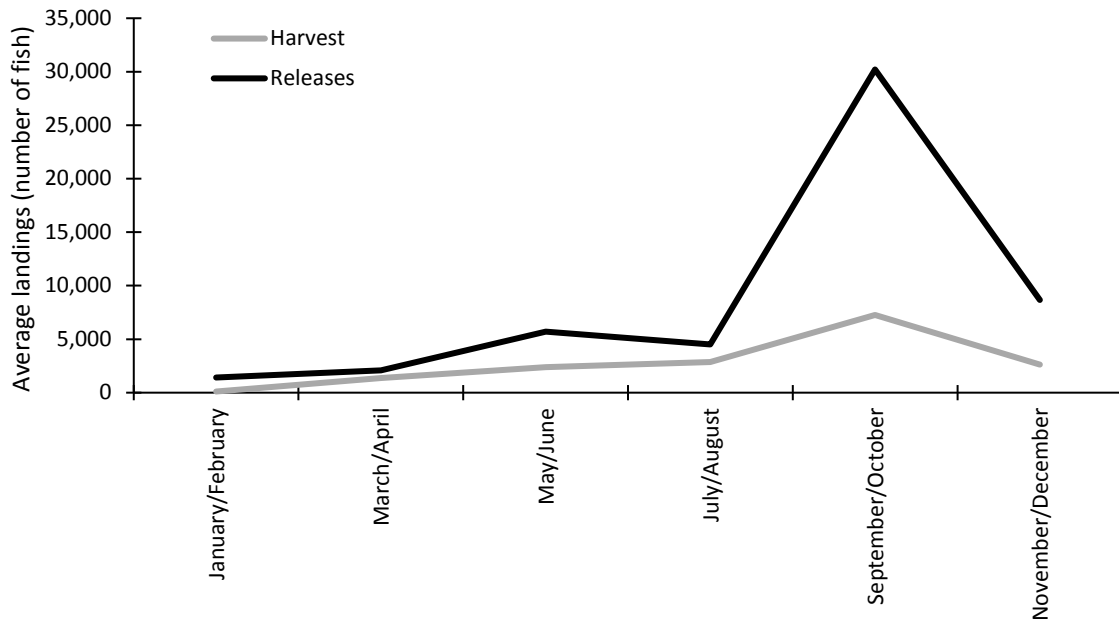


Figure 7. North Carolina recreational (MRIP) false albacore landings (numbers) by landings wave averaged over the last five years, 2012-2016.

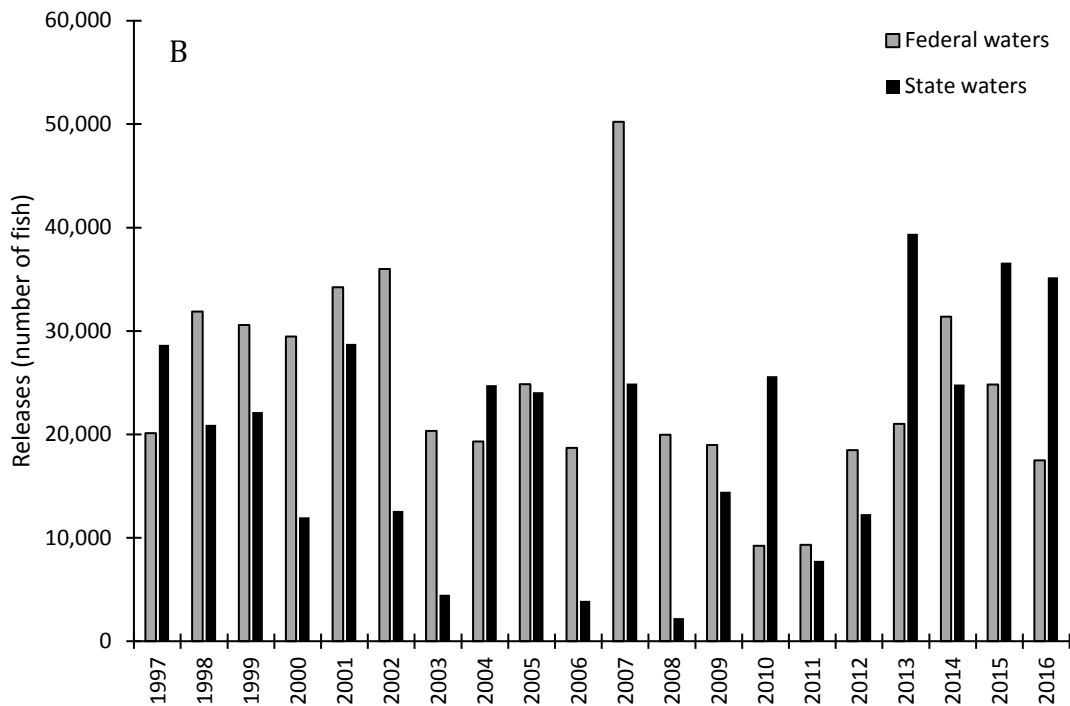
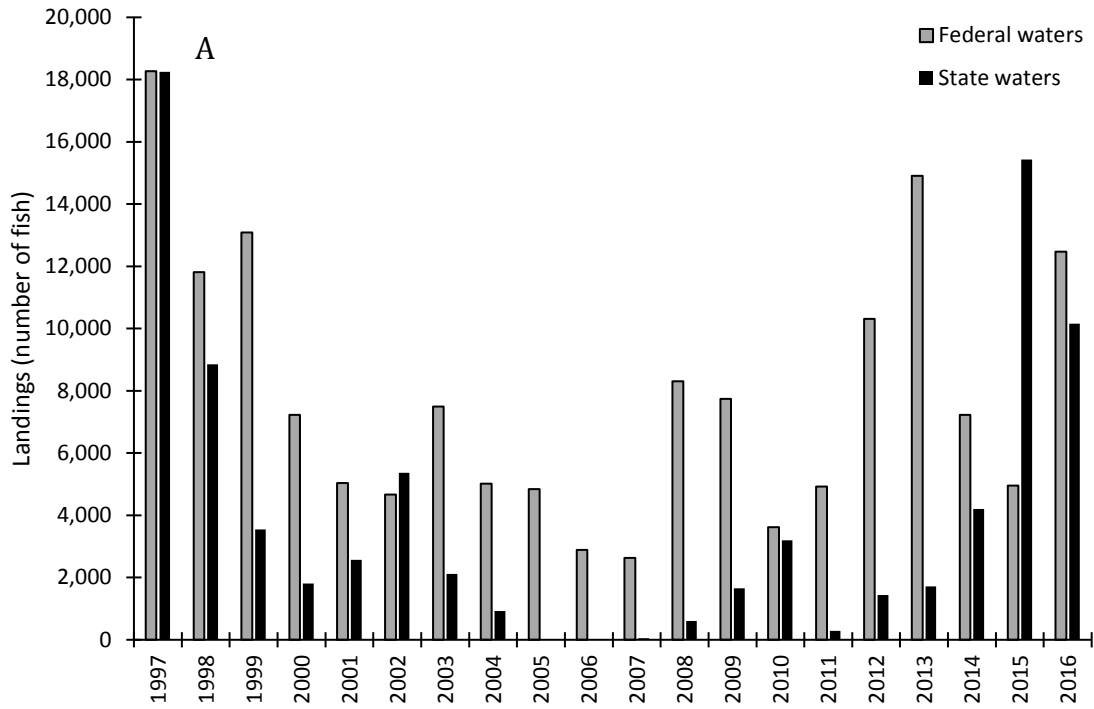


Figure 8. North Carolina recreational (MRIP) false albacore catch (numbers) broken out by state and federal waters, 1997-2016, for a) harvest and b) releases.

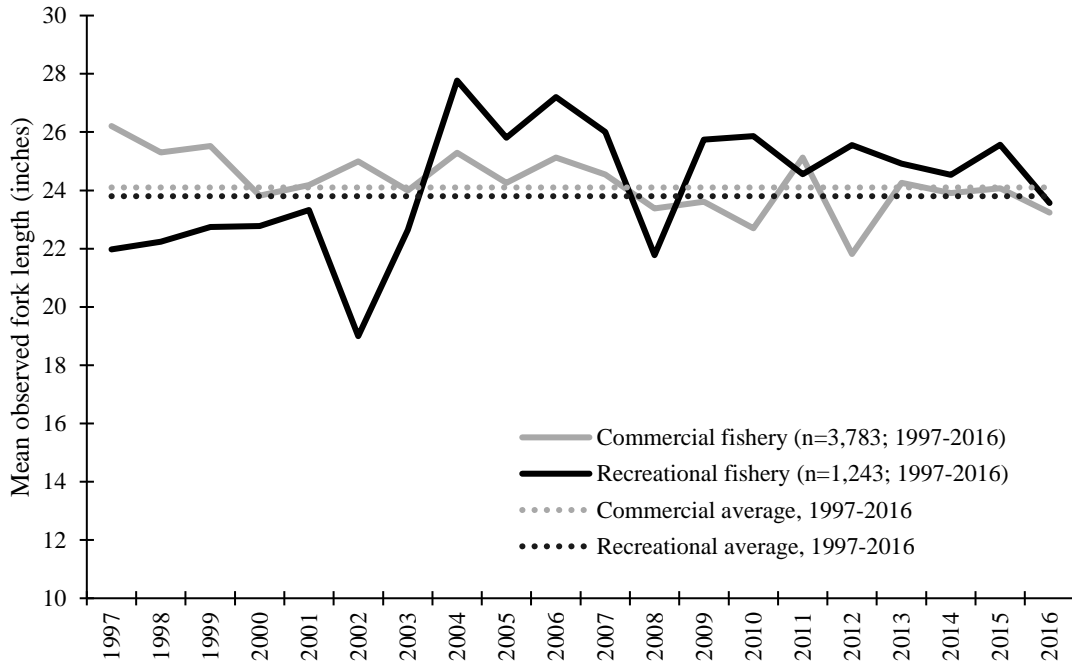


Figure 9. Commercial (division fish house sampling) and recreational (MRIP) mean observed fork length for false albacore, 1997-2016.



ASMFC

FISHERIES *focus*

Vision: Sustainably Managing Atlantic Coastal Fisheries

INSIDE THIS ISSUE

Upcoming Meetings
page 2

From the Executive Director's Desk
Commissioner Survey Identifies Challenges to Fisheries Management
page 3

Species Profile
American Eel
page 4

Summer Meeting Final Agenda
page 6

Fishery Management Actions
*American Lobster
Atlantic Herring
Atlantic Striped Bass
Scup & Black Sea bass*
page 9

**Science Highlight:
ASMFC Releases Atlantic Menhaden Socioeconomic Report**
page 12

Comings & Goings
page 13

On The Legislative Front
page 14

ACFHP Releases Five-Year Strategic Plan
page 14

ACCSP Update
Integrated Fisheries Reporting Workshop a Big Success!
page 15

Department of Commerce Decision May Impact ASMFC's Ability to Conserve Atlantic Coastal Fisheries

On July 11th, Secretary of Commerce, Wilbur Ross, notified the Atlantic States Marine Fisheries Commission that he has found the State of New Jersey to be in compliance with Addendum XXVII to the Summer Flounder Fishery Management Plan. According to the letter sent to the Commission, Secretary Ross's decision was based on the assertion that "New Jersey makes a compelling argument that the measures it implemented this year, despite increasing catch above the harvest target, will likely reduce total summer flounder mortality in New Jersey waters to a level consistent with the overall conservation objective for the recreational fishery." This is the first time since passage of the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act) in 1993 and the Atlantic Striped Bass Conservation Act in 1984 that the Secretary of Commerce failed to uphold a noncompliance recommendation by the Commission.

"The Commission is deeply concerned about the near-term impact on our ability to end overfishing on the summer flounder stock as well as the longer-term ability for the Commission to effectively conserve numerous other Atlantic coastal shared resources," stated Commission Chair Douglas Grout of New Hampshire. "The Commission's finding of noncompliance was not an easy one. It included hours of Board deliberation and rigorous Technical Committee review, and represented, with the exception of New Jersey, a unanimous position of the Commission's state members. Our decision was based on Technical Committee's findings that New Jersey's measures were not conservationally-equivalent to those measures in Addendum XXVIII and are projected to result in an additional 93,800 fish being harvested. Additionally, we had an obligation as a partner in the joint management of summer flounder with the Mid-Atlantic Fishery Management Council (Council) to implement measures to end overfishing immediately or face the possibility of summer flounder becoming an overfished stock."

Based on the latest stock assessment information, summer flounder is currently experiencing overfishing. Spawning stock biomass has been declining since 2010 and is just 16% above the threshold. The vast majority of fishery-independent surveys show rapidly declining abundance. Any increase in overall mortality puts the stock at risk for further declines and increases the probability of the stock becoming overfished. If the stock falls below the biomass threshold, the Magnuson-Stevens Fishery Conservation and Management Act requires the Council to initiate a rebuilding program, which could require more restrictive management measures.

New Jersey was not the only state to be concerned about the impact of the approved measures to its recreational fishing community. Two other states submitted alternative proposals that were rejected in favor of the states equally sharing the burden of needed reductions. Those states, as well as other

continued, see DOC DECISION on page 7

Upcoming Meetings

The Atlantic States Marine Fisheries Commission was formed by the 15 Atlantic coastal states in 1942 for the promotion and protection of coastal fishery resources. The Commission serves as the deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell and diadromous species. The fifteen member states of the Commission are: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.

Atlantic States Marine Fisheries Commission

Douglas E. Grout (NH)
Chair

James J. Gilmore, Jr. (NY)
Vice-Chair

Robert E. Beal
Executive Director

Patrick A. Campfield
Science Director

Toni Kerns
ISFMP Director

Laura C. Leach
Director of Finance & Administration

Tina L. Berger, Editor
Director of Communications
tberger@asmfc.org

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info@asmfc.org

August 1-3

ASMFC Summer Meeting, The Westin Alexandria, 400 Courthouse Square, Alexandria, VA

August 8-10

Mid-Atlantic Fishery Management Council, Courtyard Marriott, 21 North Juniper Street, Philadelphia, PA

August 9 (10 AM)

Atlantic Herring Days Out Conference Call (go to <http://www.asmfc.org/calendar/8/2017/atlantic-herring-days-out-call/1077> for more information)

August 14 (begin 10 AM) - 17 (ends 3 PM)

Atlantic Sturgeon Stock Assessment Review Workshop, Marriott Raleigh City Center, 500 Fayetteville Street Raleigh, NC (go to <http://www.asmfc.org/calendar/8/2017/Atlantic-Sturgeon-Stock-Assessment-Review-Workshop/1093> for more information)

September 11-15

South Atlantic Fishery Management Council, Town and Country Inn, 2008 Savannah Highway, Charleston, SC

September 26-28

New England Fishery Management Council, Gloucester, MA

September 26-29

Data Workshop for the Atlantic Striped Bass Benchmark Stock Assessment, Westin Crystal City, 1800 Jefferson Davis Highway, Arlington, VA

October 10-12

Mid-Atlantic Fishery Management Council, Hyatt Long Island East End, 451 East Main Street, Riverhead, NY

October 15-19

ASMFC 76th Annual Meeting, Waterside Marriott Hotel, 235 East Main Street, Norfolk, VA

November 14

ASMFC Atlantic Menhaden Management Board, DC/BWI area.

December 4-7

South Atlantic Fishery Management Council, DoubleTree by Hilton Atlantic Beach Oceanfront, 2717 W. Fort Macon Road, Atlantic Beach, NC

December 5-7

New England Fishery Management Council, Hotel Viking, Newport, Rhode Island

December 11-14

Mid-Atlantic Fishery Management Council, Westin Annapolis, 100 Westgate Circle, Annapolis, Maryland

January 30-31

New England Fishery Management Council, Sheraton Harborside, Portsmouth, NH

February 6-8

ASMFC Winter Meeting, Westin Hotel, 1800 Jefferson Davis Highway, Arlington, VA

February 13-15

Mid-Atlantic Fishery Management Council, Hilton Garden Inn Raleigh/Crabtree Valley, 3912 Arrow Drive, Raleigh, NC



Commissioner Survey Identifies Challenges to Fisheries Management

Built into the Commission's 5-year Strategic Plan and annual action plans is the recognition that Commissioners must dedicate themselves to thoughtful and deliberative self-evaluation to effectively achieve our collective vision of sustainably managing Atlantic coastal fisheries. Annually, this self-evaluation takes the form of a Commissioner survey and Annual Performance of the Stocks.

In May, Commissioners reviewed the results of the survey, which identified three broad issues that make our work as fisheries managers complicated and challenging. These include climate change; finite resources for data collection; and the rise of individual state interests over those of the coast. Socioeconomic factors and analyses were a recurring theme throughout.

Climate change and other environmental stressors have drastically changed our ability to manage fishery resources. Warming water temperatures throughout New England have led to the collapse of the Gulf of Maine northern shrimp and the depletion of Southern New England lobster stocks. Some

It is my hope and that of the Commission's leadership that our long-standing history of cooperative management will provide a solid foundation for us to collectively move forward in achieving our vision of sustainably managing Atlantic coastal fisheries.

species, such as black sea bass, Atlantic croaker and cobia are beginning to extend their ranges into more northern waters. Weakfish rebuilding has been hindered by unusually high levels of natural mortality, while diadromous species such as American eel, shad, river herring and Atlantic sturgeon have all been impacted by impediments to fish passage and the lack of suitable riparian and nearshore

habitat. These stressors are outside the purview of the state's fishery agencies and coastwide management efforts, yet they are a significant factor in the fisheries management equation that must be addressed in our management programs. The Commission's Climate Change Work Group, composed of fisheries managers and scientists, is working on developing science, policy, and management strategies to assist the Commission with adapting its management to changes in species abundance and distribution resulting from climate change impacts.

The second issue raised by Commissioners concerns data quality and availability, both of which are hindered by the lack of adequate fiscal resources to maintain long-term data sets,

initiate new monitoring programs, and conduct benchmark stock assessments at an ever increasing pace to match management needs. It's no secret state and federal marine fisheries budgets have been shrinking the past few years, and usually one of the first casualties of these cuts are fisheries monitoring programs, whether it be state young-of-the-year surveys, a regionally-specific survey on horseshoe crab adult abundance, or state/federal cooperative surveys such as those conducted by SEAMAP and NEAMAP (Southeast and Northeast Area Monitoring and Assessment Programs, respectively). While NEAMAP has been able to maintain consistent funding through various sources, several of the SEAMAP South Atlantic core surveys, which have been operational since the 1980s, have been impacted by funding shortfalls. The Commission continues to place a high priority on ensuring these and other long-running and critically important surveys have secure, long-term funding to support our fisheries management and stock assessment needs.

Many Commissioners expressed concern regarding the current use of recreational catch and effort data generated by the Marine Recreational Information Program. The Commission and the states will continue to work closely with NOAA Fisheries to improve these critical recreational data and better align the recreational management programs with the available data.

Over the last year, Commissioners have rightly been concerned about state and regional parochialism. Bringing together 15 states, all with different needs, has never been without conflict. But the states have always been able to work through their differences within the Commission framework. The states' willingness to sacrifice together in the near-term has always resulted in a rising tide – good for all boats. Indeed, many interjurisdictional fisheries management successes on the Atlantic coast in the last three decades can be traced back to cooperation and compromise among the states under the Striped Bass Act and Atlantic Coastal Act.

The principles upon which the Atlantic Coastal Act is founded are now being put to their greatest test. The Commerce Department's recent and precedent-setting decision threatens to undermine a long history of cooperation among the states. Fisheries are not managed in a vacuum, and I know every one of our Commissioners care deeply about our marine environment – and more importantly the people who depend upon it. While the future impact of Secretary Ross' action is unclear, we must trust in the states' 75-year track record of working together to successfully manage our shared marine resources. It is my hope and that of the Commission's leadership that our long-standing history of cooperative management will provide a solid foundation for us to collectively move forward in achieving our vision of sustainably managing Atlantic coastal fisheries.

Species Profile: American Eel

Commission Seeks to Better Understand and Conserve Unique and Highly Valued Species

Introduction

Few of the species under the Commission's watch have both a unique life cycle story and command attention on the international scene for its high market demand and conservation needs. But American eel is uniquely positioned to captivate one's attention by its biology, ex-vessel value, and continued conservation efforts. Even though much is still unknown about the journey American eels undergo from the Sargasso Sea to the estuaries and rivers of North and South America, it is an important species that requires international cooperation to conserve.

Life History

From a biological perspective, American eel are as enigmatic as they are fascinating. Once thought to be a freshwater species, American eel are actually a catadromous species, migrating from inland rivers to the ocean to spawn. The only catadromous species found in North America, this elusive animal begins its life in the Sargasso Sea, an area of the western Atlantic Ocean east of the Bahamas and south of Bermuda. For up to a year and a half the Gulf Stream transports and disperses larval eel, called leptocephali, along the eastern coast of Central and North America. At this stage the eels are transparent and are no bigger than a stick of gum. Leptocephali metamorphose into glass eel as they migrate toward land. The elver stage occurs when glass eel turn a brown color and move into brackish or freshwater. As they grow into yellow eel they will feed mainly at night on insect larvae, crayfish, smaller benthic fish, and even smaller elvers when available.

Yellow eel will typically establish a very small home range and have even been known to return to their home range if they are displaced. Another unique characteristic about American eel is when they are densely concentrated in habitat, they are more likely to be males, while eel living in less dense populations are more likely to be females. Females will also grow larger and reach maturity at a later age than males, particularly in the northern regions. Males grow to two feet long and females can reach up to four feet long, although growth rates are dependent on the habitat latitude and distance from the Atlantic Ocean.

Sexually maturing eel, called silver eel, migrate up to 3,000 miles back to where they were born in the Sargasso Sea. They will spawn once and presumably die. The spawning events have yet to be observed and the exact location remains unknown. Because all mature adult eel from the entire range come together in one place and reproduce, the American eel population is considered a panmictic (single) stock. So the eel you see in your local rivers and streams are the same as the ones found in the St. Lawrence River in Canada or rivers in South America!

Commercial & Recreational Fisheries

Eel fishing in North America has been documented as far back as the 17th century largely as a subsistence fishery. In the 20th Century, commercial interest for American eel arose most significantly in the 1960s in response to the European export market. Since then, commercial landings have fluctuated depending on the market price for eel at their various life stages: glass, yellow, and silver. Historically and currently, the majority of commercial landings come from the yellow eel fishery. After an initial decline in the 1950s, commercial yellow eel landings increased to a peak of 3.67 million pounds in 1979, declined again in the 2000s, and have exceeded one million pounds three times since 2004. In 2016, yellow eel landings totaled 928,358 pounds. Eel pots are the most typical gear used in the commercial yellow eel fishery; however, weirs, fyke nets, and other fishing methods are also employed. Although yellow eel were historically harvested for food, today's fishery sells yellow eel primarily as bait for recreational fisheries. At the silver eel stage, eel are completely focused

Species Snapshot



American Eel *Anguilla rostrata*

Common Names:

Elver, silver eel, yellow eel, freshwater eel

Interesting Facts:

- Eel can travel over land! This fascinating creature can absorb oxygen through its skin, allowing them to travel over land for short distances, such as through mud or wet grass.
- Eel have poor eyesight and likely depend on a keen sense of smell to locate food.
- Aristotle did the first known research on eel.
- Leptocephali (eel larval stage) were originally thought to be a different species.
- American eel were once thought to be the same species as the European eel (*Anguilla anguilla*).

Christmas Eel!

- Eel are considered an important component of the traditional Italian-American "Feast of Seven Fishes" dinner celebrated on Christmas Eve.

East Coast Record: 44.5 inches/8 pounds, caught in New Hampshire in 1975

Oldest Recorded: 20 years

Stock Status:

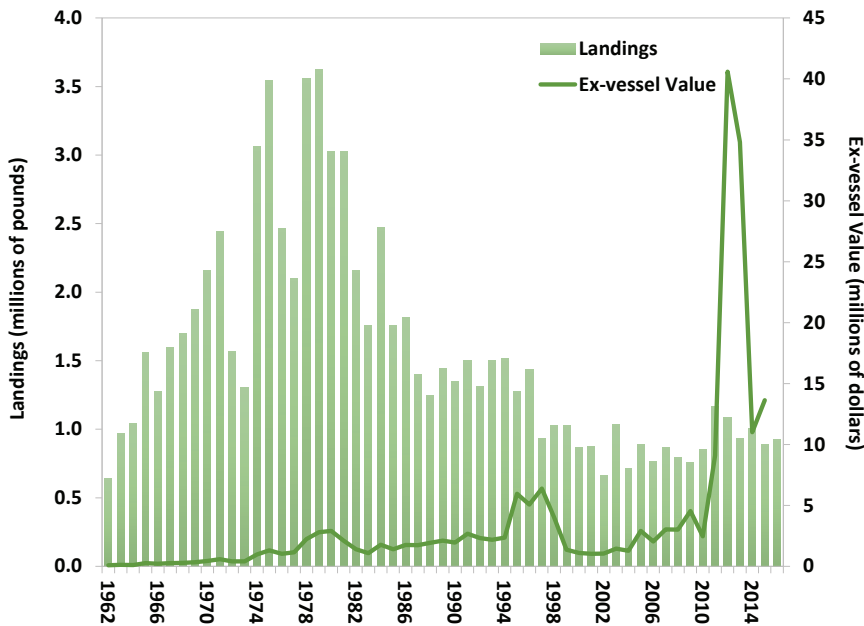
Depleted throughout its US range



Photo (c) Brian Gratwicke

American Eel Commercial Landings and Ex-Vessel Value

Source: ACCSP Data Warehouse, 2017



*2016 values are preliminary

Timeline of Management Actions: FMP ('99); Addendum I ('06); Addendum II ('08), Addendum III ('13); Addendum IV ('14)

on migrating back to the spawning grounds and typically do not respond to baited traps. Since the approval of Addendum IV (2014), silver eel fisheries are only permitted on a limited basis in New York's Delaware River.

Glass eel fisheries along the Atlantic coast are prohibited in all states except Maine and South Carolina. Over the last seven years, there has been a significant increase in the demand for glass eel due to concerns over the population levels of European and Japanese eels, as well as tighter restrictions on the exportation of European eels. Glass eel are exported to Asia to serve as seed stock for aquaculture facilities. Little information is available on targeted recreational fisheries for American eel. Harvest by dip net or fyke net has increased as the market price has risen to over \$1,000 per pound. The highest value reported in Maine in the last five years was \$40.38 million in 2012 for 21,611 pounds. Since the implementation of Addendum IV, Maine's glass eel quota has been set at 9,688 pounds (a 17.5% reduction from the 2014 quota). In 2017, preliminary landings indicate 9,282 pounds of glass eel were sold for a value of \$12.08 million pounds. Because of this high value, poaching of glass eel has become a coastwide issue that impedes and undermines the management, monitoring, and success of this species during a critical life stage.

Stock Status

The 2012 benchmark stock assessment concluded American eel is depleted in US waters due to a combination of historical overfishing, habitat loss, food web alterations, predation, turbine mortality, environmental changes, toxins and contaminants, and disease. Despite the large number of surveys and studies available for use in this assessment, the American eel stock is still considered data-poor because very few surveys target eel and collect information on length, age, and sex of the animals caught. Also, given the extremely complex life history of eel it is challenging to assess using traditional stock assessment models. Therefore, two data-poor methods were used to determine the status of the American eel resource: trend analyses and model analysis.

continued, see AMERICAN EEL on page 11

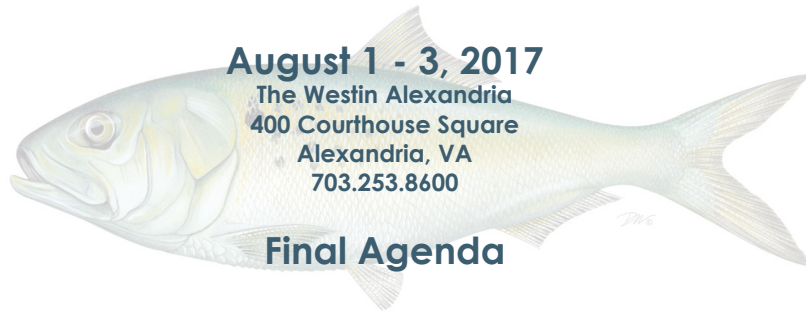
Enforcement & Management Respond Effectively to Glass Eel Conservation Needs

With the continued demand for glass eel to supply Asian seafood markets and a market price above \$1000 per pound in recent years, there remains significant incentives to illegally harvest and trade glass eel from US waters. Currently, only the State of Maine has a glass eel commercial quota (9,688 pounds), which is tightly regulated through a swipe card system. South Carolina permits a small harvest (less than 500 pounds in recent years) and Florida has been phasing out glass eel harvest in recent years through regulation.

Prior to the implementation of Addendum IV (2014), which greatly improved the reporting and accounting of glass eel caught in Maine, there were few systems set up to track and monitor the harvest of glass eel across the US Atlantic coast. Glass eel sold to Asia markets had been sourced from around the world; not only American eel (*Anguilla rostrata*) but also the Japanese eel (*Anguilla japonica*) and European eel (*Anguilla Anguilla*). In 2008 and again in 2010, the International Union for Conservation of Nature (IUCN), an international membership union that aims to assist societies throughout the world to conserve nature and promote ecologically sustainability, made a determination to include European eel on its Red List of Threatened Species as 'critical endangered' due to findings of declining recruitment and abundance indices. In response to the IUCN's determination in 2010, the European Union banned the export of European eel, reducing supply to Asia markets and subsequently increasing demand for glass eel sourced from the US and Asia. At the same time, ongoing monitoring of Japanese eels indicated similar trends in declining abundance. This led to the IUCN determination

continued, see GLASS EEL on page 11

ASMFC Summer Meeting



The agenda is subject to change. The agenda reflects the current estimate of time required for scheduled Board meetings. The Commission may adjust this agenda in accordance with the actual duration of Board meetings. Interested parties should anticipate Boards starting earlier or later than indicated herein.

TUESDAY, AUGUST 1

8:00 – 9:30 a.m.

Executive Committee

(A portion of this meeting may be a closed session for Committee members and Commissioners only)

- Public Comment
- Discuss Council/Commission Line in NOAA Budget
- Discuss the Secretary of Commerce Decision Regarding New Jersey Summer Flounder Recreational Measures
- Discuss Executive Director's Contract Renewal (**Closed Session**)

9:45 a.m. – 1:30 p.m.

South Atlantic State/Federal Fisheries Management Board

- Public Comment
- Review and Consider Cobia Draft Fishery Management Plan for Public Comment (*L. Daniel*) **Action**
- 2017 Spot Benchmark Stock Assessment **Final Action**
 - Presentation of Benchmark Assessment Report (*C. McDonough*)
 - Presentation of Peer Review Panel Report (*P. Campfield*)
 - Consider Acceptance of Benchmark Stock Assessment and Peer Review Report for Management Use
 - Consider Management Response to Benchmark Stock Assessment and Peer Review Report (*J. Estes*)
- Consider 2017 Traffic Light Analyses for Atlantic Croaker and Spot (*C. McDonough*)
 - Review 2017 Traffic Light Analyses
 - Progress Update on Exploratory Analyses for Incorporation of Additional Indices and Adjustments to the Atlantic Croaker Traffic Light Analysis
- Consider 2017 Atlantic Croaker FMP Review and State Compliance (*M. Schmidtke*) **Action**

1:45 – 2:45 p.m.

Atlantic Coastal Cooperative Statistics Program Coordinating Council

- ACCSP Status Report (*M. Cahall*)
 - Program Updates
 - Committee Updates
- Review and Consider Approval of the Marine Recreational Information Program Atlantic Regional Implementation Plan (*G. White*) **Action**
- Recreational Data Collection: Changes on the Horizon (*G. White*)

Public Comment Guidelines

In order to ensure a fair opportunity for public input, the ISFMP Policy Board has established the following guidelines for use at management board meetings:

For issues that are not on the agenda, management boards will continue to provide opportunity to the public to bring matters of concern to the board's attention at the start of each board meeting. Board chairs will use a speaker sign-up list in deciding how to allocate the available time on the agenda (typically 10 minutes) to the number of people who want to speak.

For topics that are on the agenda, but have not gone out for public comment, board chairs will provide limited opportunity for comment, taking into account the time allotted on the agenda for the topic. Chairs will have flexibility in deciding how to allocate comment opportunities; this could include hearing one comment in favor and one in opposition until the chair is satisfied further comment will not provide additional insight to the board.

For agenda action items that have already gone out for public comment, it is the Policy Board's intent to end the occasional practice of allowing extensive and lengthy public comments. Currently, board chairs have the discretion to decide what public comment to allow in these circumstances.

In addition, the following timeline has been established for the submission of written comment for issues for which the Commission has NOT established a specific public comment period (i.e., in response to proposed management action).

1. Comments received 3 weeks prior to the start of a meeting week will be included in the briefing materials.
2. Comments received by **5 PM on Tuesday, July 25, 2017** will be distributed electronically to Commissioners/Board members prior to the meeting and a limited number of copies will be provided at the meeting.
3. Following the July 25th deadline, the commenter will be responsible for distributing the information to the management board prior to the board meeting or providing enough copies for management board consideration at the meeting (a minimum of 50 copies).

The submitted comments must clearly indicate the commenter's expectation from the ASMFC staff regarding distribution. As with other public comment, it will be accepted via mail, fax, and email.

coastal states, implemented the approved measures in order to end overfishing and support the long-term conservation of the resource.

“The states have a 75-year track record of working together to successfully manage their shared marine resources,” continued Chairman Grout. “We are very much concerned about the short and long-term implications of the Secretary’s decision on interstate fisheries management. Our focus moving forward will be to preserve the integrity of the Commission’s process, as established by the Atlantic Coastal Act, whereby, the states comply with the management measures we collectively agree upon. It is my fervent hope that three-quarters of a century of cooperative management will provide a solid foundation for us to collectively move forward in achieving our vision of sustainably managing Atlantic coastal fisheries.”

The Commission is currently reviewing its options in light of Secretary Ross’s action, and the member states will meet during the Commission’s Summer Meeting in early August to discuss the implications of the Secretary’s determination on the summer flounder resource and on state/federal cooperation in fisheries management under the Atlantic Coastal Act.

BACKGROUND: On June 8th, pursuant to the provisions of the Atlantic Coastal Act, the Commission notified the Secretaries of Commerce and the Interior that it had found New Jersey out of compliance for not implementing the following mandatory management measures contained in Addendum XXVIII to the Summer Flounder FMP:

- Shore mode for Island Beach State Park only: 17-inch minimum size limit/ 2-fish possession limit/128-day open season.
- Delaware Bay only (west of the colregs line): 18-inch minimum size limit/3-fish possession limit/128-day open season.
- All other marine waters (east of the colregs line): 19-inch minimum size limit/ 3-fish possession limit/128-day open season

The implementation of these measures is necessary to achieve the conservation goals and objectives of the FMP to end overfishing of the summer flounder stock.

3:00 – 6:00 p.m. American Lobster Management Board

- Public Comment
- Consider American Lobster Addendum XXV for Final Approval **Final Action**
 - Presentation of Proposals from Lobster Conservation Management Teams (LCMT) 2, 3, 4, 5, and 6
 - Technical Committee Report on LCMT Proposals (*K. Reardon*)
 - Consider Final Approval of Addendum XXV
- State and Federal Inconsistencies in Lobster Conservation Management Area 4 Season Closure (*M. Ware*) **Possible Action**
- American Lobster Gulf of Maine/Georges Bank Subcommittee Report (*M. Ware*) **Possible Action**
- Update on Development of American Lobster Draft Addendum XXVI (*M. Ware*)
- Law Enforcement Committee Report on American Lobster Chain of Custody (*M. Robson*)
- NOAA Office of Law Enforcement Draft Enforcement Priorities 2018-2022 (*M. Ware*) **Possible Action**

WEDNESDAY, AUGUST 2

8:00 – 10:00 a.m. Shad and River Herring Management Board

- Public Comment
- Review Update for River Herring Stock Assessment (*B. Chase*)
- Review Update for Shad Stock Assessment Timeline (*J. Kipp*)
- Consider Approval of Shad and River Herring Sustainability Fishery Management Plans (SFMPs) **Final Action**
 - Review SFMPs and Technical Committee Memo (*B. Chase*)
 - South Carolina: Updated River Herring SFMP
 - Florida: Updated Shad SFMP
- Consider Approval of 2016 FMP Review and State Compliance Reports (*K. Rootes-Murdy*) **Action**

10:15 – 11:15 a.m. American Eel Management Board

- Public Comment
- Consider North Carolina Glass Eel Aquaculture Plan for 2018 (*K. Rootes-Murdy*) **Action**
 - Technical Committee Report
 - Law Enforcement Committee Report (*M. Robson*)
- Consider 2016 Yellow Eel Landings Overage and Coastwide Cap (*K. Rootes-Murdy*) **Possible Action**
- Consider 2016 American Eel FMP Review and State Compliance (*K. Rootes-Murdy*) **Action**

11:30 a.m. – 5:45 p.m. Atlantic Menhaden Management Board

- Public Comment
- Review 2017 Atlantic Menhaden Stock Assessment Update (*J. McNamee*)
- Biological Ecological Reference Point Work Group Report (*S. Madsen*)
 - Review of Hilborn, et al (2017) Paper
- Consider Draft Amendment 3 for Public Comment **Action**
 - Biological Ecological Reference Point Workgroup Report on Interim Reference Points (*K. Drew*)

continued, see FINAL AGENDA on page 8

11:30 a.m. – 5:45 p.m. Atlantic Menhaden Management Board (continued)

- Review of Management Issues and Alternatives (*M. Ware*)
- Plan Development Team Report on New York Proposal to Recalibrate Landings (*M. Ware*)
- Advisory Panel Report (*J. Kaelin*)
- Set 2018 Atlantic Menhaden Fishery Specifications **Final Action**
 - Overview of Specification Process (*M. Ware*)
 - Technical Committee Report (*J. McNamee*)
 - Advisory Panel Report (*J. Kaelin*)
- Update on 2017 Episodic Events Set Aside (*M. Ware*)

THURSDAY, AUGUST 3

8:00 – 11:30 a.m. Interstate Fisheries Management Program Policy Board

- Public Comment
- Update from the State Director's Meeting and Executive Committee (*D. Grout*)
- Review and Consider New Jersey Appeal of Addendum XXVIII to the Summer Flounder Fishery Management Plan **Final Action**
 - Postponed Motion: *Move to postpone the New Jersey Appeal of the Summer Flounder, Scup, and Black Sea Bass Addendum XXVIII until the Summer/August ISFMP Policy Board Meeting.* Motion by Mr. Nowalsky; Second by Mr. Keliher.
- Discuss the Secretary of Commerce Decision Regarding New Jersey Summer Flounder Recreational Measures
- Review of the Annual Performance of the Stocks (*T. Kerns*)
- Discuss New England Fishery Management Council Participation on the Atlantic Herring Section (*T. Kerns*) **Possible Action**
- Review and Consider Approval of Standard Meeting Practices (*T. Kerns*) **Action**
- Progress Update on the 2017 Atlantic Sturgeon Benchmark Stock Assessment (*K. Drew*)
- Review and Consider Approval of the Assessment Schedule (*S. Madsen*) **Action**
- Standing Committee Reports
 - Habitat and Artificial Reefs (*L. Havel*) **Action**
 - Atlantic Coastal Fish Habitat Partnership (*L. Havel*)
- Review Non-compliance Findings (if necessary) **Action**

11:15-11:30 a.m. Business Session

- Public Comment
- Review Non-compliance Findings (if necessary) **Final Action**

11:45 a.m. – 1:45 p.m. Summer Flounder, Scup, and Black Sea Bass Management Board

- Public Comment
- Summer Flounder Recreational Working Group Report (*K. Rootes-Murdy*) **Possible Action**
- Review of 2017 Black Sea Bass Recreational Measures (*K. Rootes-Murdy*) **Possible Action**
- Black Sea Bass Recreational Working Group Report (*K. Rootes-Murdy*)

2:00 – 4:30 p.m. Tautog Management Board

- Public Comment
- Consider Amendment 1 for Final Approval **Final Action**
 - Review Public Comment and Review Management Options (*T. Kerns*)
 - Advisory Panel Report
 - Law Enforcement Report (*J. Snellbaker*)
 - Consider Final Approval of Amendment 1
- Elect Vice-Chair **Action**

American Lobster

In May, the American Lobster Management Board moved forward with the goal of increasing egg production for the Southern New England (SNE) stock of American lobster by 5%. This increase in egg production can be achieved through a suite of management tools including gauge size changes, trap reductions, and seasonal closures. The recreational fishery is only subject to changes in the gauge size should any be proposed. In making its decision, the Board took into consideration the extensive public comment, which overwhelmingly supported status quo, and the fact that stock declines are largely

on June 15th and will be presented for Board approval in August. Once area-specific measures have been approved, the Board will consider final approval of Addendum XXV.

In its deliberation on the SNE lobster stock, the Board discussed the need to consider changes to the current management goals and reference points, noting changes in the marine environment may limit the ability to rebuild the stock to levels seen in the 1990s. The Board will continue to discuss these issues, particularly as the Commission's Climate Change Work Group develops recommendations regarding the management of stocks impacted by changing climate conditions.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Atlantic Herring

The Atlantic Herring Section approved Addendum I to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring. The Addendum includes management measures intended to stabilize the rate of catch in the Area

1A fishery and distribute the seasonal quota throughout Trimester 2 (June through September), which has 72.8% of the season's allocation. The following measures were approved by the Section:

Days Out Program (effective for the 2017 fishing season)

The Section will separately address days out provisions for federal herring Category A vessels and small-mesh bottom trawl vessels with a federal herring Category C or D permit.

- In addition to landing restrictions associated with the days out program, Category A vessels are now prohibited from possessing herring caught from

Area 1A during a day out of the fishery.

- Small-mesh bottom trawl vessels with a Category C or D permit will notify states of their intent to fish in Area 1A prior to June 1st.

Maine, New Hampshire and Massachusetts will make days out decisions by consensus. If a consensus cannot be reached, then the default landing day scenario will be zero landing days. (NOTE: At their July 26th meeting, the states agreed that vessels with a herring Category A permit that have declared into the Trimester 2 Area 1A fishery may land herring five (5) consecutive days a week. One landing per 24 hour period.)

Weekly Landing Limit (effective for the 2017 fishing season)

The Addendum implements a weekly harvester landing limit for vessels with a Category A permit. The weekly limit will be adjusted throughout the fishing season based on effort. Forty-five days prior to the start of the fishing season, Category A vessels will notify states of their intent to fish in Area 1A, including a specification of gear type. This will provide states with an estimate of effort to calculate the weekly landing limit. (NOTE: At their July 26th meeting, the states agreed that vessels with a herring Category A permit may harvest up to 680,000 pounds (17 trucks) per harvester vessel, per week. 120,000 pounds out of the 680,000 pound weekly limit can be transferred to a carrier vessel.)

At-Sea Transfer and Carrier Provisions

The Addendum also allows at-sea transfer and carrier provisions to be used as potential management tools prior to the start of the fishing year. At their July 26th meeting, the states agreed to the following measures for harvester vessels with a herring Category A permit and carrier vessels landing herring caught in Area 1A to a Maine, New Hampshire or Massachusetts port.

- A harvester vessel can transfer herring at-sea to another catcher vessel.

*continued, see FISHERY MANAGEMENT
ACTIONS on page 10*



Egg bearing lobster. Photo (c) NOAA Ocean Technology Foundation

a result of climatic changes, including increasing water temperatures over the last 15 years.

Throughout May and early June, Lobster Conservation Management Teams (LCMTs) for Areas 2, 3, 4, 5 and 6 met to develop area-specific proposals on how to achieve the 5% increase in egg production. As established through Amendment 3 to the Interstate Fishery Management Plan for American Lobster, LCMTs are composed of lobster industry members who are charged with recommending area-specific measures for Board consideration and approval. The LCMT proposals were submitted for Technical Committee review

- A harvester vessel is limited to making at-sea transfers to only one carrier vessel per week.
- Carrier vessels are limited to receiving at-sea transfers from one catcher vessel per week and can land once per 24 hour period. A carrier vessel may land up to 120,000 lbs (3 trucks) per week. The carrier limit of 3 trucks is not in addition to the harvester weekly landing limit.
- Carrier vessel: a vessel with no gear on board capable of catching or processing fish. Harvester vessel: a vessel that is required to report the catch it has aboard as the harvesting vessel on the Federal Vessel Trip Report.

State Landing Report

NOAA Fisheries has granted access to vessel monitoring system-submitted daily catch report data for select staff in Maine, New Hampshire and Massachusetts. This will provide real-time data for the states to implement a weekly landing limit. Therefore, the implementation of a state landing report is not necessary at this time. The Section will include the option to implement a state landing report as part of the interstate fishery management program if it becomes necessary at a future date. The Addendum is available at http://www.asmfc.org/uploads/file/592efbfbAtlHerringAddendum_I_FINAL.pdf.

The Section also approved continuing the use of the GSI30-based forecast system to determine spawning closures in Area 1A. This method was developed by the Technical Committee, then tested and evaluated for effectiveness during the 2016 fishing season. The modified GSI-based spawning monitoring system tracks reproductive maturity to align the timing of spawning area closures with the onset of spawning. The modeling efforts to forecast the spawning closures will be made available via a website.

For more information, please contact Toni Kerns, ISFMP Director, at tkerns@asmfc.org or 703.842.0740.

Atlantic Striped Bass

In May, the Atlantic Striped Bass Management Board chose to not advance Draft Addendum V to Amendment 6 to the Fishery Management Plan (FMP) for Atlantic Striped Bass forward for public comment. Instead, it decided to wait until the release of the results of the 2018 benchmark stock assessment before it considered making changes to the management program.

The Draft Addendum was initiated to consider liberalization of commercial and recreational regulations to bring fishing mortality to the target based on the findings of the 2016 assessment update. The Draft Addendum proposed alternative measures aimed to increase total removals (commercial and recreational) by approximately 10% relative to 2015 to achieve the fishing mortality target in 2017. However, 2016 harvest estimates increased without changing regulations. Additionally, fish from the 2011 year class, which was the largest recruitment event since 2004, will become increasingly available to ocean fisheries in the coming years, possibly resulting in further increases to harvest along the coast. The Board also expressed concern that changing the management program could result in fishing mortality exceeding the target.

In preparation for the 2018 stock assessment, the Board approved the Terms of Reference for the assessment, which will explore new biological reference points for management use.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703-842-0740.

Scup & Black Sea Bass

The Summer Flounder, Scup and Black Sea Bass Management Board approved Addendum XXIX to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. The Addendum shortens the length of the commercial scup

summer period and extends the length of the winter II period (Table 1).

This action seeks to allow for the better utilization of the commercial quota, which has been under-harvested since 2011. Specifically, the change in quota period length allows for higher possession limits for a longer period of time each year, thus increasing the likelihood the commercial fishery will fully harvest the quota. The quota allocation for each period remains unchanged. The Mid-Atlantic Fishery Management Council (Council) also took the same action through Framework 10. The Council will forward its recommendation to NOAA

Table 1. New Quota Periods approved in Addendum XXIX

Winter I	January 1-April 30 (120 days)
Summer	May 1- September 30 (153 days)
Winter II	October 1-December 31 (92 days)

Fisheries for final approval. The Board and Council's action will not affect the 2017 quota period start and end dates; these changes will likely be implemented for 2018 commercial quota. The Addendum is available at http://www.asmfc.org/uploads/file/594a8a3fScupAddendum_XXIX_May2017.pdf.

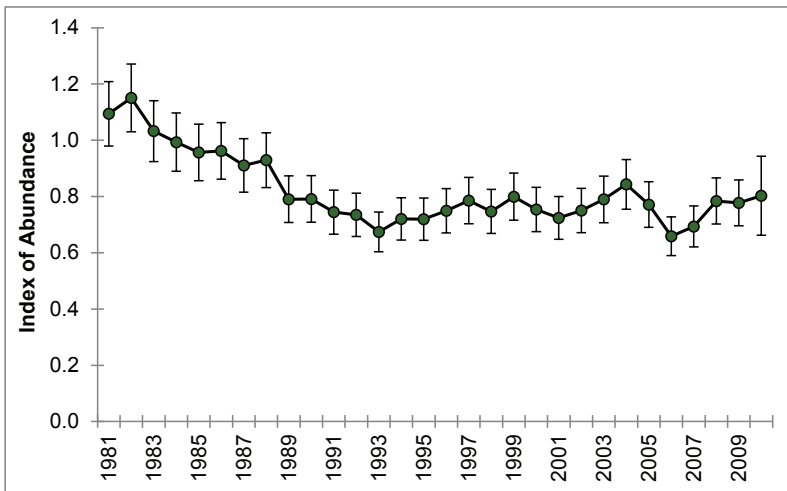
The Board also reviewed the final 2016 black sea bass recreational harvest estimates and considered changes to current measures to meet the 2017 recreational harvest limit (RHL). Based on the performance of the 2016 fishery, which indicated a reduction is needed to stay within the 2017 RHL, the Board set the possession limit for wave 6 (November/December 2017) at five fish in state waters from Rhode Island through New Jersey. All other state measures remain unchanged from 2016.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

30-Year Index of Abundance for Yellow-phase American Eels along the Atlantic Coast

(error bars represent standard errors about the estimates)

Source: ASMFC American Eel Benchmark Stock Assessment Report, 2012



Trend analyses found evidence of declining or, at least, stable abundance of American eel in the US in recent decades. Regional trend analyses identified decreasing populations in the Hudson River and South Atlantic regions, while no consistent trends were found for the Chesapeake Bay and Delaware Bay/Mid-Atlantic Coastal Bays regions. The coastwide model analysis estimated biomass to be at a reduced level. Significant levels of harvest in the 1970s is considered a major factor contributing to the current low biomass levels, but other factors such as habitat loss, predation, and disease have also played a role.

American eel were petitioned for listing as threatened under the Endangered Species Act (ESA) in 2010. At that same time, the Canada Department of Fisheries and Oceans conducted a stock assessment on American eel in Canadian waters and found that region-specific status indices show abundance relative to the 1980s is very low for Lake Ontario and upper St. Lawrence River stock, and either unchanged or increasing in the Atlantic Provinces. Furthermore, in 2014 the International Union for Conservation of Nature (IUCN) listed American eel as endangered on the IUCN Red List. In October 2015, the US Fish and Wildlife Service made a determination that ESA listing for American eel was not warranted at this time due in part to current management program in place through the Commission. In October 2016 at the Conference of the Parties (CoP) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the European Union requested that more information be collected on the international trade and stock condition of *Anguilla* species, including American Eel, due in part to the increased international market demand and threats to conservation.

Atlantic Coastal Management

American eel pose unique conservation and management challenges on a coastwide basis as they are a slow growing, late maturing, semelparous species (meaning they spawn once and then die) that migrate between

continued, see AMERICAN EEL on page 13

that Japanese eel are endangered, further reducing its availability in the market.

From 2010-2012, the demand for glass eel sourced from North America soared, increasing price per pound significantly, from approximately \$185 per pound in 2010 to over \$1800 per pound in 2012. The Commission's 2012 benchmark stock assessment indicated the need to reduce mortality across all life stages of eel, prompting all states with the exception of Maine, South Carolina, and Florida to prohibit the harvest of glass eel. Since glass eel migrate into, and are available in, estuarine streams and rivers in other states along the Atlantic, the tightening of regulations along the coast has led to the poaching of eel in some states with no glass eel fishery.

With the increased demand to illegally harvest glass eel and the international trade component of the fishery, the US Fish and Wildlife Service, in coordination with other federal and state agencies, conducted operations to identify and apprehend individuals seeking to profit from the illegal harvest and export of glass eels. To date, the ongoing investigation has resulted in guilty pleas for 12 individuals whose combined conduct resulted in the illegal trafficking of more than \$2.94 million worth of elvers in violation of the Lacey Act. In one recent case, a Maine fisherman admitted to illegally transporting or selling approximately \$189,374 worth of elvers in interstate commerce, which had been harvested illegally in Virginia and Massachusetts. The offense in this case is a felony under the Lacey Act, each carrying a maximum penalty of five years in prison, a fine of up to \$250,000 or up to twice the gross pecuniary gain or loss, or both.

At the same time, with the implementation of Addendum IV provisions, Maine has been able to significantly reduce the number of state issued violations. Part of this success can be attributed to the development of a swipe card system that allows for a two ticket (harvester and dealer) reporting that improved the accuracy and timeliness of recording information on elvers caught or landed in Maine. In addition to the swipe card system, Maine implemented in 2014 an individual fishing quota (IFQ) system, allowing harvesters an individual quota to discourage 'derby' fishing. These two components of Maine's eel management have improved monitoring and management of the resource, such that in 2016, Maine DMR eliminated weekly closed periods and extended the season by one week to the benefit of elver fishermen. Enforcement staff and resource managers are continuing their efforts to prevent illegal and excessive harvest of glass eels, ensuring the long term conservation of American eel.

ASMFC Releases Atlantic Menhaden Socioeconomic Report

The Atlantic States Marine Fisheries Commission has released the report, “Socioeconomic Analysis of the Atlantic Menhaden Commercial Bait and Reduction Fishery,” which characterizes coastwide commercial menhaden fisheries, including bait and reduction sectors and the fishing communities they support. The report’s findings will be used to inform the Commission’s Atlantic Menhaden Management Board as it considers potential management changes to menhaden commercial bait and reduction fisheries through Draft Amendment 3. Additionally, information from the report will be incorporated into the socioeconomic section of Draft Amendment 3, which is scheduled to be released for public comment in August.

In March 2016, the Commission awarded a grant to the research team of Dr. John Whitehead of Appalachian State University and Dr. Jane Harrison from North Carolina Sea Grant to conduct a socioeconomic study of Atlantic menhaden commercial fisheries. Over the past year, the team has collected and analyzed data to describe the coastwide commercial fisheries. The team interviewed stakeholders and conducted industry surveys to characterize participation in the menhaden fishery, vessel and gear characteristics, as well as identify substitute products, subsidies, and other sources of employment. Interview and survey data also provided information on recent market changes, state-quota impacts, and fishing communities. In addition, a public opinion internet survey was conducted, involving over 2,000 respondents from Maine, Rhode Island, New York, New Jersey, Maryland, Virginia, North Carolina, and Florida. A secondary data analysis was conducted using Atlantic Coastal Cooperative Statistics Program data on pounds landed, ex-vessel revenues, and trips. An economic impact analysis was also performed to evaluate the effects of varying levels of quota on both the bait and reduction sectors.

Atlantic menhaden captured as part of MD’s Estuarine Fish Community Sampling Study © Frank Marengi, MD DNR



Purse seining for Atlantic menhaden © John Surrick, Chesapeake Bay Foundation

Some of the report’s primary findings include:

- Interviews and surveys of commercial fishermen and other industry members found many agreed demand for menhaden bait, oil, and meal had increased in recent years.
- The public survey used hypothetical quota variations, with associated changes in fisheries revenue, jobs, and ecosystem services. Survey results indicated a willingness to trade-off some amounts of fisheries revenue in exchange for improvements in ecosystem services; however, willingness was influenced by the respondents’ attitudes and characteristics (i.e. perceptions about the importance of menhaden as bait for recreational/commercial fishing, as a contributor to their state’s economy, as a source of food for predators, etc.)
- Analysis of historic landings data found prices for menhaden were negatively related to landings levels, but the relationship was small and insignificant in some instances. This suggests quota reductions might reduce commercial fishery revenues, as decreases in landings are not fully compensated by higher prices.
- Analysis of the economic impacts of quota changes indicated increases and decreases in total allowable catch corresponded to income and employment increases and decreases, and these effects were concentrated in New Jersey and Virginia.

The full report can be found on the Commission’s website at http://www.asmfc.org/files/Atlantic%20Menhaden/ASMFC_MenhadenSocioeconomicReport_June2017.pdf.

For more information, please contact Shanna Madsen, Fisheries Science Coordinator, at smadsen@asmfc.org or 703.842.0740.

Comings and Goings

AMERICAN EEL continued from page 11

the high seas and inland estuaries and riverine systems, as well as through international, federal, state, and local jurisdictions. Through the Commission, Atlantic coastal states from Maine to Florida manage American eel in their territorial seas and inland waters. Each state is responsible for implementing management measures within its jurisdiction to ensure the sustainability of the American eel population residing within state boundaries. Increasing demand for eel by Asian markets and domestic bait fisheries, coupled with concern about the status of eel abundance and limited assessment data, spurred development of the first Interstate Fishery Management Plan in the mid-1990s.

Through Addenda III and IV, the Commission and the states sought to reduce mortality and increase conservation of American eel stocks across all life stages. Addendum III, approved in 2013, increased the commercial yellow eel minimum size to 9 inches, reduced the recreational bag limit to 25 fish/day, prohibited silver eel fisheries except in the Delaware River (NY), and implemented fishery-independent and fishery-dependent monitoring requirements. Addendum IV, approved in 2014, established the first ever coastwide quota for yellow eel fisheries, set at 907,671 pounds, along with specific management action if the quota is exceeded. Specifically, the Addendum establishes two management triggers: (1) exceeding coastwide quota by more than 10% in a given year, or (2) exceeding the coastwide quota for two consecutive years regardless of the percent overage. If either one of the triggers are met then states would implement state-specific allocation based on average landings from 2011-2013. Addendum IV also specifies that Maine will maintain its daily trip level reporting and require a pound-for-pound payback in the event of quota overages in its glass eel fishery. Additionally, the state has implemented a fishery-independent life cycle survey covering glass, yellow and silver eels within at least one river system. The Addendum specifies these requirements would also be required for any jurisdiction with a commercial glass eel fishery harvesting more than 750 pounds.

Addendum IV also provides opportunities for a limited glass eel harvest for domestic aquaculture purposes. In 2016 and 2017, North Carolina implemented an aquaculture plan approved by the Board that allowed up to 200 pounds of glass eels to be harvest for aquaculture. At the upcoming 2017 August Meeting, the Board will consider a proposal from North Carolina to continue this program for 2018 and beyond.

Looking Ahead

In fall 2017, the stock assessment update for American eel will be completed and the Board will consider whether management action is needed in response to the results. While the update will include additional years of data to the coastwide and regional trend analyses, stock status determination cannot be made until more information about the species is collected from the full extent of the species range, including the Great Lakes, Canadian Atlantic Provinces, and the Gulf of Mexico. There is continued interest and need for a comprehensive 'continental' stock assessment because without this collaboration there may be limited opportunity to better classify the condition of the stock. Until then, the Commission will continue to work with the states and international partners to collect and consider important information on this unique species.

For more information, please contact Kirby Rootes-Murdy, Senior FMP Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.



PROXIES

STEVE HEINS

The Commission extends its congratulations to Steve Heins, retiring after a 31 year career with the New York State Department of Environmental Conservation's Bureau of Marine Resources. Steve has been part of the Commission

for most of that time, providing valuable input on the Commission's science and management activities. He was a longstanding member and chair of the Management and Science and Artificial Reef Committees, as well as the NEAMAP Board. Since 2007, he has served as Jim Gilmore's ongoing proxy. Steve has recently been appointed a seat on the Mid-Atlantic Fishery Management Council, where he will continue to work for healthy marine resources as an advocate for both sectors of New York's fisheries.



TERRY STOCKWELL

The Commission also extends its congratulations to Terry Stockwell, who will soon retire from the Maine Department of Marine Resources after nearly two decades of service. Since 2006, Terry has served as proxy for the state's Administrative Commissioners. Over that time,

he chaired the Commission's Atlantic Herring and Northern Shrimp Sections, as well as Management Boards for American Eel and Shad and River Herring. Regionally, he has served as Chair and Vice-Chair for the New England Fishery Management Council. Terry was recently appointed a seat on the Council, where he will continue to advocate for resource sustainability and the interests of Maine's recreational and commercial fishermen.



STAFF

ASHTON HARP

In July, Ashton Harp left ASMFC, relocating to Washington's Olympic Peninsula to work at the Northwest Indian Fisheries Commission. The focus of her new position is salmon and steelhead management for coastal tribes, in conjunction with state and federal

agencies. Ashton has been an extremely valuable member of the ISFMP team, working on species such as coastal sharks, shad and river herring, winter flounder, Atlantic herring and tautog. Over the course of her two years with us, Ashton coordinated the development of two new plan amendments - one for Atlantic herring and the other for tautog. We wish her all the best in her new job on the West Coast!

2017 Omnibus Appropriations Bill Approved; 2018 Process Underway

Fiscal Year 2018 Budget Appropriations

On July 27th, the Senate Appropriations Committee approved its Fiscal Year 2018 Commerce, Justice, Science Appropriations Bill. The bill contains \$5.6 billion for NOAA, an \$85.1 million decrease from Fiscal Year 2017. Funding for NOAA “continues to target... support for state-led management schemes to ensure greater access to the nation’s abundant fishery resources.” Individual line items were not available as of July 28.

National Oceanic and Atmospheric Administration (in \$ thousands)				
	2016 Enacted	2017 Enacted	2018 Trump	2018 House
National Marine Fisheries Service				
Fisheries and Ecosystem Science Programs and Services	139,489	139,489	141,323	141,323
Fisheries Data Collections, Surveys and Assessments	163,271	164,000	154,961	163,000
Observers and Training	43,655	43,655	43,572	43,655
Regional Councils and Fisheries Commissions	33,470	34,254	33,407	34,000
Interjurisdictional Fisheries Grants	3,000	3,004	0	3,000
Enforcement	69,000	69,000	68,943	69,000
Habitat Conservation and Restoration	61,408	52,524	51,334	51,334
Ocean, Coastal and Great Lakes Research				
National Sea Grant College Program	64,000	63,000	0	63,000
National Ocean Service				
Coastal Zone Management and Services	40,000	42,500	39,924	39,600
Coastal Zone Management Grants	26,000	85,000	0	45,000
Sanctuaries and Marine Protected Areas	49,000	51,000	48,907	52,000
National Estuarine Research Reserve System	23,000	23,500	0	23,500

Fiscal Year 2018 House Appropriations

On July 13th, the U.S. House of Representatives Committee on Appropriations approved its Fiscal Year 2018 Commerce, Justice, Science Appropriations Bill on a vote of 31-21. The legislation contains \$4.97 billion for NOAA, which is \$710 million below Fiscal Year 2017. The Committee Report accompanying the legislation also contains instructions to conduct a mid-Atlantic horseshoe crab trawl survey, fully fund SEAMAP, and complete a cobia stock assessment as soon as possible.

Fiscal Year 2018 Budget Request

On May 23rd, President Trump released his Fiscal Year 2018 Budget Request. It requests an 11% decrease from Fiscal Year 2017 for NOAA (\$3.14 billion) and a four percent decrease for NOAA Fisheries (\$821 million). Numerous programs were targeted for elimination including Coastal Zone Management Grants, Regional Coastal Resilience Grants, National Estuarine Research Reserve System, Prescott Marine Mammal Rescue Assistance Grants, Interjurisdictional Fisheries Act Grants, Coastal Ecosystem Resiliency Grants, and Sea Grant.

Fiscal Year 2017 Omnibus Appropriations Act

On May 5th, President Trump signed H.R. 244, Consolidated Appropriations Act, 2017. The legislation contains \$5.7 billion for NOAA, which is \$90 million below Fiscal Year 2016 levels. The law also instructs NOAA Fisheries to fund a Mid-Atlantic Horseshoe Crab Trawl Survey. For more information, please contact Deke Tompkins, Executive Legislative Assistant, at dtompkins@asmfc.org or 703.842.0740.



ACFHP Releases Five Year Strategic Plan

The Atlantic Coastal Fish Habitat Partnership (ACFHP) is pleased to announce the release of its new five-year Conservation Strategic Plan and accompanying two-year Action Plan. The ACFHP Steering Committee has spent the past year developing the plans, which includes goals, objectives, strategies, and actions (Action Plan only) to restore and enhance Atlantic coastal, estuarine, and diadromous fish habitat through conservation, science and data, outreach and communication, and financial initiatives.

continued, see ACFHP on page 16



Integrated Fisheries Reporting Workshop a Big Success!

Fisheries data managers took a big step toward improving Atlantic fisheries data systems when they convened at ACCSP's Integrated Fisheries Reporting (IFR) Workshop in May. Currently, fisheries-dependent data are collected from various sources — including vessel, observer, and dealer reports — and linked together after the fact. IFR describes a fishery reporting system designed so that all reporting for a single trip is done on a single report.

The vast majority of errors in fisheries datasets are introduced by humans, either at the point of entry or during post-trip matching of reports. Using electronic reporting technologies and a universal trip ID generator, an IFR system can automate the collection and integration of reports, thereby minimizing human-introduced errors in fisheries data.

Several programs that collect Atlantic coast fisheries data have already begun to explore ways in which they could implement IFR in their data systems. To ensure that state and federal programs' IFR efforts dovetail with one another and avoid duplication of effort, ACCSP conducted an IFR Workshop for fisheries data managers on the Atlantic coast.

Bringing together representatives from state, regional, and federal fisheries agencies, the main goal of the workshop was to reach consensus on a set of business rules to guide IFR implementation within ACCSP's SAFIS Redesign. Participation was excellent, with representation from the Atlantic coastal states from Maine through Florida; the Gulf States Marine Fisheries Commission; the three Atlantic Fishery Management Councils; NOAA Fisheries Greater Atlantic Fisheries and Southeast Regional Offices; NOAA Fisheries Northeast, Southeast, and Pacific Islands Fisheries Science Centers; NOAA Fisheries Highly Migratory Species Division; and the National Fish and Wildlife Foundation (NFWF).

Eric Schwaab, NFWF Vice President of Conservation Programs and former Assistant Administrator for NOAA Fisheries, opened the workshop with defining the "why?" He emphasized that

integrated reporting will improve data timeliness and accuracy, thus helping to build trust in the data among both management and industry users.

Attendees were also presented with a synthesis of previous integrated reporting efforts undertaken both within and outside of the United States. Barry Clifford of the Greater Atlantic Fisheries Regional Office (GARFO) presented an update on implementation of the Fisheries-Dependent Data Vision process in the Northeast. GARFO intends to implement IFR using a Trip Management System (TMS) that will distribute the Trip ID to each system component.

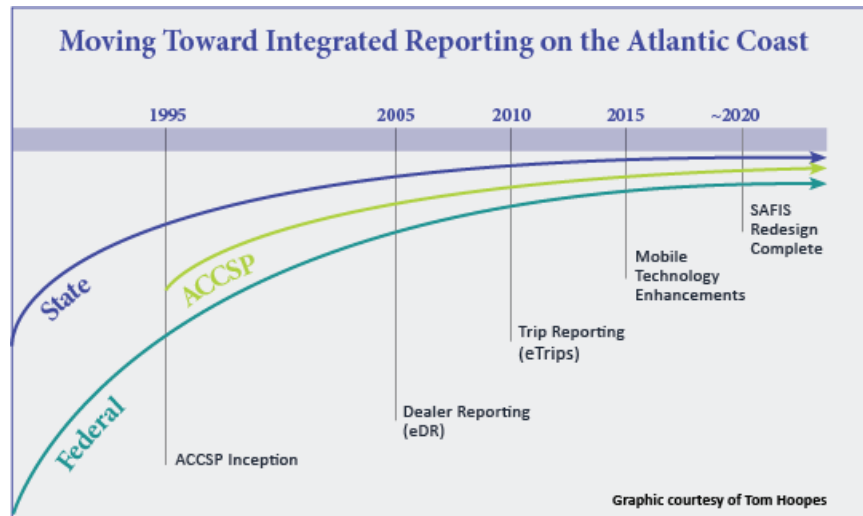
Attendees agreed the TMS would be a logical starting point for discussing an IFR solution that would

meet the needs of all ACCSP partners. The consensus was that the GARFO/Northeast Fisheries Science Center conceptual plan would be the launching point for discussions and development going forward.

Attendees then discussed current issues for implementing integrated reporting, including:

- Duplicate reporting requirements
- Statistical areas
- Definition of a trip
- Regulatory changes
- Local flexibility

Workshop participants began to develop integrated reporting business modules for trip, dealer, biological sampling and observers, and expanded business modules for the Vessels Monitoring System, electronic monitoring, private recreational angler, and cooperative research. The Workshop report, to be released in August and presented to the ACCSP Coordinating Council in fall 2017, will be used for a timeline for incorporating integrated fisheries reporting in SAFIS.



ACCSP is a cooperative state-federal program focused on the design, implementation, and conduct of marine fisheries statistics data collection programs and the integration of those data into a single data management system that will meet the needs of fishery managers, scientists, and fishermen. It is composed of representatives from natural resource management agencies coastwide, including the Atlantic States Marine Fisheries Commission, the three Atlantic fishery management councils, the 15 Atlantic states, the Potomac River Fisheries Commission, the D.C. Fisheries and Wildlife Division, NOAA Fisheries, and the U.S. Fish & Wildlife Service. For further information please visit www.accsp.org.

THE CURIOUS AMERICAN EEL

American eels arrive in Maine each spring by the millions as tiny, transparent “glass eels,” or elvers. These tiny eels are netted and sold, most recently at hefty prices of \$1,700 to \$2,000 per pound. Most are sent to fish-farming operations in China and Japan, where they are raised in captivity to market size for sale throughout Asia, where eels are considered a culinary delicacy.

The life cycle and migration

4 Elvers progress to **Yellow eels**. Yellow eels may spend over 30 years in freshwater estuaries, rivers and lakes. They grow into the final, sexually mature stage of their life cycle, silver eels.



5 **Silver eels** spend most of their lives in fresh or brackish water but eventually descend rivers and return to the Sargasso Sea, where they spawn once and die.



3 **Elvers** are 2.6-3.9 inches long.

1 **Leptocephali** are larvae hatched from eggs, carried along ocean currents to the Americas, including Maine.

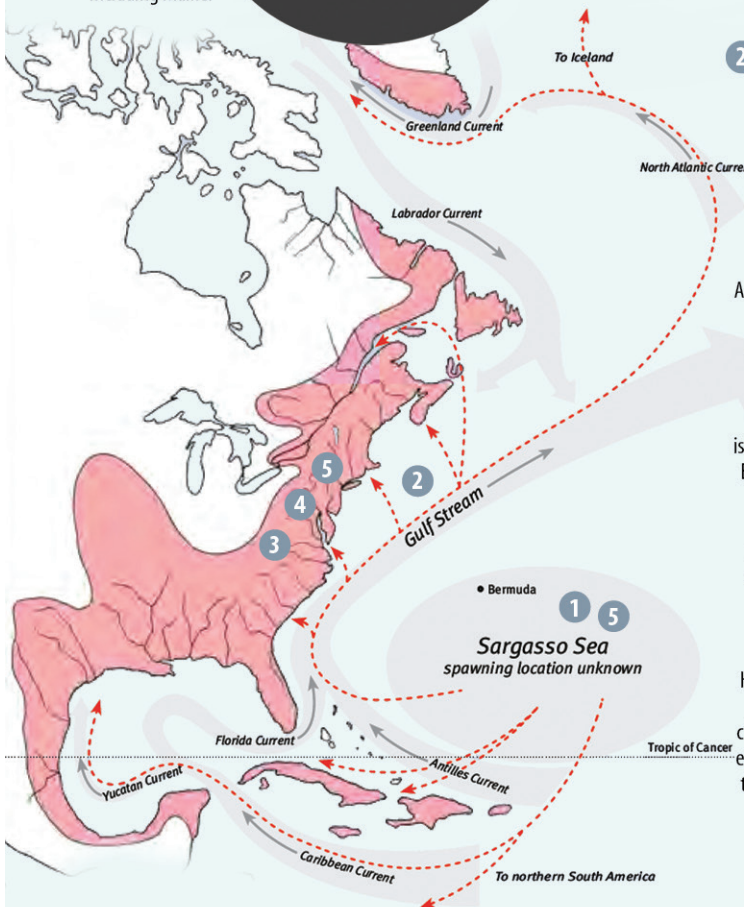


Elvers may take years to migrate up tidal rivers, traveling hundreds of miles.

2 **Glass eels** (not shown) are 1.8-2.8 inches long. They swim toward coastal areas; once they reach estuaries, they are known as elvers.

The cycle of life

American eels spawn in the Sargasso Sea. Eggs and larvae join ocean currents and are transported to South America, Central America, the Caribbean islands and North America's Eastern Seaboard. After as many as 30 to 40 years, they migrate back to the Sargasso Sea, where they spawn and die. Spawning habits remain a mystery, having never been observed in the wild. Habitat loss, water quality, overfishing and climate change are threatening the eel population just as it has threatened the populations of other fished North American species.



SOURCE: Illustrations courtesy of Ethan Nedreau, www.biodrawriversity.com; text from “American Eels, Restoring a Vanishing Resource in the Gulf of Maine,” Gulf of Maine Council on the Marine Environment; BDN PHOTO BY TROY R. BENNETT

BDN GRAPHIC BY ERIC ZELZ

ACFHP continued from page 14

The 2017 – 2021 Conservation Strategic Plan updates and revises ACFHP’s first conservation strategic plan, which covered the 2012 – 2016 time frame. Some of the Partnership’s accomplishments during this period can be found listed on page 5 of the new plan. Most notably, ACFHP has contributed over \$400,000 directly to conservation projects, leveraging \$4 for each ACFHP restoration dollar. This has helped to open 75 river miles, restore 0.5 acres of riverine spawning habitat, 2.95 acres of oyster reefs, 2.4 acres of tidal vegetation, and 19 acres of seagrass beds, adding an estimated \$41 million in economic value to the Atlantic coast annually.

In addition to the Partnership’s goals, objectives, and strategies, the Conservation Strategic Plan describes ACFHP’s 3 – 4 priority habitats and the major threats to each of those habitats within our four subregions (North Atlantic, Mid-Atlantic, South Atlantic, and South Florida). These habitat priorities were informed by the results of ACFHP’s Species-Habitat Matrix study. Published by Kritzer et al. (2016), the Matrix evaluated the importance of benthic habitats to over 100 species of coastal fish and non-stationary invertebrates as a space for shelter, feeding, and breeding.

The 2017 – 2019 Action Plan has identified 32 specific actions to be taken to advance a subset of objectives and strategies listed in the Conservation Strategic Plan. These actions will be carried out by ACFHP and its partners.

To view the plans, visit the ‘Publications’ page under the ‘Planning Resources’ tab on the [ACFHP website](http://www.atlanticfishhabitat.org/planningresources/publications/), or click here directly: <http://www.atlanticfishhabitat.org/planningresources/publications/>.



ACFHP is a coastwide collaborative effort to accelerate the conservation of habitat for native Atlantic coastal, estuarine-dependent, and diadromous fishes. The Partnership consists of resource managers, scientists, and professionals representing 33 different state, federal, tribal, non-governmental, and other entities. ACFHP works from Maine to the Florida Keys, and from the headwaters of coastally draining rivers to the edge of the continental shelf, with a focus on estuarine environments.



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

August 17, 2017

MEMORANDUM

LSS 8-17

TO: Marine Fisheries Commission
FROM: License and Statistics Section
SUBJECT: Landings Update

Attached are the current landings for red drum and southern flounder.

Red drum landings are presented by month for the Sept. 1, 2016 through Aug. 31, 2017 fishing season. Monthly landings of southern flounder are presented for 2014-2017. Southern flounder landings by gear from 2012 to 2017 are also provided.

2016 landings have been finalized. 2017 data are preliminary and only complete through April. Confidential data were denoted with ***.



Year	Month	Species	Pounds	Dealers	Trips	Average (2007-2009)
2014	1	SOUTHERN FLOUNDER	2,978	29	183	7,713
2014	2	SOUTHERN FLOUNDER	1,823	29	285	4,617
2014	3	SOUTHERN FLOUNDER	3,430	43	677	23,512
2014	4	SOUTHERN FLOUNDER	18,997	71	933	68,389
2014	5	SOUTHERN FLOUNDER	16,001	93	681	122,514
2014	6	SOUTHERN FLOUNDER	80,142	123	1,988	154,090
2014	7	SOUTHERN FLOUNDER	84,702	141	2,148	170,387
2014	8	SOUTHERN FLOUNDER	105,208	137	2,204	201,862
2014	9	SOUTHERN FLOUNDER	404,143	153	3,588	396,301
2014	10	SOUTHERN FLOUNDER	634,514	146	3,436	781,717
2014	11	SOUTHERN FLOUNDER	320,773	121	1,991	392,150
2014	12	SOUTHERN FLOUNDER	800	5	7	37,303
2015	1	SOUTHERN FLOUNDER	1,984	30	237	7,713
2015	2	SOUTHERN FLOUNDER	495	21	93	4,617
2015	3	SOUTHERN FLOUNDER	10,750	62	768	23,512
2015	4	SOUTHERN FLOUNDER	20,824	88	1,074	68,389
2015	5	SOUTHERN FLOUNDER	42,454	117	1,282	122,514
2015	6	SOUTHERN FLOUNDER	53,838	116	1,482	154,090
2015	7	SOUTHERN FLOUNDER	42,806	106	1,144	170,387
2015	8	SOUTHERN FLOUNDER	43,900	111	1,152	201,862
2015	9	SOUTHERN FLOUNDER	255,067	122	2,335	396,301
2015	10	SOUTHERN FLOUNDER	429,234	127	2,554	781,717
2015	11	SOUTHERN FLOUNDER	301,489	90	1,755	392,150
2015	12	SOUTHERN FLOUNDER	89	7	10	37,303
2016	1	SOUTHERN FLOUNDER	2,625	33	264	7,713
2016	2	SOUTHERN FLOUNDER	1,643	31	291	4,617
2016	3	SOUTHERN FLOUNDER	9,183	58	914	23,512
2016	4	SOUTHERN FLOUNDER	10,558	72	628	68,389
2016	5	SOUTHERN FLOUNDER	24,522	90	821	122,514
2016	6	SOUTHERN FLOUNDER	44,952	100	1,242	154,090
2016	7	SOUTHERN FLOUNDER	43,574	102	1,132	170,387
2016	8	SOUTHERN FLOUNDER	53,057	106	1,409	201,862
2016	9	SOUTHERN FLOUNDER	245,870	131	3,004	396,301
2016	10	SOUTHERN FLOUNDER	279,618	117	2,161	781,717
2016	11	SOUTHERN FLOUNDER	182,148	102	1,465	392,150
2016	12	SOUTHERN FLOUNDER	14	5	5	37,303
2017	1	SOUTHERN FLOUNDER	1,677	38	122	7,713
2017	2	SOUTHERN FLOUNDER	2,748	55	214	4,617
2017	3	SOUTHERN FLOUNDER	8,246	67	873	23,512
2017	4	SOUTHERN FLOUNDER	15,671	83	789	68,389
2017	5	SOUTHERN FLOUNDER	27,011	71	925	122,514
2017	6	SOUTHERN FLOUNDER	59,208	53	1,412	154,090
2017	7	SOUTHERN FLOUNDER	***	2	17	170,387

2017 data are preliminary and only complete through April.

***data are confidential

Year	Species	Gear	Pounds	Dealers	Trips
2012	SOUTHERN FLOUNDER	GIGS	149,387	112	3,000
2012	SOUTHERN FLOUNDER	GILLNETS	879,373	168	14,713
2012	SOUTHERN FLOUNDER	OTHER	47,989	105	1,462
2012	SOUTHERN FLOUNDER	POUND NET	569,388	35	1,754
2013	SOUTHERN FLOUNDER	GIGS	118,489	101	2,408
2013	SOUTHERN FLOUNDER	GILLNETS	1,096,060	178	16,968
2013	SOUTHERN FLOUNDER	OTHER	46,953	104	2,093
2013	SOUTHERN FLOUNDER	POUND NET	924,889	41	2,112
2014	SOUTHERN FLOUNDER	GIGS	135,273	109	2,655
2014	SOUTHERN FLOUNDER	GILLNETS	659,394	145	11,778
2014	SOUTHERN FLOUNDER	OTHER	18,628	115	1,887
2014	SOUTHERN FLOUNDER	POUND NET	860,216	39	1,806
2015	SOUTHERN FLOUNDER	GIGS	130,277	92	2,616
2015	SOUTHERN FLOUNDER	GILLNETS	392,384	133	8,471
2015	SOUTHERN FLOUNDER	OTHER	12,422	102	1,002
2015	SOUTHERN FLOUNDER	POUND NET	667,847	40	1,803
2016	SOUTHERN FLOUNDER	GIGS	126,983	92	2,657
2016	SOUTHERN FLOUNDER	GILLNETS	361,570	126	8,422
2016	SOUTHERN FLOUNDER	OTHER	10,953	84	838
2016	SOUTHERN FLOUNDER	POUND NET	398,258	39	1,423
2017	SOUTHERN FLOUNDER	GIGS	42,151	52	942
2017	SOUTHERN FLOUNDER	GILLNETS	68,835	77	2,944
2017	SOUTHERN FLOUNDER	OTHER	2,396	54	273
2017	SOUTHERN FLOUNDER	POUND NET	1,903	10	193

2017 data are preliminary and only complete through April.

Red Drum Landings 2016-2017

Landings are complete through April 30, 2017

2016 landings are final. 2017 landings are preliminary.

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2016	9	Red Drum	18,748	28,991	35,003
2016	10	Red Drum	13,907	43,644	63,662
2016	11	Red Drum	8,308	14,318	27,643
2016	12	Red Drum	1,990	3,428	2,197
2017	1	Red Drum	1,313	5,885	1,699
2017	2	Red Drum	2,799	3,448	3,996
2017	3	Red Drum	5,392	5,699	3,971
2017	4	Red Drum	4,402	7,848	6,528
2017	5	Red Drum	6,963*	13,730	9,664
2017	6	Red Drum	9,878*	12,681	6,985
2017	7	Red Drum	***	13,777	15,618
Fishing Year (Sept 1, 2016 - Aug 31, 2017) Landings			73,700		

*partial trip ticket landings only

***landings are confidential



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 28, 2017

MEMORANDUM

PR 8-16

TO: Marine Fisheries Commission

FROM: Chris Batsavage, Protected Resources Section Chief/Special Assistant for Councils

SUBJECT: Protected Resources Section Update

Observer Program

Tables summarizing the 2016 Observer Program (based on finalized 2016 trip numbers) are found in the briefing book. Overall, observer coverage for the anchored large mesh gill net fishery was 10.1 percent and coverage for the anchored small mesh gill net fishery was 3.5 percent. There were fewer anchored large and small mesh gill net trips in 2016 compared to prior years, which resulted in a higher percent coverage for both gear types. There was no change to the observed number of sea turtle and Atlantic sturgeon interactions from the previous version of these tables, which included preliminary trip data, but the estimated interactions that occurred in 2016 decreased due to the increased observer coverage using finalized trip data.

Tables summarizing observer coverage and protected species interactions from January through June 2017 are also included. These tables provide the number of trips, observed trips, observer coverage, and protected species interactions for anchored large and small mesh gill nets by month and management unit. Please note that observer coverage is based on the average number of trips from previous years' finalized data because 2017 trip data are preliminary.

A total of six sea turtle interactions were observed in anchored large mesh gill nets and one in anchored small mesh gill nets from January through June 2017. Four self-reported sea turtle interactions by gill net fishermen occurred during this time.

A total of 38 Atlantic sturgeon interactions were observed in anchored large mesh gill nets and two in anchored small mesh gill nets from January through June 2017, with most interactions occurring in March in Management Unit A. One self-reported Atlantic sturgeon interaction by a gill net fishermen occurred during this time.



Management Unit Openings and Closures

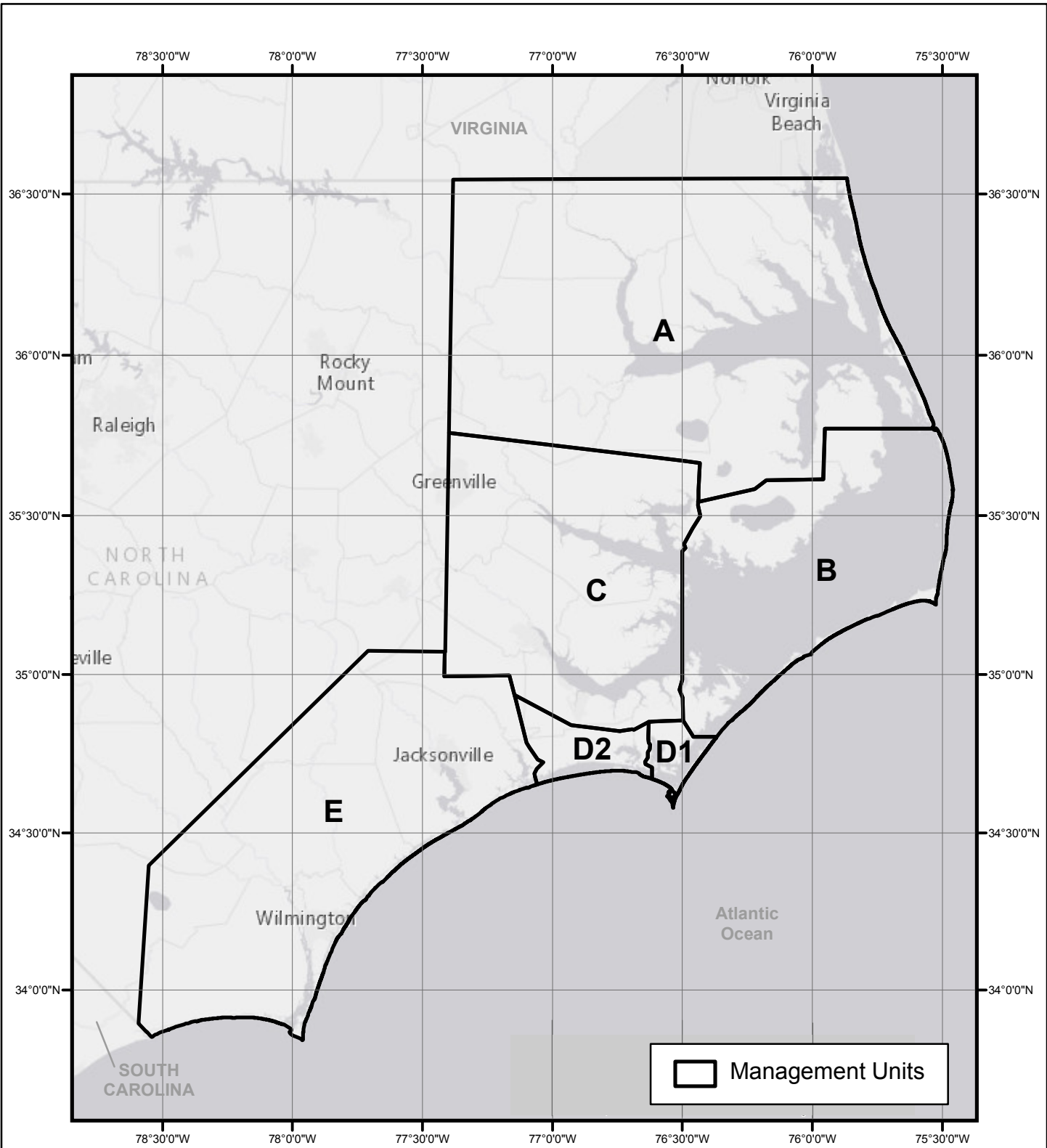
The following management unit(s) either opened or closed in accordance with the Sea Turtle and Atlantic Sturgeon Incidental Take Permits:

- Management Unit B reopened to anchored large mesh gill nets on June 19, 2017 after staff determined that sea turtle takes during the fall season (September– November 2016) were lower than expected due to fishing effort that was lower than anticipated (based on final 2016 trip numbers).
- Management Unit C closed to anchored large and small mesh gill nets on July 28, 2017 for the duration of Incidental Take Permit Year 2017 (August 31, 2017) due to reaching the allowed number of sea turtle interactions.

Atlantic Sturgeon Incidental Take Permit Update

Earlier this month, the division sent a request to the National Marine Fisheries Service for a minor modification to the Atlantic Sturgeon Incidental Take Permit that changes the seasonal takes to annual takes in management units A, B, and C for both large and small mesh anchored gill nets. The National Marine Fisheries Service approved the request, and the change became effective on July 24. The letter from the National Marine Fisheries Service approving the minor modification is included in the briefing material. This will provide more flexibility in managing allowed Atlantic sturgeon takes; the total number of allowed Atlantic sturgeon takes did not change.





NCDMF ESTUARINE GILLNET PERMIT MAP



April 2015

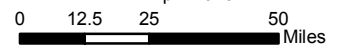


Table 1. Finalized data collected for anchored large mesh gill nets by month through the NCDMF Observer Program through December 2016.

Month	Trips		Observer Large Mesh				Observed Takes By Species								
	Estimated ¹	Actual ²	AP Attempts ³	Trips	Yards	Coverage ⁴	Kemp's		Green		Loggerhead		Unknown	A. Sturgeon	
							Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
January	270	525	51	22	10,400	4.2	0	0	1	0	0	0	0	1	0
February	725	757	49	40	16,960	5.3	0	0	0	0	0	0	0	2	0
March	1,925	1,787	85	173	104,833	9.7	0	0	0	0	0	0	0	4	1
April	1,246	783	109	76	39,850	9.7	0	0	0	0	0	0	0	4	2
May	923	485	133	63	29,740	13.0	1	0	0	1	0	0	1	0	0
June	1,279	618	75	67	31,985	10.8	3	1	1	1	0	0	0	1	0
July	1,192	366	116	46	28,310	12.6	2	0	2	2	0	0	1	0	0
August	1,450	514	105	74	43,955	14.4	0	0	4	0	0	0	0	0	0
September	2,218	2,352	73	275	215,640	11.7	4	1	4	3	0	0	0	24	2
October	2,393	1,243	88	121	90,989	9.7	2	0	9	2	0	0	0	17	0
November	1,137	702	128	81	37,530	11.5	0	0	2	1	0	0	0	11	0
December	238	304	116	11	5,590	3.6	0	0	0	0	0	0	0	9	0
Total	14,997	10,436	1,128	1,049	655,782	10.1	12	2	23	10	0	0	2	73	5

¹ Finalized trip ticket data averaged from 2011-2015

² Finalized trip ticket data for 2016

³ Alternative Platform trips where no fishing activity was found

⁴ Based on actual trips and observer large mesh trips

Table 2. Finalized data collected for anchored large mesh gill nets by season and management unit through the NCDMF Observer Program through December 2016.

Season	Unit	Trips		Observer Large Mesh				Observed Takes By Species								
		Estimated ¹	Actual ²	AP Attempts ³	Trips	Yards	Coverage ⁴	Kemp's		Green		Loggerhead		Unknown	A.Sturgeon	
								Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
Winter ⁵	A	738	1,199	54	37	17,960	3.1	0	0	0	0	0	0	0	10	0
	B	86	20	4	0	0	0.0	0	0	0	0	0	0	0	0	0
	C	136	30	20	13	7,140	43.3	0	0	0	0	0	0	0	0	0
	D1	0	0	1	0	0	0.0	0	0	0	0	0	0	0	0	0
	D2	1	1	1	0	0	0.0	0	0	0	0	0	0	0	0	0
Spring	E	34	32	20	12	2,260	37.5	0	0	1	0	0	0	0	0	0
	A	2,277	1,510	70	138	86,433	9.1	0	0	0	0	0	0	0	4	2
	B	568	273	75	43	21,440	15.8	1	0	0	1	0	0	1	0	0
	C	878	996	39	73	49,390	7.3	0	0	0	0	0	0	0	0	0
	D1	25	5	12	0	0	0.0	0	0	0	0	0	0	0	0	0
Summer	D2	67	92	27	4	3,000	4.3	0	0	0	0	0	0	0	0	0
	E	279	179	104	54	14,160	30.2	0	0	0	0	0	0	0	4	1
	A	1,419	148	42	5	5,450	3.4	1	1	0	0	0	0	0	1	0
	B	1,234	159	37	3	2,800	1.9	2	0	1	1	0	0	0	0	0
	C	654	528	54	58	46,440	11.0	0	0	1	0	0	0	0	0	0
Fall	D1	0	0	11	0	0	0.0	0	0	0	0	0	0	0	0	0
	D2	125	163	25	22	10,080	13.5	0	0	1	0	0	0	0	0	0
	E	489	500	127	99	39,480	19.8	2	0	4	2	0	0	1	0	0
	A	2,692	1,446	32	175	198,189	12.1	0	0	0	0	0	0	0	51	2
	B	1,453	1,156	34	131	77,325	11.3	3	0	13	4	0	0	0	0	0
Total	C	807	480	41	37	22,925	7.7	1	1	0	0	0	0	0	0	0
	D1	40	22	20	15	5,205	68.2	0	0	1	1	0	0	0	0	0
	D2	295	424	27	34	10,900	8.0	0	0	0	0	0	0	0	0	0
	E	461	769	135	85	29,615	11.1	2	0	1	1	0	0	0	1	0
Total		14,759	10,132	1,012	1,038	650,192	10.2	12	2	23	10	0	0	2	71	5

¹ Finalized trip ticket data averaged from 2011-2015

² Finalized trip ticket data for 2016

³ Alternative Platform trips where no fishing activity was found

⁴ Based on actual trips and observer large mesh trips

⁵ Does not include December 2016 as that counts towards the winter 2017 season

Table 3. Finalized data collected for anchored small mesh gill nets by month through the NCDMF Observer Program through December 2016.

Month	Trips		Observer Small Mesh			Observed Takes By Species								
	Estimated ¹	Actual ²	Trips	Yards	Coverage ³	Kemp's		Green		Loggerhead		Unknown	A. Sturgeon	
						Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
January	666	558	29	14,455	5.2	0	0	0	0	0	0	0	3	0
February	666	855	28	15,170	3.3	0	0	0	0	0	0	0	1	0
March	928	1,044	44	19,435	4.2	0	0	1	0	0	0	0	1	0
April	1,344	906	23	7,785	2.5	0	0	1	1	0	0	0	0	0
May	879	485	16	6,595	3.3	0	0	0	0	0	0	0	0	0
June	726	457	10	2,425	2.2	0	0	0	0	0	0	0	0	0
July	665	393	6	2,325	1.5	0	0	0	0	0	0	0	0	0
August	727	615	12	2,760	2.0	0	0	0	0	0	0	0	0	0
September	771	458	6	775	1.3	0	0	0	0	0	0	0	0	0
October	1,083	731	25	5,080	3.4	0	0	0	0	0	0	0	0	0
November	740	700	49	10,790	7.0	0	0	0	0	0	0	0	0	0
December	630	498	20	9,070	4.0	0	0	0	0	0	0	0	1	0
Total	9,825	7,700	268	96,665	3.5	0	0	2	1	0	0	0	6	0

¹ Finalized trip ticket data averaged from 2013-2015

² Finalized trip ticket data for 2016

³ Based on estimated trips and observer small mesh trips

Table 4. Finalized data collected for anchored small mesh gill nets by season and management unit through the NCDMF Observer Program through December 2016.

Season	Unit	Trips		Observer Small Mesh			Observed Takes By Species									
		Estimated ¹	Actual ²	Trips	Yards	Coverage ³	Kemp's		Green		Loggerhead		Unknown	A.Sturgeon		
							Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead	
Winter ⁴	A	879	996	41	21,030	4.1	0	0	0	0	0	0	0	0	4	0
	B	262	246	2	1,780	0.8	0	0	0	0	0	0	0	0	0	0
	C	117	91	9	5,100	9.9	0	0	0	0	0	0	0	0	0	0
	D1	3	0	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	D2	42	7	1	200	14.3	0	0	0	0	0	0	0	0	0	0
Spring	E	29	73	4	1,515	5.5	0	0	0	0	0	0	0	0	0	0
	A	1,311	675	28	13,510	4.1	0	0	0	0	0	0	0	0	0	0
	B	1,295	1,478	29	12,000	2.0	0	0	1	0	0	0	0	0	1	0
	C	263	95	7	2,550	7.4	0	0	0	0	0	0	0	0	0	0
	D1	39	34	6	650	17.6	0	0	0	0	0	0	0	0	0	0
Summer	D2	42	20	2	400	10.0	0	0	0	0	0	0	0	0	0	0
	E	201	133	11	4,705	8.3	0	0	1	1	0	0	0	0	0	0
	A	356	51	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	B	1,035	1,084	7	2,510	0.6	0	0	0	0	0	0	0	0	0	0
	C	363	157	7	2,350	4.5	0	0	0	0	0	0	0	0	0	0
Fall	D1	12	4	1	50	25.0	0	0	0	0	0	0	0	0	0	0
	D2	66	16	3	450	18.8	0	0	0	0	0	0	0	0	0	0
	E	286	153	10	2,150	6.5	0	0	0	0	0	0	0	0	0	0
	A	438	147	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	B	1,058	819	17	4,015	2.1	0	0	0	0	0	0	0	0	0	0
Total	C	241	222	8	3,850	3.6	0	0	0	0	0	0	0	0	0	0
	D1	60	40	9	1,390	22.5	0	0	0	0	0	0	0	0	0	0
	D2	240	241	18	4,080	7.5	0	0	0	0	0	0	0	0	0	0
	E	557	420	28	3,310	6.7	0	0	0	0	0	0	0	0	0	0
Total		9,195	7,202	248	87,595	3.4	0	0	2	1	0	0	0	0	5	0

¹ Finalized trip ticket data averaged from 2013-2015

² Finalized trip ticket data for 2016

³ Based on estimated trips and observer small mesh trips

⁴ Does not include December 2016 as that counts towards the winter 2017 season

Table 5. Preliminary data collected for anchored large mesh gill nets by month and management unit through the NCDMF Observer Program through June 2017.

Month	Unit	Trips		Observer Large Mesh				Observed Takes By Species									
		Estimated ¹	Actual ²	AP Attempts ³	Trips	Yards	Coverage ⁴	Kemp's		Green		Loggerhead		Unknown	A.Sturgeon		
								Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead	
January	A	266	94	40	3	2,900	1.1										
	B	27	10	9	0	0	0.0										
	C	14	9	23	0	0	0.0										
	D1	0	0	5	0	0	0.0										
	D2	0	1	9	0	0	0.0										
February	E	7	5	49	0	0	0.0										
	A	550	279	66	76	45,535	13.8										
	B	48	6	13	0	0	0.0										
	C	105	71	26	26	10,585	24.8										1
	D1	0	0	2	0	0	0.0										
March	D2	1	5	10	1	600	0.0										
	E	27	14	50	0	245	0.0										
	A	1,104	872	30	99	72,525	9.0										33
	B	66	18	22	0	0	0.0										
	C	659	726	13	67	40,655	10.2										3
April	D1	1	0	6	0	0	0.0										
	D2	6	8	7	2	500	35.3										
	E	67	33	69	5	1,475	7.5										
	A	804	726	28	69	39,040	8.6										
	B	129	36	18	0	0	0.0										
May	C	142	171	8	11	4,100	7.8										
	D1	4	0	6	0	0	0.0										
	D2	19	34	4	3	1,500	15.5										
	E	72	76	57	15	6,900	20.9										1
	A	241	167	55	13	14,500	5.4										
June	B	324	20	22	1	600	0.3										
	C	98	145	33	18	6,700	18.5										
	D1	17	0	1	0	0	0.0										
	D2	47	57	4	5	2,300	10.8										
	E	124	75	47	35	10,600	28.3										
Total	A	378	5	54	18	16,700	4.8										
	B	376	20	26	36	18,390	9.6			2							
	C	190	13	32	14	7,120	7.4					1					
	D1	11	0	2	0	0	0.0										
	D2	46	2	5	8	3,850	17.6					1					
E		180	51	50	30	14,660	16.7					2					
Total		6,144	3,749	901	555	321,980	9.0	0	0	2	4	0	0	0	0	38	0

¹ Finalized trip ticket data averaged from 2011-2016

² Preliminary trip ticket data for 2017

³ Alternative Platform trips where no fishing activity was found

⁴ Based on estimated trips and observer large mesh trips

Table 6. Preliminary data collected for anchored large mesh gill nets by month through the NCDMF Observer Program through June 2017.

Month	Trips		Observer Large Mesh				Observed Takes By Species									
	Estimated ¹	Actual ²	AP Attempts ³	Trips	Yards	Coverage ⁴	Kemp's		Green		Loggerhead		Unknown	A. Sturgeon		
							Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead	
January	313	119	135	3	2,900	1.0	0	0	0	0	0	0	0	0	0	0
February	731	375	167	103	56,965	14.1	0	0	0	0	0	0	0	0	1	0
March	1,902	1,657	147	173	115,155	9.1	0	0	0	0	0	0	0	0	36	0
April	1,169	1,043	121	98	51,540	8.4	0	0	0	0	0	0	0	0	1	0
May	850	464	162	72	34,700	8.5	0	0	0	0	0	0	0	0	0	0
June	1,180	91	169	106	60,720	9.0	0	0	2	4	0	0	0	0	0	0
Total	6,144	3,749	901	555	321,980	9.0	0	0	2	4	0	0	0	0	38	0

¹ Finalized trip ticket data averaged from 2011-2016

² Preliminary trip ticket data for 2017

³ Alternative Platform trips where no fishing activity was found

⁴ Based on estimated trips and observer large mesh trips

Table 7. Preliminary data collected for anchored small mesh gill nets by month and management unit through the NCDMF Observer Program through June 2017.

Month	Unit	Trips		Observer Small Mesh			Observed Takes By Species										
		Estimated ¹	Actual ²	Trips	Yards	Coverage ³	Kemp's		Green		Loggerhead		Unknown	A. Sturgeon			
							Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead		
January	A	394	326	13	5,810	3.3											
	B	151	283	1	100	0.7											
	C	47	128	10	3,600	21.5											
	D1	1	1	0	0	0.0											
	D2	21	18	2	400	0.0											
February	E	27	21	1	600	3.7											
	A	515	300	31	16,530	6.0											
	B	108	335	4	1,335	3.7											
	C	64	153	10	4,200	15.7											
	D1	1	1	0	0	0.0											
March	D2	13	4	5	1,000	0.0											
	E	14	24	1	120	7.4											
	A	575	86	3	1,800	0.5											
	B	262	530	8	3,445	3.1											
	C	87	174	6	1,260	6.9											
April	D1	6	14	4	1,185	72.7											
	D2	4	6	0	0	0.0											
	E	23	22	3	1,330	13.2											
	A	388	118	5	1,240	1.3											
	B	689	744	11	6,900	1.6											1
May	C	59	54	2	325	3.4											
	D1	25	20	4	1,860	16.0											
	D2	12	25	0	0	0.0											
	E	63	50	6	2,510	9.6											1
	A	190	90	2	700	1.1											
June	B	390	205	2	2,800	0.5											
	C	75	8	6	1,800	8.0											
	D1	8	0	0	0	0.0											
	D2	21	5	0	0	0.0											
	E	98	42	5	1,000	5.1											
Total	A	123	0	3	1,250	2.4											
	B	324	31	5	3,300	1.5											
	C	120	4	9	4,410	7.5											
	D1	3	0	0	0	0.0											
	D2	12	0	1	300	8.3											
E	78	15	4	1,520	5.1				1	0	0	0	0	0	2	0	

¹Finalized trip ticket data averaged from 2013-2015

²Preliminary trip ticket data for 2017

³Based on estimated trips and observer small mesh trips

Table 8. Preliminary data collected for anchored small mesh gill nets by month through the NCDMF Observer Program through June 2017.

Month	Trips		Observer Small Mesh			Observed Takes By Species									
	Estimated ¹	Actual ²	Trips	Yards	Coverage ³	Kemp's		Green		Loggerhead		Unknown	A. Sturgeon		
						Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead	
January	639	777	27	10,510	4.2	0	0	0	0	0	0	0	0	0	0
February	713	817	51	23,185	7.2	0	0	0	0	0	0	0	0	0	0
March	957	832	24	9,020	2.5	0	0	0	0	0	0	0	0	0	0
April	1,235	1,011	28	12,835	2.3	0	0	0	0	0	0	0	2	0	0
May	781	350	15	6,300	1.9	0	0	0	0	0	0	0	0	0	0
June	659	50	22	10,780	3.3	0	0	1	0	0	0	0	0	0	0
Total	4,983	3,837	167	72,630	3.4	0	0	1	0	0	0	0	2	0	0

¹ Finalized trip ticket data averaged from 2013-2015

² Preliminary trip ticket data for 2017

³ Based on estimated trips and observer small mesh trips



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

JUL 19 2017

Braxton C. Davis
Director, North Carolina Division of Marine Fisheries
3441 Arendell Street
P.O. Box 769
Morehead City, NC 28557

Dear Mr. Davis:

On July 13, 2017, the N.C. Division of Marine Fisheries (NCDMF) requested a minor modification to the Atlantic Sturgeon Incidental Take Permit (ITP) no. 18102 to allocate the takes in management units A – C as annual takes rather than seasonal takes. You note in your request that the number of allowed seasonal takes is very low in some cases, and the seasonal takes have been reached on a few occasions and have resulted in seasonal closures.

In your request, you also address the concern of takes occurring in warmer waters (20°C – 30°C) being correlated with more mortalities by noting that lower fishing effort in the summer season due to increasing water temperatures and fish availability should prevent sturgeon mortalities from exceeding the take limit. In our discussions, your staff also noted that the flexibility gained from this minor modification will allow you to adaptively manage fishing effort for times when the fishery is most productive from the fall through the spring, and that fishing effort in the summer decreases as productivity wanes. You also note that you actively monitor the fisheries and take levels daily to ensure take levels, including mortality levels, are not exceeded.

We have considered this minor modification request and determined it to be reasonable. NMFS therefore concurs with your request for this minor modification.

I appreciate you proactively requesting minor modifications to maximize permit implementation as you identify them. Also, as we have discussed with you previously, we understand that you are in the process of developing an updated ITP application and we look forward to analyzing all aspects of that updated application. I encourage you to incorporate any further anticipated minor modifications into that application process so my staff can more efficiently analyze these requests. Please sign below to acknowledge that you will comply with the minor modifications specified in this letter and send a copy of the signed letter to Ron Dean on my staff at your earliest convenience.



We look forward to continuing to work with you on Endangered Species conservation in North Carolina.

Sincerely,


for 

Donna S. Wieting
Director, Office of Protected Resources

I acknowledge the minor modification specified above to Permit No. 18102 issued under Section 10 (a)(1)(B) of the Endangered Species Act to incidentally take endangered Atlantic Sturgeon in gillnet fisheries operating in inshore waters of North Carolina.



Braxton C. Davis
Director
N.C. Division of Marine Fisheries

7/21/17

Date



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 21, 2017

MEMORANDUM

MAFMC 8-16

TO: Marine Fisheries Commission

FROM: Chris Batsavage, Protected Resources Section Chief/Special Assistant for Councils

SUBJECT: Mid-Atlantic Fishery Management Council Meeting Summary— June 6-8, 2017

The Mid-Atlantic Fishery Management Council met on June 6-8 in Norfolk, VA. Management actions taken by the council are discussed below.

Squid Fishery Management Plan Amendment

The council approved the Squid Amendment to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan. The amendment addresses latent effort in the limited entry longfin squid fishery, trip limits, and management measures during the Trimester 2 season (May-August). The council voted to allow fishermen to retain their longfin squid/butterfish limited access moratorium permits if they landed at least 10,000 pounds of longfin squid in any year from 1997-2013. This reduces the total number of available limited access moratorium permits by over 40 percent. Moratorium permit holders that do not requalify to retain the longfin squid moratorium permit would be eligible for a permit that allows a 5,000-pound longfin squid trip limit when the fishery is open. The council also voted to separate butterfish from this permit to prevent fishermen who landed butterfish but not longfin squid from losing their permits.

The council voted to replace the current open access incidental longfin squid permit with a limited access incidental permit. Qualifying vessels must have landed at least 5,000 pounds of longfin squid in one year from 1997 to 2013. The daily trip limit for the incidental permit would remain at 2,500 pounds. In addition, to minimize regulatory discarding of squid bycatch, non-qualifying vessels would still be able to obtain an open access permit that would allow up to 250 pounds of longfin squid per trip. And to avoid excessive incidental longfin squid landings after the directed fishery closes during Trimester 2, the council voted to reduce the incidental trip limit to 250 pounds per day. No changes were recommended to the permit system for the *Illex* squid fishery.



River Herring and Shad Catch Cap

The Council made no changes to the annual 82-metric ton river herring and shad catch cap for the Atlantic mackerel fishery after reviewing the latest catch information. The Council's River Herring and Shad Committee will review additional bycatch and relative abundance information for river herring and shad at a future meeting.

Recreational Black Sea Bass Wave 1 Fishery

The Council discussed a motion from the May 2017 joint meeting with the Council and the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board to initiate a framework that would consider re-opening the wave 1 (January – February) recreational black sea bass fishery to any recreational vessel, provided that they obtain and adhere to any required conditions outlined under a Letter of Authorization issued by the National Marine Fisheries Service. Noting that this action could not occur before January 1, 2019, the Council considered an alternative to open the fishery on January 1, 2018. The Council will discuss this further when they meet with the Commission's Summer Flounder, Scup, and Black Sea Bass Management Board in August, and the Council will continue developing a framework for a Letter of Authorization program for the Wave 1 recreational black sea bass fishery.

The Recreational black sea bass fishery has been closed during Wave 1 over the past several years because no recreational harvest estimates were available for the states north of North Carolina during this time period (North Carolina has Wave 1 recreational harvest estimates). Therefore, the challenge for opening the recreational black sea bass fishery during this wave is to develop a system that accounts for the harvest.

Upcoming Meeting

The next regularly scheduled meeting of the Mid-Atlantic Fishery Management Council will be Aug. 8-10, 2017 at the Courtyard Philadelphia Downtown in Philadelphia, PA.



June 2017 Council Meeting Report

June 6 – 8, 2017

Norfolk, Virginia

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's June 2017 meeting in Norfolk, VA. Presentations, briefing materials, and webinar recordings are available on the Council's website at www.mafmc.org/briefing/june-2017.

Atlantic Surfclams and Ocean Quahogs

2018-2020 Specifications

The Council received a presentation on the most recent stock assessments for Atlantic surfclam and ocean quahog. Both assessments concluded that overfishing is not occurring in the most recent year and that the probability of either stock being overfished is low. Staff reviewed the regulatory history, fishery performance, and advisory panel recommendations for both fisheries. Last year, surfclam and ocean quahog specifications were developed for 2017-2018, with the expectation that a new stock assessment could allow 2018 measures to be revised as needed. This year, staff recommend specifications be set for 3 years. Based on the Acceptable Biological Catch (ABC) recommendations of the Council's Scientific and Statistical Committee (SSC), the Council adopted the following specifications for 2018-2020:

	Year	Annual Catch Limit (ACL)	Annual Catch Target (ACT)	Commercial Quota
Atlantic Surfclams	2018 - 2020	29,363 mt	29,363 mt (3.4 million bushels)	26,218 mt (3.4 million bushels)
Ocean Quahogs	2018	44,695 mt	Maine ACT: 524 mt	Maine Quota: 499 mt (100,000 ME bushels)
	2019	44,146 mt		
	2020	45,783 mt	Non-Maine ACT: 25,400 mt	Non-Maine Quota: 24,190 mt (5.3 million bushels)

**mt = metric ton*

Surfclam Overfishing Limit

The most recent benchmark stock assessment for Atlantic surfclams specified biological reference points as ratios rather than absolute values. Although the stock was not overfished and overfishing was not occurring, the SSC determined that the overfishing limit (OFL) reported in the assessment was unreliable and decided not to specify an OFL. In the absence of an OFL, the SSC recommended setting the surfclam ABC based on maintaining catch levels that allow for the 26,218 mt quota which has been in place since 2004. Members of the surfclam fishery have expressed concern that the lack of an OFL could jeopardize the industry's certification with the Marine Stewardship Council (MSC). In response to these concerns, the Council agreed to have the Surfclam and Ocean Quahog Committee meet with assessment scientists and other technical experts to review the issue further. The Committee is expected to report back to the Council at the next meeting in August.

Excessive Shares Amendment

The Council reviewed and approved a scoping document for the Excessive Shares Amendment to the Surfclam and Ocean Quahog Fishery Management Plan (FMP). The amendment will consider measures that define what constitutes an excessive share in the SCOQ Individual Transferable Quota (ITQ) program. This is necessary to

ensure that no individual, corporation, or other entity acquires an excessive share of SCOQ ITQ privileges. In addition, the amendment will consider potential revisions to the goals and objectives for the SCOQ FMP.

Scoping hearings will be held July 10-17, 2017, and written comments will be accepted through July 21, 2017. Additional information is available on the Council's website at <http://www.mafmc.org/actions/scog-excessive-shares-amendment>.

Mackerel, Squid, Butterfish – 2018-2020 Specifications

Atlantic Mackerel: 2018 will be year 3 of 2016-2018 Atlantic mackerel specifications. The Council reviewed the stock status and performance of the Atlantic mackerel fishery and recommended no changes to the 2018 specifications, which are summarized in the table below.

<i>Summary of 2018 Atlantic Mackerel Specifications</i>	
Acceptable Biological Catch (ABC)	19,898 mt
U.S. Annual Catch Limit (ACL)	11,009 mt
Recreational Annual Catch Target	614 mt
Commercial Annual Catch Target	9,294 mt
Domestic Annual Harvest (DAH)	9,177 mt

Butterfish: The Council reviewed the stock status and performance of the butterfish fishery and adopted multi-year specifications for 2018-2020. The most recent assessment update indicates that butterfish is not overfished and no overfishing is occurring. Based on the SSC's recommendations, the Council adopted ABCs of 17,801 mt for 2018, 27,108 mt for 2019, and 32,063 mt for 2020. The 2018 ABC represents a 42% reduction from the 2017 ABC of 30,922 mt. This reduction was recommended based on low recent recruitment and lower abundance indicated in the assessment update. The Council adopted an ACT of 16,199 mt for 2018, resulting in a Domestic Annual Harvest (DAH) of 12,093 mt. For 2019, the Council adopted an ACT of 25,075 mt and a DAH of 20,061 mt. For 2020, the Council adopted an ACT of 32,063 mt and a DAH of 23,752 mt. The Council adopted a butterfish mortality cap of 3,884 mt for all three years.

<i>Summary of 2018-2020 Butterfish Specifications</i>			
	2018	2019	2020
ABC	17,801 mt	27,108 mt	32,063 mt
ACT	16,911 mt	25,075 mt	28,857 mt
DAH	12,093 mt	20,061 mt	23,752 mt
Butterfish Cap	3,884 mt	3,884 mt	3,884 mt

Longfin and *Illex* Squid: The Council reviewed fishery performance and stock status for longfin and *Illex* squid and adopted multi-year specifications for 2018-2020. Based on the recommendations of the SSC, the Council voted to maintain most measures for both fisheries. The longfin squid DAH was increased slightly due to the assessment update indicating lower discarding in recent years. These specifications are summarized in the table below. Please refer to the Squid Amendment summary below for information about proposed changes to Trimester 2 management measures.

<i>Summary of 2018-2020 Longfin and <i>Illex</i> Squid Specifications</i>		
	Longfin Squid	<i>Illex</i> Squid
ABC	23,400 mt	24,000 mt
DAH	22,932 mt	22,915 mt

Squid Amendment

The Council approved the Squid Amendment to the Atlantic Mackerel, Squid, and Butterfish FMP. The amendment includes measures to reduce latent (unused or minimally used) permits in the longfin squid fishery and modify management of longfin squid during Trimester 2. Below are summaries of the issues addressed and the Council's preferred alternatives. Additional details and background information about this action are available at <http://www.mafmc.org/newsfeed/2017/mid-atlantic-council-approves-squid-amendment>.

Longfin Squid Moratorium Permit Requalification: The Council voted to allow current longfin squid/butterfish limited access moratorium permits to retain their permits if they landed at least 10,000 pounds of squid in one year from 1997 to 2013. This would reduce the number of moratorium squid permits by more than 40% but would not affect vessels that have been historically active in the fishery. Moratorium permit holders that do not requalify to retain the longfin squid moratorium permit would be eligible for a permit that allows a 5,000-pound longfin squid trip limit when the fishery is open. In addition, the Council recommended separating the butterfish part of the longfin squid/butterfish moratorium permit to allow current moratorium permits the opportunity to continue to target and land butterfish.

Longfin Squid Moratorium "Permit Swap": The Council approved a one-time "permit swap" opportunity which would allow owners of multiple longfin squid moratorium permits as of May 26, 2017 to swap active requalifying and non-requalifying moratorium permits among their vessels.

Longfin Squid Incidental and Open Access Permits: The Council voted to replace the current open access incidental longfin squid permit with a limited access incidental permit. Qualifying vessels must have landed at least 5,000 pounds of longfin squid in one year from 1997 to 2013. Currently about 1,400 vessels possess open access incidental permits, and about 325 are expected to qualify for the limited access incidental permit. The daily trip limit for the incidental permit would remain at 2,500 pounds. In addition, to minimize regulatory discarding of squid bycatch, non-qualifying vessels would still be able to obtain an open access permit that would allow up to 250 pounds of longfin squid per trip.

Trimester 2: To avoid future excessive longfin squid catch during Trimester 2, the Council voted to reduce the longfin squid trip limit to 250 pounds per day for all permits once the Trimester 2 quota has been reached. This is a 90% reduction from the current post-closure trip limit of 2,500 pounds. The Council will also continue to work with relevant states to encourage them to match this limit after such a closure.

Illex Squid Moratorium Permit Requalification: Based on recent low landings and low participation in the Illex squid fishery, the Council recommended no changes to the current limited access permit system.

River Herring and Shad

The Council reviewed an annual River Herring and Shad (RH/S) progress update, including operation of the RH/S cap for the Atlantic mackerel fishery which was previously implemented at 82 mt for 2016-2018. No changes were recommended by the Council. The RH/S Committee will review additional bycatch and abundance information for river herring and shad at a future meeting.

Risk Policy Framework

The Council was briefed by staff on the status of the Risk Policy Omnibus Framework Action. In 2010, the Council approved an Omnibus Amendment which implemented mechanisms to specify ABCs, ACLs, and accountability measures for all managed resources contained within its six FMPs to bring them into compliance with the new requirements of the Magnuson Stevens Act Reauthorization of 2007. This Omnibus Amendment contemplated a Council review of the ABC control rules it established after five years of implementation in cooperation with its SSC. As a result, the Council has initiated an Omnibus Framework Action to provide for a review of the ABC control rule framework and risk policy it established in 2010 and to recommend any changes, as appropriate. This action is expected to be completed by the end of 2017.

Cooperative Research in the Mid-Atlantic

The Northeast Fisheries Science Center (NEFSC) recently undertook an independent review of the Northeast Cooperative Research Program (NCRP). The review evaluated the effectiveness and success of the NCRP in three areas: 1) High quality science; 2) Effective engagement; and 3) Integration within NEFSC scientific programs. Jon Hare, director of the NEFSC, presented a summary of this review and the NEFSC's response to the report's recommendations. Based on the findings of the review, the NEFSC has identified 24 action items for improving the NCRP. Work in response to those action items has already begun and will continue through the upcoming years.

The Council also discussed the direction of the Council's long-term involvement in collaborative research.

Lobster Standardized Bycatch Reporting Methodology Framework

Doug Potts (NMFS) gave a presentation regarding the Lobster Standardized Bycatch Reporting Methodology (SBRM) Framework. The intent of this action is to specify that SBRM includes all active vessels that fish with lobster pot gear in Federal waters, regardless of whether they submit VTRs. This would allow for the implementation of an expanded sampling frame recently developed by the ASMFC, NEFSC, States, and GARFO that would use permit and dealer data to identify active vessels in the lobster fishery. The revised methodology ensures that all trips made by vessels with Federal lobster permits are in the sampling frame, thus providing a more representative sample of the fishery and reducing the potential for bias in estimates of bycatch in lobster pot gear. The action is being developed by GARFO, and the Mid-Atlantic and New England Councils are expected to take final action at their respective meetings in August and September 2017.

Black Sea Bass Wave 1 Fishery

The Council discussed a motion from the May 2017 Council Meeting to initiate a framework that would consider re-opening the wave 1 (January – February) recreational black sea bass fishery to any recreational vessel, provided that they obtain and adhere to any required conditions outlined under a Letter of Authorization (LOA) issued by the National Marine Fisheries Service. Noting that this action could not occur before January 1, 2019, the Council considered an alternative to open the fishery on January 1, 2018. The Council agreed to consider the possibility of opening the 2018 wave 1 black sea bass fishery when the Council meets jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board in August. This action would occur through the normal specification setting process. The Council would then also continue development of the black sea bass recreational LOA framework action for possible implementation in 2019.

Monkfish Amendment 6

An update on Amendment 6 to the Monkfish FMP was presented by Joint Monkfish Oversight Committee Vice-Chair Laurie Nolan. Amendment 6 considers implementing catch shares in the monkfish fishery. Based on the recommendation of the Monkfish Advisory Panel, the Committee passed a motion during its meeting on May 24 to permanently shelve Amendment 6 and discontinue work on it. The Council briefly discussed the implications of this action and adopted a motion in support of the Committee's recommendation to shelve Amendment 6.

Other Business

Habitat Update

Council staff provided an update on several ongoing habitat initiatives, including the Essential Fish Habitat redo, the Mid-Atlantic regional fish habitat assessment project, and highlights from Greater Atlantic region on habitat activities in the Mid-Atlantic.

SOPP Revision

The Council approved a revision to the Council's Statement of Organization Practices and Procedures (SOPP) to provide employees with six weeks of paid parental leave following the birth of an employee's child or placement of a child with an employee for adoption or foster care.

Climate Velocity Over the 21st Century and Its Implications for Fisheries Management in the Northeast U.S.

James Morley (Rutgers University) presented results of a research project that is investigating climate-driven shifts in the geographic ranges of marine species. The project aims to inform the marine resource management community about the rate, magnitude, and uncertainty surrounding future distribution changes that are likely to occur as a result of climate change in the 21st century. Dr. Morley provided an overview of predictions for Council-managed species and offered guidance on how to incorporate those predictions into fisheries management. Final results are expected to be available by the end of 2017 at <http://oceanadapt.rutgers.edu/>. The principle investigators for this project are Dr. Malin Pinsky (Rutgers University) and Rich Seagraves (MAFMC).

Data Modernization in the Northeast Region

Barry Clifford (NMFS) and Mike Cahall (ACCSP) provided an update on the Fisheries Dependent Data Visioning (FDDV) Project. The goal of the project is to produce more timely and accurate fishery data while also creating more efficient reporting programs that will reduce the reporting burden for the fishing industry. GARFO has partnered with ACCSP to coordinate these collective modernization efforts, with the end goal of having ACCSP serve as the data repository for all Federally collected data sets to enable a consolidated, comprehensive, and consistent data set for all fisheries dependent data associated with a fishing trip.

2018 Council Meetings

The schedule of 2018 Council meetings is now available on the Council website at www.mafmc.org/meetings.

Next Meeting

Monday, August 7, 2017* – Tuesday, August 8, 2017

the Courtyard Philadelphia Downtown
21 North Juniper St., Philadelphia, PA 19107
(215) 496-3200

* NOTE: The August 2017 Council Meeting may begin on either August 7 or August 8. Please check back for updates at <http://www.mafmc.org/council-events/2017/august-2017-council-meeting>.



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 21, 2017

MEMORANDUM

SAFMC 8-17

TO: Marine Fisheries Commission
FROM: Michelle Duval, Special Assistant for Councils
SUBJECT: South Atlantic Fishery Management Council Meeting Summary (June 12-16, 2017)

The South Atlantic Fishery Management Council (Council) met June 12-16 in Ponte Vedra Beach, Florida. The attached meeting report compiled by council staff contains a summary of the major issues addressed and actions taken. The report includes links to the post-meeting news release, briefing materials, and the graphical and more detailed summary of the meeting via the June 2017 Council Meeting Round-up Story Map (<http://arcg.is/2sKqYiV>). Links to summary motions, public comments, the meeting report, as well as the above items for any council meeting can be found on the main Council Meetings webpage (<http://safmc.net/safmc-meetings/council-meetings/>). Items that may be of interest to the commission are highlighted below:

- **For-Hire Limited Entry:** The council continued its discussion of a white paper developed by staff regarding limited entry in the for-hire component of the snapper grouper fishery. After much debate, the council approved a motion to begin development of an amendment to establish a moratorium on the issuance of for-hire snapper grouper permits. Additional information will be forthcoming at the December council meeting.
- **Cobia:** The council discussed a motion from the Mackerel Cobia Advisory Panel at its April 2017 meeting to recommend the council request NOAA Fisheries, via emergency rule, to change the stock boundary and annual catch limit to those established in Amendment 18 to the fishery management plan. The council ultimately voted not to request emergency action. However, it did request that NOAA Fisheries recalculate the 2015 and 2016 harvest estimates of Atlantic cobia using annual estimates of catch and effort, as a means of potentially increasing the precision of those harvest estimates. The council also reviewed a request from the Atlantic States Marine Fisheries Commission to consider transferring management of Atlantic cobia to the commission. The council will be holding a webinar scoping meeting in August to receive public input on an amendment to consider either transferring management authority to the commission, or to continue working with the commission to develop a complementary fishery management plan. (The commission is scheduled to approve a complementary Atlantic Cobia fishery management plan for public hearings in August). Additionally, the final rule for Framework Amendment 4, which modified federal recreational size and vessel limits, accountability measures, and commercial possession limits, has not yet been published by NOAA Fisheries.
- **Red Snapper:** The council received a report from NOAA Fisheries indicating that the total number of red snapper removals (landings plus dead discards) exceeded the allowable biological catch in 2016, which means the fishery will remain closed under current management. The council modified Amendment 43, which originally contained a number of actions aimed at reducing dead discards of red snapper and revising management measures, to include only one action that could allow for a limited red snapper harvest in 2018. A webinar question and answer session and two webinar public hearings will be held in August to receive public input. The council is scheduled to give final approval to Amendment 43 in September, and will continue to work on the remaining actions (use of descending devices, recreational reporting, etc.) via another amendment.



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Dr. Michelle Duval, Chair | Charlie Phillips, Vice Chair
 Gregg T. Waugh, Executive Director

JUNE 12-16, 2017 COUNCIL MEETING REPORT PONTE VEDRA BEACH, FLORIDA

The following summary highlights the major issues discussed and actions taken at the South Atlantic Fishery Management Council’s June 2017 meeting in Ponte Vedra Beach, Florida.

Briefing materials, presentations, and public comments are available on the Council’s website at: <http://safmc.net/briefing-books/2017-june-council-meeting-briefing-book/>. Final Committee Reports contain more details of what was accomplished for each committee and are located on the June briefing book page. In addition, the Summary of Motions on the Council’s website includes all motions from the meeting. Read further details and see images and other links at the June 2017 Council Meeting Round-up Story Map: <http://arcg.is/2sKqYiV>. The Meeting News Release is available at: <http://safmc.net/?p=21975&preview=true>.

Issue:	Action Taken:	Schedule:
<p>Red Snapper</p>	<p>Based on a report from NMFS, the estimated number of red snapper removed (landings plus dead discards) exceeded the acceptable biological catch in 2016, a situation that has kept the fishery closed for the past two years under the current management plan.</p> <p>The Council modified Amendment 43 to develop options for a 2018 red snapper season opening:</p> <ul style="list-style-type: none"> • single action to revise annual catch limits • remove the current process and equation used to specify the annual catch limit • alternatives for establishing an annual catch limit for 2018 ranging from 23,623 - 76,041 fish. <p>The Council clarified their intent to continue development and consideration of the other actions in Amendment 43 addressing best fishing practices and other management measures. However, those actions would be developed in a separate amendment.</p>	<p>Official notice about the 2017 fishing season will be available from NMFS very soon.</p> <p>The intent is to expedite Amendment 43 by holding public hearings via webinar in August and in-person at the Council’s September meeting, and approving the amendment for Secretarial review at that time. The Council’s goal is to have measures in place in time to allow limited harvest beginning in July of 2018.</p> <p>The Council will review a new red snapper amendment at the December 2017 meeting.</p>

Issue:	Action Taken:	Schedule:
Spiny Lobster	<p>Approved Regulatory Amendment 4 for review by Secretary of Commerce:</p> <ul style="list-style-type: none"> • Increase the acceptable biological catch from 7.32 million pounds to 9.6 million pounds. • The amendment would also prohibit the use of traps for recreational harvest of spiny lobster in the South Atlantic EEZ. 	Send for formal review in June or July.
Recreational Visioning Amendment	Regulatory Amendment 26: Provided guidance to staff.	Review & approve for public hearings at the September 2017 meeting.
Commercial Visioning Amendment	Regulatory Amendment 27: Provided guidance to staff.	Review & approve for public hearings at the September 2017 meeting.
Yellowtail Snapper	Options to combine the Gulf/Atlantic ABCs/ACLs were discussed.	Contact Gulf Council to determine their interest in addressing this issue.
Golden Tilefish	<p>The Council requested that NMFS implement interim measures to reduce overfishing by setting the ACL for 2018 at the projected yield at 75%F_{MSY} (323,000 pounds gutted weight).</p> <p>Requested new update & projections.</p>	<p>Implement the new ACL prior to the start of the 2018-fishing season.</p> <p>Review at December 2017 meeting.</p>
Mackerel Cobia	<p>The Council reviewed a request from the Advisory Panel to go back to the stock boundary and ACLs in Amendment 18. After reviewing analyses of the request, the Council approved a motion to not request emergency action.</p> <p>The Council requested MRIP recalculate the 2015 and 2016 Atlantic cobia recreational harvest using annual estimates of catch and effort.</p> <p>The Council reviewed a request from ASMFC to transfer management of Atlantic cobia from the Councils to the Commission and approved work to evaluate options for a complementary plan and removal of Atlantic Cobia from the FMP.</p> <p>Atlantic king mackerel commercial trip limits for the Southern Zone.</p>	<p>Stock ID workshop and stock assessment beginning in 2018.</p> <p>Review new estimates at the September meeting if MRIP can provide the analyses in time.</p> <p>Review the options at the September meeting.</p> <p>Work with Council members and fishermen to develop a framework to evaluate alternatives to revise trip limits.</p>

Issue:	Action Taken:	Schedule:
For-hire Permit Moratorium	The Council approved a motion to begin work on an amendment to establish a moratorium on the issuance of Federal For-Hire Snapper Grouper Permits.	Bring draft amendment to Council at a future meeting.
Citizen Science	Approved individuals to the Citizen Science Pool and A-Teams.	A-Teams begin work on developing program details.

For details on any item listed above or other items addressed during the meeting, please refer to the Final Committee reports available on the Council's website at: <http://safmc.net/briefing-books/2017-june-council-meeting-briefing-book/>.

Discussion Paper on Emergency Action to Remove the Stock Boundary and ACLs for cobia implemented in CMP Amendment 20B

South Atlantic Fishery Management Council
Prepared by SAFMC staff and NOAA GC

May 12, 2017

Updated June 28, 2017

Introduction

Following the shortened recreational seasons for Atlantic cobia in 2016 and 2017, there have been substantial requests from the public for the Council to recommend that NMFS take emergency action to revert the stock boundary and annual catch limits (ACLs) for cobia to those established through CMP Amendment 18 (GMFMC/SAFMC 2011). At their April 2017 meeting, the Mackerel Cobia Advisory Panel (AP) and Cobia Sub-Panel had an extensive discussion with NOAA General Counsel on emergency rule criteria and rationale, and how the criteria could apply to the Atlantic cobia situation. The AP and Sub-Panel approved a motion (6 in support/5 opposed/4 abstained) to recommend that the Council request NMFS consider emergency action to change the stock boundary and ACLs for cobia to those established in Amendment 18.

At their June 2017 meeting, the South Atlantic Council reviewed the AP and Sub-Panel's recommendation along with this discussion paper. The Council's conclusion is provided at the end of this document.

Relevant Background

Amendment 18

Amendment 18 (GMFMC/SAFMC 2011) included actions to establish the boundary between Gulf of Mexico and Atlantic cobia at the GMFMC/SAFMC boundary and to establish the ACL for each stock (1,517,399 lbs ww for Atlantic cobia; 1,460,000 lbs ww for Gulf cobia). The ACL was set equal to the acceptable biological catch (ABC) value recommended by the South Atlantic Council's Scientific and Statistical Committee (SSC), which applied the Gulf SSC's ABC Control Rule. Atlantic cobia had not been through the SEDAR process, and the South Atlantic SSC recommended that the interim ABC to be the mean of the most recent ten years of landings plus 1.5 standard deviations (Level 4 of the Gulf SSC's ABC Control Rule).

Amendment 18 also included actions to specify the accountability measures (AMs) for Atlantic cobia. The commercial AM is that commercial harvest will close when commercial landings meet or are projected to meet the commercial ACL. If the commercial ACL and the total ACL are exceeded, the commercial ACL for the next fishing year will be reduced by the amount of the overage, but only if Atlantic cobia are designated as overfished. The recreational AM implemented through Amendment 18 is that if recreational landings exceed the recreational ACL, then the following recreational season length will be reduced to ensure that the recreational annual catch target (ACT) is met, but landings do not exceed the recreational ACL. Additionally, if the recreational ACL and the total ACL are exceeded, the recreational ACL for the next fishing year will be reduced by the amount of the overage, but only if Atlantic cobia are

designated as overfished. Amendment 18 also specified that overfishing would be defined as landings exceeding the ACL, because at that time there was no overfishing level (OFL) provided.

SEDAR 28

In 2013, the stock assessment for Gulf and Atlantic cobia (SEDAR 28) was completed and included data through 2012. At their April 2013 meeting, the South Atlantic SSC reviewed the stock assessment for Atlantic cobia, accepted the assessment as representing the best available scientific information on the current status of cobia in South Atlantic waters and considered it appropriate for SAFMC management decisions. The SSC report is available here:

http://cdn1.safmc.net/wp-content/uploads/2016/11/28105833/Mackerel_Att4_SSC_APR13_Report_Final.pdf

Based on genetic and tagging information along with a decision by the assessment workshop participants, SEDAR 28 designated the boundary between the Gulf and Atlantic stocks at the Georgia/Florida line. The boundary decision incorporated all data available on stock structure, but also considered management complexity, so the boundary was set at a state line. The assessment indicated that the spawning stock biomass (SSB) is greater than the minimum stock size threshold (MSST), so Atlantic cobia are designated as not overfished. SEDAR 28 also indicated that fishing mortality is less than the maximum fishing mortality threshold (MFMT), therefore overfishing was not occurring. The OFL for 2015 was specified as 792,800 lbs ww and the OFL for 2016 onwards was specified as 726,700 lbs ww.

Amendment 20B

The SSC recommendation on the stock assessment for Atlantic cobia was presented to the South Atlantic Council in June 2013 during the Mackerel Committee. The Councils included an action in CMP Amendment 20B (GMFMC/SAFMC 2014) to modify the boundary between the Atlantic and Gulf stocks (**Figure 1**), to update the annual catch limits for each stock based on the stock assessment, and to specify a portion of the Gulf ACL for the Florida east coast. The Councils selected the following alternative as the preferred alternative and option:

Preferred Alternative 3: The ACL for each jurisdictional area would be determined as follows:

- The Gulf migratory group cobia ABC (as determined by the SSCs) would be divided into a Gulf Zone ACL and a Florida East Coast Zone ACL (Florida/Georgia border to the Gulf and South Atlantic Councils jurisdictional boundary) based on the options below.

Preferred Option d: Use 1998-2012 (15 years) landings to establish the percentage split for the Gulf ABC.

- The Atlantic migratory group ACL (Florida/Georgia border through Mid-Atlantic or NY however you want to state) would be equal to the ABC for the Atlantic migratory group cobia (as determined by the SSCs).

The alternative and option selected as the preferred by the Councils resulted in the following annual catch limits or quotas:

2015	2016 and subsequent years
Atlantic (GA-NY) Stock ACL: 690,000 lbs	Atlantic (GA-NY) Stock ACL: 670,000 lbs
Recreational: 630,000 lbs	Recreational: 620,000 lbs
Commercial: 60,000 lbs	Commercial: 50,000 lbs
Gulf Stock ACL: 2.51 mp	Gulf Stock ACL: 2.59 mp
Gulf Zone ACL (minus FL East Coast): 1.61 mp	Gulf Zone ACL (minus FL East Coast): 1.66 mp
Florida east coast ACL: 900,000 lbs	Florida east coast ACL: 930,000 lbs
Recreational: 830,000 lbs	Recreational: 860,000 lbs
Commercial: 70,000 lbs	Commercial: 70,000 lbs

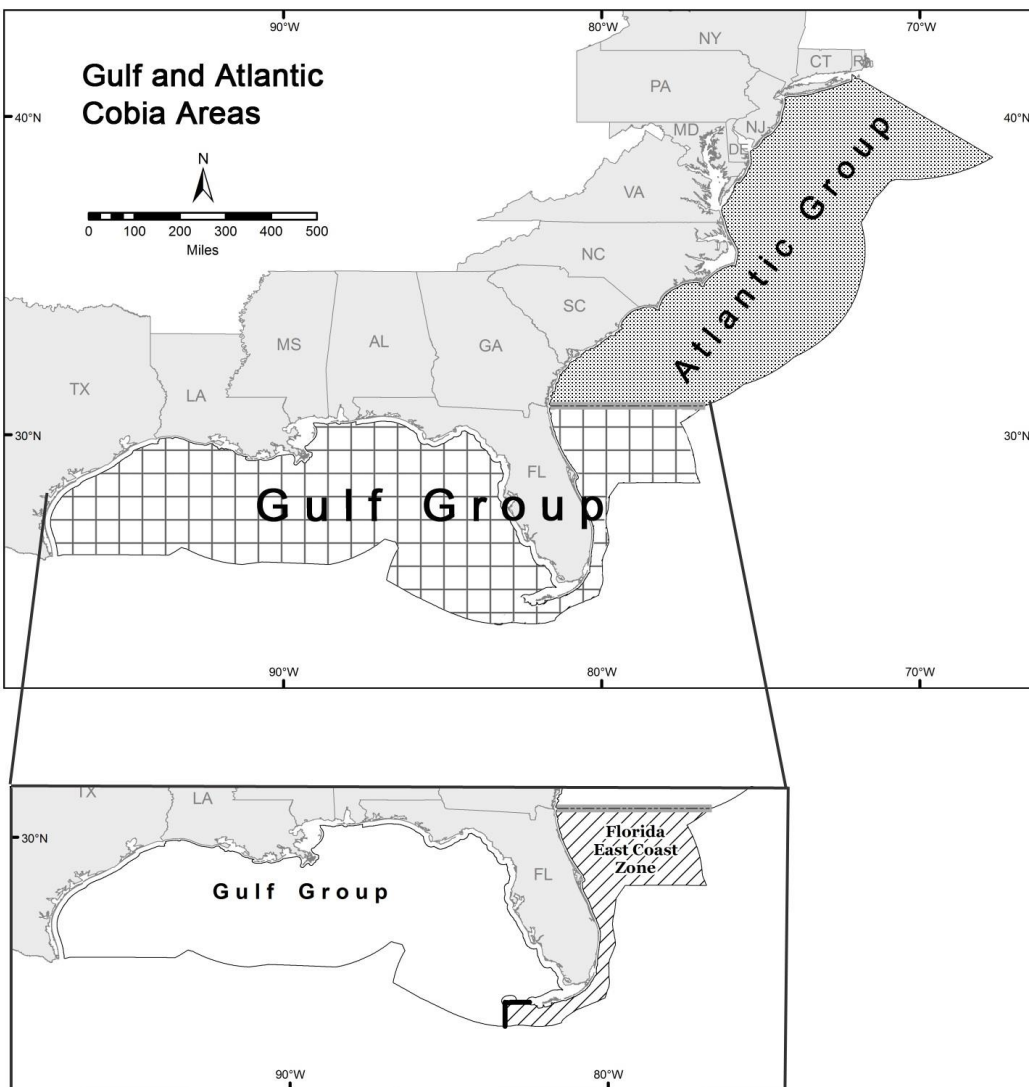


Figure 1. Boundaries for Gulf and Atlantic cobia used in SEDAR 28 and updated in CMP Amendment 20B.

Amendment 20B was approved for public hearings by the South Atlantic Council in June 2013, and hearings were held in August 2013. There were in-person hearings held in six locations in the South Atlantic region. Additionally, there was a hearing held in conjunction with the Mid-Atlantic Fishery Management Council meeting in Wilmington, DE. Council staff also held a Q&A webinar, and written comments could be submitted by mail or email. Information about the hearings and the actions under consideration were publicized by the South Atlantic and Mid-Atlantic Councils. The posted information is available at: <http://safmc.net/safmc-meetings/public-hearings-august-2013-archived/>.

The Mackerel Advisory Panel also reviewed the alternatives in April 2013 and recommended that the ACL be set equal to the ABC for Atlantic cobia, and that the Florida east coast allocation be based on the longest time period. The preferred alternatives selected by the Councils (Alternative 3 and Option D) aligned with the Mackerel AP's recommendation.

The South Atlantic Council reviewed the public comments from the hearings at their September 2013 meeting, and approved Amendment 20B for formal review.

It should be noted that Amendment 20B was included in the agenda on the next two South Atlantic Council meetings as well, due to disagreement between the Councils on an action to change the fishing year for the Gulf king mackerel western zone. Because the Councils did not have agreement on the preferred alternative for the king mackerel fishing year action, each Council reconsidered the preferred alternative at subsequent meetings and then approved the amendment again for formal review. Therefore, the South Atlantic Council approved Amendment 20B for formal review again in December 2013 and in March 2014. At each meeting, the federal register noticed specified that Amendment 20B would again be considered for formal approval and that there would be a designated opportunity for the public to speak about the amendment. It was not until the April 2014 Gulf Council meeting in which the preferred alternatives of each Council aligned.

Amendment 20B was sent to NMFS for review on May 22, 2014. The proposed rule was published on October 31, 2014, with a public comment through December 1, 2014. NMFS received eleven comments on the proposed rule, which are addressed in the final rule that published on January 27, 2015. There were no comments specifically about the cobia action in Amendment 20B. The regulations became effective on March 1, 2015.

2016 Fishing Season

In 2015, recreational landings for Atlantic cobia were 1,554,394 lbs and exceeded the 2015 recreational ACL of 630,000 lbs ww and the 2015 stock ACL of 690,000 lbs ww. The total Based on the total landings (commercial and recreational combined) of Atlantic cobia during 2015 (1,637,242 lbs) exceeded the ACL (690,000 lbs ww) and the OFL (729,800 lbs) specified for 2015.

On March 10, 2016, NMFS announced that the 2016 recreational season for Atlantic cobia in federal waters would close on June 20, 2016 (81 FR 12601). Because the June closure would likely have a negative economic and social impact on fishermen targeting cobia, the South Atlantic Council, at their March 2016 meeting, directed staff to begin work on an amendment that included actions with measures that could help slow the rate of harvest and reduce the likelihood of exceeding the recreational ACL. Additionally, the Council directed staff to send a

letter requesting the Atlantic States Marine Fisheries Commission (ASMFC) develop a complementary interstate management plan for cobia.

In 2016, Virginia, North Carolina, and South Carolina implemented management changes for cobia harvest in state waters. Effective June 1, 2016, the recreational harvest limits in Virginia state waters are 1 fish per person and 2 fish per boat; the minimum size limit is 40 inches total length (TL) and no more than one cobia over 50 inches TL is allowed per boat; no gaffing is allowed; and state waters closed for the remainder of the year on August 30, 2016.

The North Carolina Marine Fisheries Commission (North Carolina Commission) approved several measures for cobia harvest in state waters for 2016, including a recreational bag limit of 1 fish per person per day, recreational minimum size limit of 37 inches fork length (FL), and closure of recreational harvest in state waters on September 30, 2016. On for-hire trips, the harvest limit was set at 4 cobia per vessel per day or 1 cobia per person per day if fewer than four people are on board, and private recreational harvest was only allowed on Monday, Wednesday, and Saturday, with a vessel limit of 2 cobia per day and a bag limit of 1 cobia per person per day if there is only one person on board. Shore-based cobia harvest was allowed seven days a week with a recreational bag limit of 1 fish per person per day.

In April 2016, the governor of South Carolina approved legislation to establish a Southern Cobia Management Zone, which includes South Carolina state waters from Jeremy Inlet, Edisto Island, to the South Carolina/Georgia boundary. Effective May 1, 2016, cobia harvest in the Southern Cobia Management Zone is limited to catch and release only from May 1 through May 31, and is limited to 1 fish per person per day or 3 fish per vessel per day, whichever is lower, from June 1 through April 30. On June 20, 2016, South Carolina state waters also closed to recreational harvest of cobia to complement the federal closure.

Coastal Migratory Pelagics Framework Amendment 4

At their March 2016 meeting, the South Atlantic Council directed staff to begin develop of Framework Amendment 4, which would include options for management measures to slow the rate of recreational harvest of cobia and reduce the likelihood that landings would exceed the ACL. The South Atlantic Council held a combination in-person and webinar hearing in April 2016 to collect public input on potential actions, such as bag limits, boat limits, and minimum size limits. In June 2016, the Council reviewed actions in Framework Amendment 4 for recreational bag and vessel limits, reduced recreational minimum size limit, modified recreational accountability measures, and a specified commercial harvest limit. The Council approved the amendment for public hearings in August 2016, which included in-person meetings, webinar hearings, and an online form for written comments. The Council reviewed public input and approved the amendment for formal review in September 2016. The amendment was submitted for Secretarial review on October 28, 2016. The proposed rule published on February 21, 2017, with a comment period through March 23, 2017.

ASMFC Interstate Management Plan for Cobia

In August 2016, the South Atlantic State/Federal Fisheries Management Board of the ASMFC reviewed options for cobia management and recommended that the ASMFC start work on an interstate cobia management plan. Public meetings to collect input on the options for cobia management were held in December 2016, and the draft plan is being developed. After the

ASMFC plan is in place, the Council will develop the protocol for federal management to complement the interstate plan, if necessary.

2017 Fishing Season

The recreational landings for Atlantic cobia in 2016 were of 1,336,012 lbs, and the overage of total landings in 2015 and 2016 were 1,511,079 lbs. This value exceeded the 2016 recreational ACL of 620,000 pounds ww and the 2016 stock ACL of 670,000 lbs ww. CMP Amendment 18 specified that overfishing is occurring when landings exceed the total ACL. Based on the total landings of Atlantic cobia during 2016 (1,384,916 lbs), landings exceeded the ACL and the OFL (766,700 lbs ww).

NMFS closed recreational harvest of Atlantic cobia in federal waters on January 24, 2017 (82 FR 8363) to prevent recreational harvest exceeding the ACL given that state waters would be open during 2017.

Virginia established a season for state waters as June 1 through September 15, 2017. The bag limit is 1 fish per person or 3 fish per vessel, and the minimum size limit is 40" TL with only one fish over 50" TL per vessel. Gaffing is prohibited and recreational reporting is required.

North Carolina also established a recreational season in state waters of May 1 to September 1, 2017, with a minimum size limit of 36" FL for recreational harvest. The recreational possession limit is 1 fish per person or 4 fish per vessel, if there are four or more people on the vessel. Recreational fishermen are requested to report cobia catch to the state.

Recreational harvest of cobia in state waters of South Carolina closed in conjunction with the federal closure in the EEZ. Georgia made no changes for harvest in state waters.

Emergency Action

The Magnuson-Stevens Act Fishery Conservation and Management Act gives the Secretary of Commerce the legal authority to take emergency action (<http://www.nmfs.noaa.gov/sfa/magact/mag3a.html#s305>). NMFS policy guidelines (<http://www.nmfs.noaa.gov/op/pds/documents/01/101/01-101-07.pdf>) specify how emergency action will be carried out if NMFS determines that there is an emergency.

In the context of the 2017 recreational season for Atlantic cobia, the circumstances under consideration for emergency action are:

- Must be due to recent, unforeseen events, or recently discovered circumstances (i.e., an emergency action cannot be based on administrative inaction to solve a long recognized problem)
- Presents serious conservation or management problems in the fishery
 - Economic - significant direct economic loss or foregone significant economic opportunity
 - Social - significant community impacts or conflict between user groups
- Can be addressed through emergency regulations for which the immediate benefits outweigh the value of advance notice, public comment, and deliberative consideration of

the impacts on participants to the same extent as would be expected under the normal rulemaking process

- Must have an administrative record justifying emergency regulatory action and demonstrating its compliance with the national standards

Recent and unforeseen events

There have been a series of events that have led to the effects of the accountability measure (shortened recreational season for the subsequent year) associated with the stock boundary and ACLs, but these do not clearly represent recent, unforeseen events, or recently discovered circumstances. The stock assessment for cobia was completed in 2012 and underwent the standard review process, including the SSC reviewing and accepting SEDAR 28 as the best available scientific information. The modified stock boundary and updated ACLs in Amendment 20B were implemented in March 2015, and there have been two consecutive years with early closures. Catches of cobia are known to fluctuate, in part because harvest is heavily recreational and the fish are migratory, so the possibility of exceeding the ACL is always present to some degree. Thus, it is not obvious how anything was necessarily unforeseen about the current situation, particularly now, after multiple ACL overages.

Upon notification of the 2015 overage and the shortened 2016 fishing season, the Council expressed concern about the negative social and economic effects on recreational fishermen due to the closure during the most popular time of year to fish for cobia. At their March 2016 meeting, the Council immediately started work on Framework Amendment 4 to revise management measures to help slow the rate of harvest and reduce the possibility of another shortened recreational season due to an overage. The amendment was approved by the Council in September 2016 (sent for formal review on 10/18/16), yet the timing still allowed several opportunities for public input on the measures. The final rule for the revised measures is currently being prepared for publication.

Additionally, in March 2016 the Council requested that ASMFC consider complementary management for cobia. At this time, ASMFC is developing the interstate management plan for cobia, and the Council will continue to work with the ASMFC on complementary regulations in state and federal waters. Through these actions, the Council is working quickly to best address the negative effects of the 2016 and 2017 closures and decrease the likelihood that the closures will continue.

It should be noted that the actions taken in 2016 by the Council, states, and NMFS did not prevent landings (calculated from MRIP estimates) from exceeding the 2016 ACL. For the 2017 season, federal waters are closed, South Carolina State waters are closed, and North Carolina and Virginia have specified new regulations in an attempt to keep landings below the recreational ACL.

Based on these facts, it seems difficult to reasonably characterize the situation as a long recognized problem that has gone unaddressed through administrative action. However, the Council has discussed the ongoing situation at multiple meetings, developed management actions to address the situation over the longer term, and even requested complementary action by the ASMFC, all without having previously requested an emergency action. These facts do not generally support a determination that the underlying circumstances are recent, unforeseen, or newly discovered.

Expected Harm or Disruption to Fishery or Community

It is unclear whether the adverse economic impacts of the accountability measure are sufficient to justify an emergency action. There is no doubt the cobia closures have had significant negative impacts to the cobia fishery and the communities in which these individuals live and work. The Council has received extensive public comments on the level of impacts to lure manufacturers, bait/tackle shops, charter vessel captains, and others. Framework Amendment 4 provided information on the negative economic and social effects on recreational fishermen due to the early closure in 2016, and the 2017 closure of federal waters and South Carolina state waters. Despite these documented negative impacts, the extent of the negative impacts in some communities is unclear due to the continued harvest allowed in state waters for Virginia and North Carolina, which are the primary areas for recreational cobia harvest. Additionally, the Council has not received the same level of input and recommendation to request emergency action from fishermen in South Carolina, who did not have access to cobia in state waters during the federal closure in 2016 or 2017. The State of Georgia, however, did document their concerns and expected negative effects of the closure, and also requested that NMFS open federal waters off Georgia.

Further, the requested emergency action of reverting to the previous stock boundary (the Gulf and South Atlantic Council boundary) has a clear potential to result in adverse economic impacts to Florida fishing communities that also depend on the harvest of cobia. Given the magnitude of the overages involved in 2015 and 2016, combining the Atlantic cobia stock with the Florida east coast portion of the Gulf cobia stock would have resulted in early cobia closures along the entire east coast, rather than early closures from Georgia through New York. The early closures would not have been as extensive temporally, but they would have impacted a much larger geographic area. Given the observed trend from 2015 and 2016, early closures could be reasonably expected to result along the entire east coast for subsequent years, if the requested action were to be implemented for future fishing seasons.

There is most often a high degree of uncertainty involved in estimating recreational harvest and the associated economic impacts. In this instance it seems particularly unclear whether the economic loss potentially prevented or the economic opportunities potentially salvaged by the AP's requested emergency rule create a sufficient justification to warrant the emergency action.

Administrative Record Considerations

The most significant concerns regarding the emergency action requested by the AP/Sub-Panel relate to the administrative record required to support its implementation. As explicitly acknowledged in the NMFS policy guidelines for implementing emergency actions, "In order to approve an emergency rule, the Secretary must have an administrative record justifying emergency regulatory action and demonstrating its compliance with the national standards." The administrative record requirement is an overarching legal standard based on the Administrative Procedure Act, and it is applicable to all rules promulgated under the MSA; thus, it is not just a NMFS policy based requirement. At this juncture, no such record exists to support reverting to the prior stock boundary, and developing such a record would require significant additional work, including reconsideration of past scientific and policy decisions.

SEDAR 28 went through a lengthy review process (Center for Independent Experts and the Council's Scientific and Statistical Committee) and was determined to be the best scientific information available by the SSC, the Council, and NOAA Fisheries. Additionally, Amendment

20B and its implementing regulations were developed, reviewed, and approved by the Council through the requisite MSA process, at which point they were determined to be fully consistent with the applicable federal mandates. To change the management measures established through Amendment 20B, including the stock boundary and the ACLs, would require that the Council build a new record demonstrating that the past decisions were wrong or there is sufficient new information available to justify a complete reversal in course.

Given that the stock boundary delineation was largely dictated by SEDAR 28 and available scientific information, reversing the associated decisions would essentially require starting the process anew, so that the scientific information could be reevaluated and the resulting decisions revisited. This would be a lengthy process that would be unlikely to be concluded in time to support any regulatory action in the immediate future. Even more problematic for the proposed change, there appears to be no reason to expect the scientific recommendations based on SEDAR 28 to be any different than they were the first time. Additional scientific information (new and information not included in SEDAR 28) need to go through the assessment/review process to determine whether any changes are necessary to the past stock boundary delineation (see discussion below).

Additionally, changing the stock boundary and the ACLs for each stock to those in place prior to Amendment 20B would affect Gulf cobia and associated fishing businesses and communities as well. Amendment 20B was a joint amendment developed through the Gulf and South Atlantic Council's joint management process, and any changes would need to be approved by the Gulf Council.

Currently, there is no record supporting emergency action, whereas the administrative record supporting the decisions made in Amendment 20B is quite strong. Assuming that it is even possible based on the available information, establishing a comparable and equally as defensible administrative record for an emergency action would likely take almost as long as development and approval of an amendment. Emergency action does not include public input opportunities and the benefits of the emergency action should be greater than the costs of foregoing public involvement. If the emergency action takes a similar length of time as an amendment would take to build the supporting administrative record, then there is little benefit from emergency action and only reduced opportunities for public input and Council deliberation.

Scientific Basis for Changing the Stock Boundary Through Emergency Action

Dr. Michael R. Denson, SC DNR, presented the current status of cobia research along the Southeast US Coast to the Mackerel Cobia AP at their April 29-20, 2017 meeting¹:

- Genetic results support the existing stock boundary. Samples are lacking from northeast Florida where it is difficult to fish due to a lack of access/inlets. The genetic results show separate stocks during spawning and mixing during non-spawning months.
- Tagging results support the existing stock boundary. Five of 274 (2%) tagged cobia moved from Georgia northwards to the Gulf while 10 of 855 (1%) moved from the Gulf around to Georgia northwards.

¹ Transcribed minutes from the April 2017 AP/Sub-Panel meeting are available online at: http://safmc.net/download/Briefing%20Book%20Jun%202017/12%20Mackerel%20Cobia/A02b_MackereCobialAPMinApr17.pdf.

Since the last stock assessment in 2012, there has been additional research conducted on migration and genetics of cobia in the Gulf of Mexico and Atlantic. All available data from these studies will be provided to the stock identification workshop and SEDAR assessment (to be completed in 2018/2019) when the boundary will be re-evaluated. As presented by Dr. Denson at the AP/Sub-Panel meeting, there are several ongoing studies with results supporting the current stock boundary. Regardless, any new information (since the last assessment or not reviewed in the last assessment) on migration and genetics of cobia in the Gulf and Atlantic would be subject to the same rigorous and thorough process as the information that was used to set the current boundary. This review process—which is necessary to justify emergency action—would take a minimum of several months, at which point the Council could have made management changes through an amendment. The presentation is available online at: http://safmc.net/download/Briefing%20Book%20Mackerel%20AP%20Apr%2017/Att5_CobiaResearch_SCDNR_Apr2017.pdf.

Council Conclusion

The Council acknowledged the concern about potential negative impacts on fishermen due to the early recreational closure for Atlantic cobia in 2016 and 2017, but most Council members did not feel there was adequate justification to request emergency action to revert the cobia stock boundary and ACLs back to those established in CMP Amendment 18, and approved the following motion:

THE COUNCIL WILL NOT CONSIDER EMERGENCY ACTION TO CHANGE THE BOUNDARY AND ACLS.

Council members did express concern about use of MRIP estimates to track recreational ACLs, particularly for species in a pulse fishery. Although this is a known problem for Atlantic cobia, there are recognized methods that have been used in the Mid-Atlantic region to address outliers in MRIP estimates for other species, and have also been presented to the South Atlantic Council's Scientific and Statistical Committee (SSC) by MRIP staff. The Council approved the following motion:

REQUEST MRIP RE-CALCULATE THE 2015 AND 2016 ATLANTIC COBIA RECREATIONAL HARVEST USING ANNUAL ESTIMATE OF CATCH AND EFFORT.

The June 2017 Mackerel Cobia Committee summary report is available at: http://safmc.net/download/Briefing%20Book%20Jun%202017/Committee%20Reports/Final/MackerelCobiaCommitteeFINALReport_June2017.pdf

On behalf of the Council, Dr. Michelle Duval sent a letter to Dr. David Van Voorhees, Division Chief for Fisheries Statistics in the NOAA Fisheries Office of Science and Technology, requesting additional MRIP estimates for Atlantic cobia landings in 2015 and 2016 using annual estimates of catch and effort. The letter specified that the results are requested to be presented to the South Atlantic Mackerel Cobia Committee at their September 2017 meeting. The letter will be included in the September 2017 briefing book, available on the South Atlantic Council's website (www.safmc.net) in late August 2017.

References

CMP Amendment 18

GMFMC (Gulf of Mexico Fishery Management Council)/SAFMC (South Atlantic Fishery Management Council). 2011. Amendment 18 to the fishery management plan for coastal migratory pelagic resources in the Gulf of Mexico and Atlantic regions including environmental assessment, regulatory impact review, and regulatory flexibility act analysis. Gulf of Mexico Fishery Management Council, Tampa, Florida, and South Atlantic Fishery Management Council, North Charleston, South Carolina. Available at: <http://cdn1.safmc.net/wp-content/uploads/2017/02/22160159/MackAmend18.pdf>.

CMP Amendment 20B

GMFMC/SAFMC. 2014. Amendment 20B to the fishery management plan for coastal migratory pelagic resources in the Gulf of Mexico and Atlantic regions including environmental assessment, regulatory impact review, and regulatory flexibility act analysis. Gulf of Mexico Fishery Management Council, Tampa, Florida, and South Atlantic Fishery Management Council, North Charleston, South Carolina. Available at: http://cdn1.safmc.net/wp-content/uploads/2016/11/28111127/CMP20Amendment2020B-20Boundaries20and20Transit20Provisions20052114_final-1.pdf.

CMP Framework Amendment 4

Currently under Secretarial review. Amendment and information on review progress is available at: <http://safmc.net/amendments-under-development/cmp-framework-amendment-4/>.

SEDAR 28

SEDAR 28. 2012, 2013. Southeast Data, Assessment, and Review Stock Assessment of South Atlantic Spanish Mackerel and Cobia. Available at: <http://www.sefsc.noaa.gov/sedar/SedarWorkshops.jsp?WorkshopNum=28>

Federal Register Notices of 2016 and 2017 Atlantic cobia recreational seasons

2016 (81 FR 12601): <https://www.gpo.gov/fdsys/pkg/FR-2016-03-10/pdf/2016-05393.pdf>

2017 (82 FR 8363): <https://www.gpo.gov/fdsys/pkg/FR-2017-01-25/pdf/2017-00785.pdf>



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 24, 2017

MEMORANDUM

HMS 8-17

TO: Marine Fisheries Commission
FROM: Randy Gregory, Division of Marine Fisheries, NCDEQ
SUBJECT: Highly Migratory Species Update

The Highly Migratory Species Advisory Panel will meet on Sept. 6-7, 2017 in Silver Spring, Maryland to discuss the Amendment 7 bluefin tuna management three-year review; requests for regulatory changes in the pelagic longline fishery, general category bluefin tuna fishery, charter/headboat permits and the commercial and recreational shark fisheries; and progress updates regarding the exempted fishing permit request to conduct research in pelagic longline closed areas and shark research.

Sharks

On July 16, 2017, The National Marine Fisheries Service (NOAA Fisheries) increased the retention limit for the commercial aggregated large coastal shark and hammerhead shark management groups for directed shark limited access permit holders in the Atlantic region from three to 36 large coastal sharks other than sandbar sharks per vessel per trip. This adjustment is intended to promote equitable fishing opportunities in the Atlantic region, while allowing quota to be harvested throughout the year. All other retention limits and shark fisheries remain unchanged in the Atlantic region. The retention limit will remain at 36 large coastal sharks other than sandbar sharks per vessel per trip in the Atlantic region through the rest of the 2017 fishing season or until NOAA Fisheries announces via a notice in the Federal Register another adjustment to the retention limit or a fishery closure. This retention limit adjustment affects anyone with a directed shark limited access permit fishing for large coastal sharks in the Atlantic region.

On June 5, 2017, management measures for Amendment 5b for commercial shark fisheries became effective to reduce fishing mortality on dusky sharks to end overfishing and rebuild the dusky shark population. Management measures for the commercial fishery require pelagic longline fishermen to release all sharks not being retained using a dehooker or cutting the gangion less than three feet from the hook, completion of a shark identification and fishing regulation training course for pelagic longline, bottom longline, and shark gillnet vessel owners and operators and require the use of circle hooks by all directed shark permit holders using bottom longline. Additional commercial and recreational measures for Amendment 5b become effective Jan. 1, 2018. For more details on those measures, please refer to the HMS website: http://www.nmfs.noaa.gov/sfa/hms/documents/fmp/am5/a5b_index.html.

Bluefin Tuna

The commercial General category fishery reopened on June 1, 2017. The recreational bluefin tuna fishery remains open for Highly Migratory Species Angling category-permitted vessels and Charter/Headboat category-permitted vessels. The daily retention limit is the default limit of one bluefin tuna between 27 inches and 73 inches curved fork length.



Committee Reports





PAT McCRORY
Governor

DONALD R. VAN DER VAART
Secretary

BRAXTON C. DAVIS
Director

MEMORANDUM

TO: Marine Fisheries Commission
Strategic Habitat Area Region 4 Advisory Committee

FROM: Anne Deaton
Casey Knight
Division of Marine Fisheries

DATE: July 20, 2017

SUBJECT: Strategic Habitat Area Region 4 Advisory Committee Meeting

The Strategic Habitat Area Region 4 Advisory Committee met at 10:00 am June 21, 2017 at the Department of Environmental Quality Wilmington Regional Office, 127 Cardinal Dr. Ext., Wilmington, NC. The following attended:

Co-Chairs: Troy Alphin, Fred Scharf

Advisers: Mike Mallin, Fritz Rohde, Dawn York, Nora Deamer, Hope Sutton, Jeremy Humphrey

Absent: Jessie Jarvis, Robb Mairs, Hope Sutton, Kyle Rachels

Staff: Anne Deaton, Casey Knight

Casey Knight opened the meeting and said that the first business of the committee was to appoint a chair.

Motion by Mike Mallin to appoint Troy Alphin as chair, seconded by Fred Scharf. The motion passed unanimously. Fred Scharf was selected by consensus to serve as co-chair.

Troy Alphin then officially called the meeting to order.

MODIFICATIONS TO THE AGENDA

The meeting agenda was approved unanimously without modification.

APPROVAL OF MINUTES

The April 21, 2017 meeting minutes were approved unanimously without modification.

PUBLIC COMMENT

No public comments were offered.

INPUTS USED IN MARXAN ANALYSIS

At the prior meeting, advisory committee members were given an assignment to review and submit comments on the draft weightings for the alteration factors, and the representation levels for the natural resource targets. This information was used to finalize those input parameters. Casey explained the changes that were made to the alteration factors based on committee member input. She also reviewed the changes made to the natural resource target representation levels based on habitat abundance scaling. Committee members approved of all changes.

MARXAN SENSITIVITY ANALYSIS

Since the prior meeting, a multiple run sensitivity analysis was conducted, as suggested by Scharf, to determine which natural resource target representation levels make the largest difference in the solution or output generated by the model. Casey reviewed the results of the sensitivity analysis of the Marxan model for the Region 4 strategic habitat area (SHA) nominations. She explained the analysis was conducted by running Marxan 21 times and adjusting each individual natural resource target representation level to zero. By examining the total area selected and cost (total sum of the alteration scores) of each Marxan run output, it was determined that forested wetland, hard bottom, and riparian wetland were making the largest difference in the model output and therefore, driving the model. Modifications were made to the representation levels of those targets to reduce their influence over the model. The calculation of alteration scores was reviewed and clarified.

MARXAN RESULTS

Casey reviewed two additional Marxan runs that were adjusted with the input from the sensitivity analysis. It was suggested and decided to reduce the hard bottom representation level all the way to zero. The hard bottom will then be added back by manual selection the way it has been done in other regions previously. The Marxan model input was changed to zero representation level for hard bottom and was run an additional time during committee discussion. Upon review, the committee was satisfied based on total area selected, cost, and visual representation and selected this the Marxan output as the starting point for the region 4 SHA nominations.

MARXAN OUTPUT MODIFICATIONS AND CORROBORATING DATA

The committee discussed establishing some criteria to make modifications to the selected Marxan output for the final SHA nominations. Anne Deaton explained that any changes must be based on established criteria, which include habitats present, alteration scores, selection frequency, occurrence of ecological designations, fish data, water quality impairment status, and size and connectivity of hexagon clusters. The committee decided to exclude any single hexagons and to try to provide connectivity among clusters by adding hexagons with the lowest alteration score where possible, based on professional opinion and corroborating data. Committee members then discussed corroborating data such as reports and GIS layers. The nomination of SHAs in joint, coastal, and inland waters was also discussed. The committee decided to wait to make any modifications to the inland waters until Kyle Rachels and the NC Wildlife Resource Commission can be consulted.

The committee discussed modifications to the final Marxan run output beginning at the South Carolina line and moving up the coast. Casey noted all modifications to be made. In the interest of time and efficiency, she will load the modified output, along with the unmodified output, and the available corroborating data into an ArcGIS online map viewer. The committee members were asked to use this application before the next meeting, to

review the modifications and look for potential modifications to the inland waters. Final modifications to the selected MARXAN run output for SHA nominations will be completed at the next meeting.

The next meeting was set for August, with the exact date determined later. The meeting adjourned.

Cc: Catherine Blum
Mike Bulleri
Scott Conklin
Dick Brame
Braxton Davis
Charlotte Dexter

Jess Hawkins
Dee Lupton
Nancy Marlette
Katie Mills
Phillip Reynolds
Jerry Schill

Gerry Smith
District Managers
Committee Staff Members
Marine Patrol Captains
Section Chiefs

Issues/Reports





ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

August 17, 2017

MEMORANDUM

SCFL 8-17

TO: Marine Fisheries Commission

FROM: Major Jason Walker, Marine Patrol, Eligibility Board Chair

SUBJECT: Standard Commercial Fishing License Eligibility Pool Determination

An individual who does not hold a Standard Commercial Fishing License but wants to purchase a license through the Division of Marine Fisheries can apply to receive the license through the Eligibility Pool process. The application goes before a board which determines if the applicant is qualified based on criteria set out in rule. The number of licenses available in this pool is set annually by the commission.

Session Law 1998-225, Section 4.24(f) states that “the number of SCFLs in the pool of available SCFLs in license years beginning with the 2000-01 license year is the temporary cap less the number of SCFLs that were issued and renewed during the previous license year.” The temporary cap was set at the number of valid Endorsements to Sell as of June 30, 1999 (8,396 licenses), plus an extra 500 licenses to be included in the Eligibility Pool (8,896 total licenses).

Last year, the division modified the calculation used to determine the number of licenses available in the Eligibility Pool. This correction was made to prevent licenses already existing in the cap from being double counted and removed from the number of licenses remaining.

For the 2017-2018 license year, the number of licenses available through the Eligibility Board is 2,592. This number accounts for licenses issued in the 2016-2017 license year and the number of approvals from the Eligibility Board from 2016-2017 that still have the option to purchase a license before June 30, 2018. Individuals approved in the fall (September/October) must purchase their license by June 30 of the same license year, but those approved in the spring (March) have until June 30 of the following license year to purchase their license.

Session Law 1998-225, Section 4.24(f) also states “the Commission may increase or decrease the number of SCFLs that are issued from the pool of available SCFLs. The Commission may increase the number of SCFLs that are issued from the pool of available SCFLs up to the temporary cap. The Commission may decrease the number of



SCFLs that are issued from the pool of available SCFLs but may not refuse to renew a SCFL that is issued during the previous license year and that has not been suspended or revoked. The Commission shall increase or decrease the number of SCFLs that are issued to reflect its determination as to the effort that the fishery can support, based on the best available scientific evidence.”

In February 2016, as part of Amendment 4 to the Oyster Fishery Management Plan, the commission adopted a management strategy to pursue elimination of the Shellfish License for oysters only and require all oyster harvesters to have a Standard Commercial Fishing License or a Retired Standard Commercial Fishing License with a shellfish endorsement to harvest oysters commercially. Legislative action will be required to enact this recommendation before it can become effective. If this management strategy becomes effective, many shellfish license holders will have to apply through the Eligibility Pool to obtain a commercial license to harvest oysters, potentially increasing the number of applications submitted to the Board each year. On average, about 85 percent of the applications reviewed annually are approved. From July 1, 2016 to June 30, 2017, the eligibility board approved 32 applications. So far, there are 15 pending applications for review at this fall’s Eligibility Board meeting.

In summary, there are 2,592 licenses available to the Eligibility Pool for the 2017-2018 license year. The commission needs to determine the number of licenses it wants to place in the pool for the upcoming year. Information for the commission’s consideration includes:

- Statutory guidance that increasing or decreasing the number of licenses should reflect the commission’s determination as to the effort that the fishery can support, based on the best available scientific evidence;
- The average number of licenses issued by the Eligibility Board; and
- Potential number of fishermen that may shift from the Shellfish License to the Standard Commercial Fishing License to harvest oysters.



**Eligibility Pool
Commission Report for 2017-2018
August 16-17, 2017**

How the Pool Number is Determined:

Session Law 1998-225, Section 4.24(f).

(f) Adjustment of Number of SCFLs. The number of SCFLs in the pool of available SCFLs in license years beginning with the 2000-01 license year is the temporary cap less the number of SCFLs that were issued and renewed during the previous license year. . .

Role of the Marine Fisheries Commission:

Session Law 1998-225, Section 4.24(f).

(f) . . . The Commission may increase or decrease the number of SCFLs that are issued from the pool of available SCFLs. The Commission may increase the number of SCFLs that are issued from the pool of available SCFLs up to the temporary cap. The Commission may decrease the number of SCFLs that are issued from the pool of available SCFLs but may not refuse to renew a SCFL that is issued during the previous license year and that has not been suspended or revoked. The Commission shall increase or decrease the number of SCFLs that are issued to reflect its determination as to the effort that the fishery can support, based on the best available scientific evidence.

Temporary Cap:

The maximum number of SCFLs that can be issued is the number of valid Endorsements to Sell as of June 30, 1999 plus 500 for the first eligibility pool, for a total of 8,896.

Eligibility Board Pool Determination 2017-2018:

There are 2,592 SCFLs available through the Eligibility Board for the 2017-2018 license year.

Attachments:

- 2017-2018 Eligibility Pool Determination Calculations
- FY2017 License Sales Report
- Licenses Available and Approved Summaries
- Eligibility Board Meeting Summary
- Eligibility Board Open Files

Eligibility Pool Determination Calculations For 2017-2018 License Year

Below is the current calculation used to determine the number of licenses available in the Eligibility Pool. Corrections were made to this calculation in August 2016 to prevent licenses already existing in the cap from being double counted and removed from the number of licenses remaining.

Licenses removed from the cap in this calculation include the number of SCFLs and RSCFLs issued and renewed in the 2016-2017 license year as well as any Eligibility Board approvals from the spring meeting. Those approved by the Eligibility Board in the spring have until the following license year to purchase their SCFL. These licenses are subtracted from the pool because they represent potential licenses available for purchase.

Current calculation:

Total Number of SCFLs Available in 2017-2018 License Year (Data run date: 7/17/2017)

1) Total original SCFLs available (Cap).....	8,896
2) Less total number of SCFLs issued and renewed in 2016-2017.....	- 6,296
<hr/>	
3) Total number of SCFLs available in the pool for 2017-2018.....	2,600
4) Less total number of 2016-2017 approvals through Eligibility Pool not yet issued ^{1,2}	-8
<hr/>	
5) Total SCFLs available for the 2017-2018 license year.....	2,592

¹ Individuals approved in the spring (March) have until June 30 of the following license year (2018) to purchase their SCFL.

² Numerical value includes one SCFL reinstated by the NCDMF Director's approval

**North Carolina Division of Marine Fisheries
Commercial Licenses Sold by License Type
FY2017 License Year**

Data Run Date: 7/17/2017

Blanket For-Hire Captain's Coastal Recreational Fishing License:	118
Blanket For-Hire Vessel Coastal Recreational Fishing License:	521
Commercial Fishing Vessel Registration:	7,270
Fish Dealer License:	694
Land or Sell License:	109
License to Land Flounder from Atlantic Ocean:	156
NC Resident Shellfish License without SCFL:	988
Non-Blanket For-Hire Vessel License:	124
Ocean Pier License:	20
Recreational Fishing Tournament License:	20
Retired Standard Commercial Fishing License:	1,328
Standard Commercial Fishing License:	4,968
 TOTAL LICENSES FOR ALL LICENSE TYPES:	 16,316

4,968	SCFL	
<u>+ 1,328</u>	RSCFL	
6,296	Total Number of SCFL's issued for FY2017	

**Licenses Available from the Eligibility Pool
Annual Summary**

License Year	Number of Licenses Available
1999-2000	500
2000-2001	1,314
2001-2002	1,423
2002-2003	1,458
2003-2004	1,421
2004-2005	1,423
2005-2006	1,536
2006-2007	1,596
2007-2008	1,562
2008-2009	1,557
2009-2010	1,507
2010-2011	1,420
2011-2012	1,375
2012-2013	1,358
2013-2014	1,368
2014-2015	1,257
2015-2016	1,238
2016-2017	2,417
2017-2018	2,592

**Licenses Approved and Denied by the Eligibility Pool Board
Annual Summary**

License Year	Approved	Denied
1999-2000	166	133
2000-2001	110	75
2001-2002	46	37
2002-2003	38	23
2003-2004	56	11
2004-2005	35	13
2005-2006	31	9
2006-2007	32	4
2007-2008	49	7
2008-2009	83	5
2009-2010	109	11
2010-2011	63	2
2011-2012	68	17
2012-2013	99	9
2013-2014	96	14
2014-2015	61	13
2015-2016	45	6
2016-2017	32	6
Totals	1,219	395

Eligibility Pool Board Meeting Summary

HEARING DATE	APPRVLS	DENIALS	TABLED **	TOTAL REVIEWED	INCOMP. ***	NON-RESIDENTS		
						TABLED	APPRV'D	DENIED
5/5/1999	2	0	2	4		0	0	0
5/19/1999	5	0	1	6		0	1	0
6/17/1999	2	5	3	10		0	0	0
7/1/98-6/30/99	9	5	6	20		0	1	0
7/7/1999	12	10	0	22		0	3	0
7/8/1999	23	25	0	48		0	7	0
07/15/1999 MFC	N/A	N/A	N/A	N/A		N/A	N/A	N/A
8/11/1999	18	20	4	42		0	3	0
8/27/1999	17	33	0	50		0	0	1
09/09/1999 MFC	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
9/29/1999	18	11	1	30		0	0	0
11/3/1999	13	12	4	29		1	2	0
11/08/1999 MFC	N/A	N/A	N/A	N/A		N/A	N/A	N/A
1/26/2000	9	5	5	19		1	1	0
02/18/2000 MFC	N/A	N/A	N/A	N/A		N/A	N/A	N/A
4/19/2000	19	6	8	33		2	1	0
5/18/2000	18	3	9	30		2	0	1
6/7/2000	10	3	2	15		1	0	0
7/1/99-6/30/00	157	128	33	318		7	17	2
7/12/2000	11	1	4	16		0	2	0
7/21/2000 MFC	N/A	N/A	N/A	N/A		N/A	N/A	N/A
9/20/2000	24	15	7	46		0	1	0
10/27/2000	16	8	3	27		0	1	0
12/1/2000	5	16	2	23		0	0	0
1/24/2001	10	14	3	27		0	0	2
3/9/2001	12	12	8	32		0	0	0
4/4/2001	32	9	1	42		0	0	1
7/1/00-6/30/01	110	75	28	213		0	4	3
7/26/2001	18	10	2	30		1	3	0
08/21/2002 MFC	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
11/14/2002	12	15	3	30		0	2	1
2/21/2002	16	12	2	30		0	1	0
7/1/01-6/30/02	46	37	7	90		1	6	1
9/11/2002	28	14	6	48		1	2	0
08/19/2003 MFC	N/A	N/A	N/A	N/A		N/A	N/A	N/A
3/5/2003	10	9	1	20		0	2	0
7/1/02-6/30/03	38	23	7	68		1	4	0
08/19/2003 MFC	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
7/9/2003	16	3	1	20		0	2	0
11/4/2003	17	2	0	19		0	3	0
3/19/2004	22	6	0	28		0	2	0
6/22/2004	1	0	0	1		0	0	0
7/1/03-06/30/04	56	11	1	68		0	7	0
11/1/2004	22	4	1	27		0	0	0
2/28/2005	11	2	0	13		0	0	1
4/18/2005	2	7	0	9		0	0	0
7/1/04-6/30/05	35	13	1	49		0	0	1
9/27/2005	17	7	1	25		0	1	0
3/15/2006	14	2	2	18		0	1	0
7/1/05-6/30/06	31	9	3	43		0	2	0

HEARING DATE	APPRVLS	DENIALS	TABLED **	TOTAL REVIEWED	INCOMP. ***	NON-RESIDENTS		
						TABLED	APPRV'D	DENIED
10/4/2006	16	3	2	21		0	1	0
3/14/2007	16	1	2	19		0	1	0
7/1/06-6/30/07	32	4	4	40		0	2	0
9/10/2007	26	2	4	32		0	0	0
3/19/2008	23	5	3	31		0	0	0
7/1/07-6/30/08	49	7	7	63		0	0	0
9/30/2008	39	0	3	42		0	4	0
3/24/2009	44	5	1	50		0	3	0
7/1/08-6/30/09	83	5	4	92		0	7	0
10/6/2009	52	6	1	59		0	2	1
3/10/2010	36	2	1	39		0	1	0
6/2/2010	21	3	0	24		0	0	0
7/1/09-6/30/10	109	11	2	122		0	3	1
9/21/2010	40	2	1	43		0	2	0
3/24/2011	23	0	0	23		0	4	0
7/1/10-6/30/11	63	2	1	66		0	6	0
10/4/2011	39	7	0	46		0	2	0
3/15/2012	28	10	0	38		0	2	0
1/13/2012	1	0	0	1		0	0	0
7/1/11-6/30/12	68	17	0	85		0	4	0
9/12/2012	53	7	3	63		0	1	1
3/19/2013	46	2	4	52		0	2	0
7/1/12-6/30/13	99	9	7	115		0	3	1
9/18/2013	56	7	0	63		0	2	0
3/19/2014	40	7	1	48		0	0	0
7/1/13-6/30/14	96	14	1	111		0	2	0
09/17/2014	32	9	0	41		0	1	0
03/18/2015	25	3	5	33		1	0	0
05/12/2015	4	1	0	5		0	1	0
7/1/14-6/30/15	61	13	5	79		1	1	0
10/21/2015	16	4	1	21		0	3	0
03/23/2016	29	2	2	33		0	0	0
7/1/15-6/30/16	45	6	3	54		0	3	0
9/28/2016	17	3	2	22		0	0	0
3/16/2017	15	3	0	18		0	0	0
7/1/16-6/30/17	32	6	2	40		0	0	0
TOTALS ALL	1,219	395	122	1,736		10	70	9

**TABLED files are presented again at the next Board meeting for a final decision of approval or denial and are then accounted for in the Approved or Denied categories. TOTAL REVIEWED does not equal total approved or denied because some files are reviewed in multiple meetings (tabled, etc.).

**Standard Commercial Fishing License Eligibility Pool Office
Summary of Open Files beginning July 1, 2017**

File Description	Total Number of Files
To be researched/ready for the next board meeting	2
New/being processed	10
Pending responses to letters mailed requesting more information	3
Incomplete – no response to letters	0
Total Open/Pending Applications	15



Release: Immediate
Date: May 25, 2017

Contact: Patricia Smith
Phone: 252-726-7021

Shrimp catches and sales soared, but overall commercial landings lower in 2016

MOREHEAD CITY – A warm autumn kept commercial fishermen catching and selling shrimp up to New Year’s Eve last year, boosting 2016 shrimp landings to the highest since the N.C. Division of Marine Fisheries’ Trip Ticket Program began in 1994.

But overall, the 60 million pounds of finfish and shellfish commercial fishermen caught and sold at the docks was a 9 percent decrease from 2015. The total estimated dockside value of \$94 million was about \$700,000 short of the 2015 value.

The 2016 landings were higher than the five-year average of 59 million pounds, and the five-year average value of \$86 million.

The Trip Ticket Program collects commercial fishing landings statistics through legislatively-mandated reporting of all fisherman to dealer transactions.

As usual, hard blue crabs topped the list of species landed (24.7 million pounds), followed by shrimp (13.2 million pounds), spiny dogfish (2.3 million pounds), Atlantic croaker (2.1 million pounds) and summer flounder (2.1 million pounds).

Commercial shrimp landings in 2016 increased by 45 percent to 13.2 million pounds, which had an estimated dockside value of \$28 million. Shrimp landings were good all year; fishermen exceeded 2015 monthly landings in every month of 2016, except June and July. In December, dealers purchased 1.7 million pounds of shrimp from fishermen, which was 341 percent more than was purchased in December 2015.

The increase in annual shrimp landings was accompanied by an 18.7 percent increase in overall shrimp fishing trips in 2016. Also, landings from state ocean waters north of Cape Hatteras greatly increased in 2016 – nearly 11,000 percent over the previous year. Reports from dealers indicated an unusual abundance of shrimp in these northern, nearshore waters.

Landings of tilefish, spotted seatrout, squid and black drum also increased.

However, landings of blue crabs dropped by 21 percent from 2015 landings, bringing it back in line with the five-year average of around 25.7 million pounds. Landings of hard blue crabs decreased by 20.4 percent, landings of soft blue crabs decreased by 25.1 percent and landings of peeler blue crabs decreased by 36.9 percent.

While overall oyster landings increased 3.6 percent in 2016, the higher landings came from a 99 percent jump in landings from private leases. Public bottom landings dropped by 25 percent, possibly impacted by various environmental conditions leading to lower reproduction and growth over the past few years, as well as more shellfish water closures.

Landings can fluctuate from year-to-year based on many factors, including environmental conditions, market changes and fishing effort.

For a full landings report, click on the 2016 Annual Fisheries Bulletin link [here](#).

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Release: Immediate
Date: May 25, 2017

Contact: Patricia Smith
Phone: 252-726-7021

Coastal recreational fishermen hooked fewer fish in 2016

MOREHEAD CITY – Coastal recreational fishermen hooked fewer fish in 2016 than they did in 2015.

Anglers brought an estimated 8.5 million fish to the docks in 2016, a decrease of 18 percent from 2015.

The estimated weight of these landings inched up, increasing by 2 percent to 12.2 million pounds. Anglers also released 1.5 percent more fish in 2016 than in 2015.

Fishermen also took 16.2 percent more fishing trips in 2016 than they did in 2015. This trend continued even in the fall following Hurricane Matthew.

The top five recreational species harvested, by pounds, remained the same as in 2015. They were dolphin, bluefish, yellowfin tuna, cobia and wahoo.

Yellowfin tuna harvest increased 145 percent from 2015. Anglers harvested 60,134 yellowfin tuna with a total weight of 2.3 million pounds. Bluefish harvests increased by 18 percent to 1.2 million fish (862,558 pounds), and wahoo harvests increased by 21 percent to 23,809 fish (640,807 pounds).

Landings for two of the top five species decreased significantly.

Anglers harvested 263,278 dolphin, with a total weight of 2.8 million pounds in 2016. That was a 39.4 percent decrease in the number of dolphin anglers brought to the docks. This dip in harvest may have resulted from the greater availability of yellowfin tuna and other offshore species, such as king mackerel, wahoo and blackfin tuna.

Also, the number of cobia landed fell by 42.5 percent, in 2016 to 9,288 fish (293,544 pounds).

In another notable change, estimated spotted seatrout harvests for 2016 increased by 342 percent over 2015, which were the lowest recreational spotted seatrout landings on record. Anglers brought 386,021 (2.3 million pounds) spotted seatrout to the docks in 2016.

Landings can fluctuate from year-to-year based on many factors, including environmental conditions and fishing effort.

The Division of Marine Fisheries estimates recreational fishing harvests through broad-based intercept surveys, where port agents talk to fishermen on the beach, at the piers and at boat ramps, and through mail surveys to license holders.

For a full landings report, click on the 2016 Annual Fisheries Bulletin link [here](#).

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Website: <http://www.ncdenr.gov>

Facebook: <http://www.facebook.com/ncdeq>

Twitter: <http://twitter.com/NCDEQ>

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1601 Mail Service Center, Raleigh, NC 27699-1601



Annual Fisheries Bulletin

2016 Commercial and Recreational Statistics

License and Statistics Section, PO Box 769, Morehead City, NC 28557

May 2017

The Annual Fisheries Bulletin contains the North Carolina commercial and recreational fisheries harvest statistics for 2016. Included in this bulletin are the 2016 landings and harvest information from the commercial and recreational fisheries programs, along with the 2012 to 2015 landings for comparison. The bulletin also contains a summary of commercial fishing trips by major gears.

The North Carolina Trip Ticket Program collects commercial fishery landings and effort statistics. This program mandates trip level fish dealer reporting of all finfish and shellfish landed in the state. Recreational fishery harvest and effort statistics are derived from the Marine Recreational Information Program (MRIP) that conducts recreational angler interviews at public access points and telephone/mail surveys.

Total Pounds Harvested in 2016

Commercial
59,928,328 pounds

Recreational
12,198,455 pounds

Top Five Species Caught in Each Fishery

Commercial	
Species	Pounds
Blue Crabs, Hard	24,728,819
Shrimp (Heads On)	13,191,155
Dogfish, Spiny	2,271,201
Croaker, Atlantic	2,092,135
Flounder, Summer	2,066,026

Recreational	
Species	Pounds
Dolphin	3,157,964
Bluefish	769,262
Tuna, Yellowfin	723,127
Cobia	675,859
Wahoo	534,787

Issued by the North Carolina Division of Marine Fisheries, Department of Environmental Quality.

For additional information regarding Commercial and Recreational Statistics, please contact:

Alan Bianchi, Commercial Statistics
 (252) 726-7021 or (800) 682-2632
alan.bianchi@ncdenr.gov

Chris Wilson, Recreational Statistics
 (252) 948-3876 or (800) 338-7804
chris.wilson@ncdenr.gov

2016 North Carolina Commercial Landings 2016

Issued: May 2017

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Amberjacks ¹	132,496	\$147,331
Anglerfish (Monkfish Including Monklivers)	50,841	\$47,141
Bluefish	1,147,876	\$599,788
Bonito	14,838	\$26,780
Butterfish	63,542	\$31,387
Carp	27,688	\$3,453
Catfishes	992,192	\$238,684
Cobia	48,244	\$107,952
Croaker, Atlantic	2,092,135	\$2,216,106
Cutlassfish, Atlantic	56,723	\$103,316
Dogfish, Smooth	178,574	\$73,183
Dogfish, Spiny	2,271,201	\$235,069
Dolphinfish	356,053	\$1,271,271
Drum, Black	89,886	\$82,084
Drum, Red	76,977	\$202,680
Eel, American	41,678	\$92,011
Flounder, Southern	896,075	\$3,603,688
Flounder, Summer	2,066,026	\$8,218,728
Flounders, Other	1,209	\$3,478
Garfish	16,424	\$4,982
Grouper, Gag	114,902	\$511,245
Grouper, Red	21,011	\$84,600
Grouper, Scamp	41,056	\$190,160
Grouper, Snowy	70,403	\$282,182
Groupers, Other	10,357	\$41,102
Grunts	39,843	\$42,179
Hakes	3,124	\$2,232
Harvestfish (Starbutters)	123,266	\$211,512
Herring, River (Alewife and Blueback)	0	\$0
Hogfish (Hog Snapper)	9,195	\$39,452
Jacks (Crevalle and Blue runner)	9,455	\$5,924
Mackerel, Atlantic (Boston)	663	\$305
Mackerel, King	420,088	\$868,542
Mackerel, Spanish	601,515	\$1,068,081
Menhaden, Atlantic	397,725	\$75,167
Mullet, Sea (Kingfishes)	831,974	\$1,004,314
Mullet, Striped	964,186	\$669,188
Perch, White	242,041	\$166,839
Perch, Yellow	29,376	\$41,564
Pigfish	15,331	\$7,556
Pinfish	404	\$138
Pompano	18,594	\$44,075
Porgies	45,918	\$80,872
Pufferfish	4,567	\$2,109
Sharks ²	951,934	\$403,962
Scup	111,908	\$72,871
Sea Basses	421,220	\$1,337,333

2016 North Carolina Commercial Landings

(continued)

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Seatrout, Spotted	253,965	\$661,047
Shad, American	63,286	\$89,335
Shad, Gizzard	173,105	\$30,293
Shad, Hickory	96,543	\$29,418
Sheepshead	93,486	\$116,477
Skates	25,488	\$4,905
Skippers	12,861	\$4,030
Snapper, Red ³	0	\$0
Snapper, Vermilion (Beeliner)	266,150	\$909,274
Snappers, Other	9,278	\$32,681
Spadefish	15,231	\$9,189
Spot	235,670	\$295,019
Striped Bass	146,153	\$432,030
Swordfish	445,415	\$1,202,276
Tilefish	111,788	\$395,813
Triggerfish	131,626	\$345,575
Tuna, Bigeye	287,442	\$1,037,207
Tuna, Bluefin	156,198	\$517,114
Tuna, Yellowfin	668,360	\$1,410,177
Tunas, Other	102,854	\$119,272
Tunny, Little (False Albacore)	233,501	\$110,271
Unclassified Fish for Bait	43,143	\$30,344
Unclassified Fish for Food	97,325	\$108,618
Wahoo	25,307	\$93,707
Weakfish (Grey Trout)	79,640	\$120,548
TOTAL FINFISH	19,894,546	\$32,667,230
SHELLFISH		
Blue Crabs, Hard	24,728,819	\$20,734,724
Blue Crabs, Peeler	445,844	\$1,314,879
Blue Crabs, Soft	284,769	\$2,063,004
Clams, Hard (Meats)	331,508	\$2,580,262
	(17,399,081 numbers)	
Oysters (Meats)	653,863	\$4,045,357
	(123,604 bushels)	
Octopus	230	\$477
Scallop, Sea (Meats)	171,159	\$1,995,270
Shrimp (Heads On) ⁴	13,191,155	\$28,241,277
Squid	45,784	\$40,632
Stone Crabs	7,906	\$21,587
Unclassified Shellfish	96,496	\$88,536
Whelks/Conchs (Meats)	76,249	\$191,124
TOTAL SHELLFISH	40,033,781	\$61,347,353
GRAND TOTAL	59,928,328	\$94,014,583

¹ Includes species from the genus *Seriola* (amberjacks, almaco jacks, and banded rudderfish.)

² Includes shark fins and the following sharks: blacknose, blacktip, bonnethead, bull, finetooth, hammerhead, shortfin mako, spinner, thresher, tiger, and Atlantic sharpnose.

³ The red snapper fishery closed on January 4, 2010 with restricted openings occurring in some years.

⁴ Includes brown, pink, white and rock shrimp.

* Units and value not shown to avoid disclosure of private enterprise.

2015 North Carolina Commercial Landings 2015

Updated: April 2017

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Amberjacks ¹	146,498	\$161,768
Anglerfish (Monkfish Including Monklivers)	112,863	\$106,081
Bluefish	804,336	\$445,293
Bonito	20,989	\$32,905
Butterfish	62,658	\$28,237
Carp	37,791	\$3,071
Catfishes	917,965	\$262,840
Cobia	52,684	\$113,176
Croaker, Atlantic	1,819,070	\$1,646,377
Cutlassfish, Atlantic	178,077	\$309,752
Dogfish, Smooth	268,429	\$98,113
Dogfish, Spiny	4,247,213	\$532,180
Dolphinfish	320,961	\$973,324
Drum, Black	51,103	\$43,158
Drum, Red	80,393	\$196,144
Eel, American	57,791	\$142,826
Flounder, Southern	1,202,930	\$3,823,707
Flounder, Summer	2,878,753	\$9,092,527
Flounders, Other	7,638	\$26,179
Garfish	37,651	\$5,648
Grouper, Gag	127,194	\$580,929
Grouper, Red	35,258	\$138,669
Grouper, Scamp	36,391	\$161,478
Grouper, Snowy	47,121	\$184,206
Groupers, Other	15,234	\$57,065
Grunts	32,684	\$33,221
Hakes	1,407	\$685
Harvestfish (Starbutters)	164,046	\$221,595
Herring, River (Alewife and Blueback)	0	\$0
Hogfish (Hog Snapper)	8,238	\$33,500
Jacks (Crevalle and Blue runner)	7,607	\$4,692
Mackerel, Atlantic (Boston)	1,861	\$796
Mackerel, King	391,315	\$800,688
Mackerel, Spanish	561,409	\$1,034,231
Menhaden, Atlantic	896,919	\$152,241
Mullet, Sea (Kingfishes)	786,515	\$860,461
Mullet, Striped	1,247,044	\$804,675
Perch, White	161,596	\$124,499
Perch, Yellow	41,655	\$54,013
Pigfish	20,763	\$7,507
Pinfish	845	\$304
Pompano	22,085	\$39,973
Porgies	54,464	\$92,779
Pufferfish	9,578	\$5,861
Sharks ²	795,831	\$338,283
Scup	229,696	\$130,029
Sea Basses	467,953	\$1,366,822

2015 North Carolina Commercial Landings

(continued)

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Seatrout, Spotted	128,762	\$781,211
Shad, American	98,118	\$22,778
Shad, Gizzard	97,970	\$8,176
Shad, Hickory	148,714	\$322,198
Sheepshead	124,836	\$450,208
Skates	44,848	\$1,277,355
Skippers	16,736	\$135,228
Snapper, Red ³	0	\$331,805
Snapper, Vermilion (Beeliner)	225,481	\$1,277,767
Snappers, Other	6,552	\$200,380
Spadefish	15,994	\$1,191,039
Spot	377,358	\$128,529
Striped Bass	141,824	\$85,437
Swordfish	593,258	\$8,066
Tilefish	45,354	\$108,871
Triggerfish	131,536	\$65,475
Tuna, Bigeye	369,347	\$115,834
Tuna, Bluefin	118,159	\$781,211
Tuna, Yellowfin	515,014	\$22,778
Tunas, Other	152,716	\$8,176
Tunny, Little (False Albacore)	164,853	\$322,198
Unclassified Fish for Bait	67,995	\$450,208
Unclassified Fish for Food	138,824	\$1,277,355
Wahoo	18,380	\$135,228
Weakfish (Grey Trout)	80,235	\$331,805
TOTAL FINFISH	23,293,365	\$32,394,870
SHELLFISH		
Blue Crabs, Hard	31,047,438	\$29,633,881
Blue Crabs, Peeler	706,688	\$2,106,196
Blue Crabs, Soft	380,375	\$2,247,306
Clams, Hard (Meats)	415,027	\$5,038,973
	(21,126,582 numbers)	
Oysters (Meats)	631,061	\$3,898,159
	(119,293 bushels)	
Octopus	209	\$388
Scallop, Sea (Meats)	198,393	\$2,213,074
Shrimp (Heads On) ⁴	9,097,660	\$16,835,205
Squid	25,516	\$22,212
Stone Crabs	8,158	\$22,925
Unclassified Shellfish	85,071	\$168,487
Whelks/Conchs (Meats)	65,221	\$137,526
TOTAL SHELLFISH	42,660,817	\$62,324,331
GRAND TOTAL	65,954,182	\$94,719,201

¹ Includes species from the genus *Seriola* (amberjacks, almaco jacks, and banded rudderfish.)

² Includes shark fins and the following sharks: blacktip, bonnethead, bull, finetooth, hammerhead, shortfin mako, spinner, thresher, tiger, and Atlantic sharpnose.

³ The red snapper fishery closed on January 4, 2010 with restricted openings occurring in some years.

⁴ Includes brown, pink, white and rock shrimp.

* Units and value not shown to avoid disclosure of private enterprise.

2014 North Carolina Commercial Landings 2014

Updated: April 2017

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Amberjacks ¹	193,001	\$197,434
Anglerfish (Monkfish Including Monklivers)	76,392	\$66,713
Bluefish	2,019,279	\$1,230,021
Bonito	9,081	\$16,173
Butterfish	53,607	\$30,593
Carp	16,456	\$1,504
Catfishes	521,540	\$112,361
Cobia	41,798	\$85,596
Croaker, Atlantic	2,629,908	\$1,813,374
Cutlassfish, Atlantic	165,375	\$230,796
Dogfish, Smooth	498,904	\$202,433
Dogfish, Spiny	5,650,285	\$564,931
Dolphinfish	422,496	\$1,271,440
Drum, Black	51,217	\$32,387
Drum, Red	90,647	\$174,745
Eel, American	60,755	\$164,797
Flounder, Southern	1,673,511	\$4,298,815
Flounder, Summer	2,911,750	\$7,448,744
Flounders, Other	4,413	\$3,418
Garfish	10,803	\$2,215
Grouper, Gag	168,036	\$706,884
Grouper, Red	53,096	\$191,399
Grouper, Scamp	42,207	\$178,032
Grouper, Snowy	27,553	\$98,764
Groupers, Other	9,125	\$30,086
Grunts	39,312	\$41,387
Hakes	652	\$242
Harvestfish (Starbutters)	155,357	\$180,942
Herring, River (Alewife and Blueback)	1,139	\$1,519
Hogfish (Hog Snapper)	9,767	\$38,135
Jacks (Crevalle and Blue runner)	9,151	\$6,274
Mackerel, Atlantic (Boston)	1,761	\$693
Mackerel, King	549,981	\$1,420,312
Mackerel, Spanish	673,974	\$1,099,165
Menhaden, Atlantic	917,375	\$128,194
Mullet, Sea (Kingfishes)	955,071	\$1,067,141
Mullet, Striped	1,828,351	\$1,714,630
Perch, White	172,486	\$158,398
Perch, Yellow	67,454	\$86,598
Pigfish	38,572	\$17,565
Pinfish	1,431	\$431
Pompano	12,923	\$32,991
Porgies	82,809	\$128,480
Pufferfish	1,611	\$792
Sharks ²	1,005,858	\$513,513
Scup	160,508	\$95,727
Sea Basses	529,075	\$1,414,721

2014 North Carolina Commercial Landings

(continued)

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Seatrout, Spotted	242,245	\$527,514
Shad, American	193,130	\$230,091
Shad, Gizzard	114,594	\$5,730
Shad, Hickory	109,407	\$44,885
Sheepshead	173,376	\$153,529
Skates	18,907	\$122
Skippers	19,884	\$5,862
Snapper, Red ³	4,826	\$21,634
Snapper, Vermilion (Beeliner)	242,259	\$809,261
Snappers, Other	4,002	\$11,715
Spadefish	22,761	\$10,222
Spot	766,224	\$687,618
Striped Bass	96,233	\$297,585
Swordfish	694,911	\$1,897,857
Tilefish	91,074	\$212,222
Triggerfish	116,782	\$251,194
Tuna, Bigeye	337,269	\$1,351,096
Tuna, Bluefin	114,037	\$658,404
Tuna, Yellowfin	821,520	\$1,883,509
Tunas, Other	155,033	\$180,868
Tunny, Little (False Albacore)	225,797	\$135,287
Unclassified Fish for Bait	24,635	\$2,591
Unclassified Fish for Food	123,386	\$107,347
Wahoo	22,783	\$73,317
Weakfish (Grey Trout)	105,246	\$131,772
TOTAL FINFISH	29,456,169	\$36,992,735
SHELLFISH		
Blue Crabs, Hard	25,242,648	\$26,465,523
Blue Crabs, Peeler	621,040	\$1,449,542
Blue Crabs, Soft	367,277	\$2,091,382
Clams, Hard (Meats)	430,816	\$2,295,366
	(22,440,617 numbers)	
Oysters (Meats)	727,775	\$3,353,126
	(137,576 bushels)	
Octopus	217	\$2,069
Scallop, Sea (Meats)	92,976	\$402,717
Shrimp (Heads On) ⁴	4,691,067	\$12,947,004
Squid	16,156	\$10,703
Stone Crabs	7,451	\$18,479
Unclassified Shellfish	258,093	\$124,799
Whelks/Conchs (Meats)	53,546	\$123,236
TOTAL SHELLFISH	32,509,063	\$52,862,816
GRAND TOTAL	61,965,232	\$89,855,552

¹ Includes species from the genus *Seriola* (amberjacks, almaco jacks, and banded rudderfish.)

² Includes shark fins and the following sharks: blacktip, bonnethead, bull, finetooth, hammerhead, shortfin mako, spinner, thresher, tiger, and Atlantic sharpnose.

³The red snapper fishery closed on January 4, 2010 with restricted openings occurring in some years.

⁴ Includes brown, pink, white and rock shrimp.

* Units and value not shown to avoid disclosure of private enterprise.

2013 North Carolina Commercial Landings 2013

Updated: April 2017

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Amberjacks ¹	90,180	\$90,035
Anglerfish (Monkfish Including Monklivers)	10,566	\$9,053
Bluefish	1,159,580	\$564,377
Bonito	10,506	\$15,460
Butterfish	93,146	\$53,369
Carp	14,133	\$1,360
Catfishes	548,913	\$92,497
Cobia	35,456	\$73,142
Croaker, Atlantic	1,927,938	\$1,723,578
Cutlassfish, Atlantic	145,362	\$204,869
Dogfish, Smooth	783,053	\$344,182
Dogfish, Spiny	3,010,958	\$302,248
Dolphinfish	178,035	\$529,916
Drum, Black	127,170	\$79,480
Drum, Red	371,949	\$715,685
Eel, American	33,980	\$88,649
Flounder, Southern	2,186,391	\$5,673,190
Flounder, Summer	541,542	\$1,386,338
Flounders, Other	*	*
Garfish	5,893	\$1,208
Grouper, Gag	167,334	\$704,382
Grouper, Red	72,034	\$259,053
Grouper, Scamp	42,711	\$180,679
Grouper, Snowy	20,274	\$72,067
Groupers, Other	8,856	\$31,637
Grunts	44,702	\$47,062
Hakes	614	\$231
Harvestfish (Starbutters)	221,168	\$253,604
Herring, River (Alewife and Blueback)	743	\$743
Hogfish (Hog Snapper)	7,847	\$30,640
Jacks (Crevalle and Blue runner)	14,492	\$10,639
Mackerel, Atlantic (Boston)	154	\$61
Mackerel, King	345,177	\$877,497
Mackerel, Spanish	620,752	\$1,015,965
Menhaden, Atlantic	454,172	\$73,490
Mullet, Sea (Kingfishes)	603,186	\$668,480
Mullet, Striped	1,549,157	\$1,402,914
Perch, White	275,652	\$255,633
Perch, Yellow	31,481	\$40,546
Pigfish	62,099	\$28,093
Pinfish	1,536	\$463
Pompano	15,423	\$41,351
Porgies	72,669	\$116,776
Pufferfish	5,846	\$2,858
Sharks ²	553,665	\$282,318
Scup	28,691	\$13,323
Sea Basses	329,691	\$868,811

2013 North Carolina Commercial Landings

(continued)

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Seatrout, Spotted	367,610	\$818,078
Shad, American	257,869	\$307,475
Shad, Gizzard	112,295	\$4,492
Shad, Hickory	71,326	\$29,144
Sheepshead	180,225	\$145,794
Skates	2,286	\$429
Skippers	15,780	\$4,652
Snapper, Red ³	2,686	\$11,942
Snapper, Vermilion (Beeliner)	267,260	\$886,596
Snappers, Other	6,587	\$19,449
Spadefish	20,369	\$9,246
Spot	768,592	\$690,035
Striped Bass	96,935	\$303,486
Swordfish	1,058,089	\$2,935,940
Tilefish	217,079	\$522,652
Triggerfish	160,861	\$342,228
Tuna, Bigeye	243,637	\$939,909
Tuna, Bluefin	106,197	\$608,952
Tuna, Yellowfin	648,039	\$1,434,318
Tunas, Other	96,937	\$113,429
Tunny, Little (False Albacore)	189,746	\$114,416
Unclassified Fish for Bait	24,389	\$2,565
Unclassified Fish for Food	119,847	\$120,455
Wahoo	23,380	\$75,577
Weakfish (Grey Trout)	120,188	\$150,725
TOTAL FINFISH	22,003,151	\$29,820,232
SHELLFISH		
Blue Crabs, Hard	21,438,077	\$26,465,523
Blue Crabs, Peeler	447,120	\$1,449,542
Blue Crabs, Soft	317,426	\$2,091,382
Clams, Hard (Meats)	347,073	\$2,295,366
	(17,855,759 numbers)	
Oysters (Meats)	586,625	\$3,353,126
	(110,893 bushels)	
Octopus	1,205	\$2,069
Scallop, Sea (Meats)	36,445	\$402,717
Shrimp (Heads On) ⁴	4,859,833	\$12,947,004
Squid	12,090	\$10,703
Stone Crabs	6,839	\$18,479
Unclassified Shellfish	91,274	124,744
Whelks/Conchs (Meats)	50,079	\$123,236
TOTAL SHELLFISH	28,194,084	\$49,283,890
GRAND TOTAL	50,197,236	\$79,104,122

¹ Includes species from the genus *Seriola* (amberjacks, almaco jacks, and banded rudderfish.)

² Includes shark fins and the following sharks: blacktip, hammerhead, lemon, shortfin mako, thresher, and Atlantic sharpnose.

³ The red snapper fishery closed on January 4, 2010 with restricted openings occurring in some years.

⁴ Includes brown, pink, white and rock shrimp.

* Units and value not shown to avoid disclosure of private enterprise.

2012 North Carolina Commercial Landings 2012

Updated April 2017

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Amberjacks ¹	124,325	\$104,212
Anglerfish (Monkfish Including Monklivers)	21,649	\$25,286
Bluefish	758,858	\$349,288
Bonito	11,343	\$15,833
Butterfish	127,536	\$65,553
Carp	6,199	\$586
Catfishes	489,492	\$116,379
Cobia	31,972	\$61,603
Croaker, Atlantic	3,106,616	\$2,135,458
Cutlassfish, Atlantic	50,867	\$61,601
Dogfish, Smooth	980,275	\$379,946
Dogfish, Spiny	2,728,882	\$640,820
Dolphinfish	249,020	\$756,346
Drum, Black	94,352	\$54,133
Drum, Red	66,519	\$138,833
Eel, American	64,110	\$160,275
Flounder, Southern	1,646,137	\$4,451,482
Flounder, Summer	1,090,218	\$2,969,370
Flounders, Other	0	0
Garfish	18,490	\$2,339
Grouper, Gag	187,483	\$758,371
Grouper, Red	111,781	\$363,767
Grouper, Scamp	49,556	\$195,370
Grouper, Snowy	25,740	\$78,235
Groupers, Other	7,542	\$26,152
Grunts	49,734	\$50,044
Hakes	280	\$100
Harvestfish (Starbutters)	161,751	\$202,146
Herring, River (Alewife and Blueback)	678	\$678
Hogfish (Hog Snapper)	8,256	\$28,738
Jacks (Crevalle and Blue runner)	16,200	\$13,414
Mackerel, Atlantic (Boston)	1,374	\$567
Mackerel, King	297,423	\$831,297
Mackerel, Spanish	916,439	\$1,374,648
Menhaden, Atlantic	538,783	\$82,974
Mullet, Sea (Kingfishes)	596,249	\$645,607
Mullet, Striped	1,859,587	\$1,041,659
Perch, White	189,448	\$150,940
Perch, Yellow	20,511	\$23,446
Pigfish	37,555	\$19,834
Pinfish	1,017	\$257
Pompano	22,525	\$43,376
Porgies	83,918	\$132,025
Pufferfish	5,531	\$2,799
Sharks ²	701,924	\$376,171
Scup	3,954	\$2,768
Sea Basses	256,007	\$687,905

2012 North Carolina Commercial Landings

(continued)

	POUNDS (Whole/Round Weight)	VALUE
FINFISH		
Seatrout, Spotted	265,016	\$522,130
Shad, American	235,861	\$257,748
Shad, Gizzard	123,813	\$4,333
Shad, Hickory	65,645	\$22,389
Sheepshead	109,881	\$92,837
Skates	5,738	\$1,433
Skippers	21,998	\$5,804
Snapper, Red ³	445	\$1,898
Snapper, Vermilion (Beeliner)	276,172	\$889,691
Snappers, Other	2,751	\$8,036
Spadefish	24,238	\$9,043
Spot	489,676	\$465,750
Striped Bass	144,555	\$368,516
Swordfish	903,178	\$3,009,107
Tilefish	361,094	\$753,966
Triggerfish	143,114	\$278,968
Tuna, Bigeye	232,943	\$1,036,747
Tuna, Bluefin	130,496	\$1,017,958
Tuna, Yellowfin	855,006	\$2,130,454
Tunas, Other	105,893	\$123,039
Tunny, Little (False Albacore)	157,849	\$89,798
Unclassified Fish for Bait	34,775	\$7,615
Unclassified Fish for Food	111,190	\$111,452
Wahoo	23,521	\$73,998
Weakfish (Grey Trout)	91,383	\$111,461
TOTAL FINFISH	22,734,334	\$31,016,802
SHELLFISH		
Blue Crabs, Hard	25,991,387	\$20,198,891
Blue Crabs, Peeler	468,855	\$1,112,025
Blue Crabs, Soft	325,426	\$1,496,021
Clams, Hard (Meats)	396,429	\$2,091,067
	(20,074,457 numbers)	
Oysters (Meats)	440,063	\$2,572,073
	(83,188 bushels)	
Octopus	248	\$382
Scallop, Sea (Meats)	58,882	\$567,230
Shrimp (Heads On) ⁴	6,141,480	\$13,333,150
Squid	11,921	\$10,885
Stone Crabs	5,221	\$17,125
Unclassified Shellfish	77,610	\$79,764
Whelks/Conchs (Meats)	39,078	\$75,705
TOTAL SHELLFISH	33,956,601	\$41,554,318
GRAND TOTAL	56,690,935	72,571,121

¹ Includes species from the genus *Seriola* (amberjacks, almaco jacks, and banded rudderfish.)

² Includes shark fins and the following sharks: blacktip, bull, hammerhead, shortfin mako, sandbar, thresher, tiger, and Atlantic sharpnose.

³ The red snapper fishery closed on January 4, 2010 with restricted openings occurring in some years.

⁴ Includes brown, pink, white and rock shrimp.

* Units and value not shown to avoid disclosure of private enterprise.

North Carolina Commercial Fishing Trips by Major Gears

(2012 – 2016)

Gear	Trips				
	2012	2013	2014	2015	2016
Beach Seine	68	57	21	23	11
By Hand	15,188	16,446	18,019	17,170	18,790
Cast Net	804	703	627	690	666
Channel Net	1,508	1,626	1,078	968	759
Clam Dredges	492	344	388	251	213
Clam Trawl Kicking	188	180	155	77	39
Crab Dredge	4	1	3	14	6
Crab Pot	48,043	48,122	50,527	51,758	46,273
Crab Trawl	21	85	180	470	461
Eel Pot	177	70	143	97	66
Fish Pot	613	623	678	583	471
Flounder Trawl	108	71	257	276	265
Flynet	14	4	40	11	19
Fyke Net	344	428	404	639	627
Gigs	3,148	2,585	2,804	2,739	2,795
Gill Net – Anchored	31,204	36,711	27,862	23,437	22,730
Gill Net – Drift	392	236	296	401	278
Gill Net – Runaround	3,589	3,780	3,377	3,252	3,293
Haul Seines ¹	177	273	204	45	93
Longlines	578	719	634	519	598
Oyster Dredge	2,264	3,763	5,705	4,031	2,684
Peeler Pot	3,516	3,334	4,006	4,743	4,957
Peeler Trawl ²	24	29	26	21	14
Pound Nets	2,740	2,859	2,444	2,856	2,557
Rakes	9,403	9,988	11,779	12,489	11,227
Rod-n-Reel	2,151	2,065	2,271	1,991	2,278
Shrimp Trawl	6,195	5,650	4,598	6,053	7,467
Skimmer Trawl	1,088	1,194	712	1,035	1,273
Spears (Diving)	134	159	195	168	186
Tongs	5,527	4,092	3,896	3,688	3,152
Trolling	1,888	2,184	2,245	1,903	1,808
Trotline	50	38	49	39	86
Other Gears ³	94	238	169	164	172
Total trips⁴	141,734	148,657	145,792	142,601	136,314

A **trip** is defined as the time period beginning when a vessel or fisherman leaves port to conduct fishing activities and ending when that vessel or fisherman returns to land the catch. The duration of a trip can vary from a few hours, as in hand clamming, to several days, as in ocean flounder trawling. An assessment of the number of trips gives an indication of the amount of effort conducted by commercial fishermen within that fishery.

¹ Includes long hauls, common seines, and swipe nets.

² A new code to distinguish peeler trawl gear was put into effect in 2010.

³ Includes greenstick trolling, butterfly nets, conch pots, dip nets, purse seines, bay scallop dredges, scallop scoops and trawls, shrimp pots and turtle pots.

⁴ Total trips are not equal to the sum of trips by gear due to multi-gear trips.

Source: North Carolina Division of Marine Fisheries Trip Ticket Program (April 2017).

North Carolina Marine Recreational Finfish Harvest

(2015 – 2016)

<u>SPECIES</u>	<u>NUMBER 2015</u>	<u>NUMBER 2016</u>	<u>POUNDS 2015</u>	<u>POUNDS 2016</u>
Amberjacks	9,934	10,083	244,797	188,141
Barracudas	2,065	965	17,394	8,603
Bluefish	977,599	1,159,528	868,867	862,558
Bonito	5,619	1,590	37,263	9,998
Cobia	16,166	9,288	695,842	293,544
Croaker, Atlantic	471,869	367,237	190,808	133,603
Dolphin	434,454	263,278	3,170,590	2,757,490
Drum, Red	36,704	61,774	154,496	229,248
Drum, Black	35,529	71,174	115,609	240,156
Flounder, Southern	108,369	117,178	254,132	272,763
Flounder, Summer	40,561	17,783	64,065	30,100
Groupers	1,776	2,609	21,125	36,829
Grunts	24,278	20,862	32,120	31,832
Jacks	20,635	45,946	27,254	35,223
Kingfishes	1,556,068	816,174	493,506	247,436
Mackerel, King	34,330	54,501	320,388	458,975
Mackerel, Spanish	388,157	423,141	431,082	408,312
Perch, Silver	4,849	13,529	1,161	2,556
Pigfish	508,767	462,798	177,093	154,517
Pinfish	333,330	341,827	115,132	64,778
Pompano	142,927	59,592	64,763	41,332
Porgies	7,020	3,997	9,421	8,171
Puffers	860,154	215,593	397,472	90,593
Sea Bass, Black	69,270	57,293	100,146	86,072
Seatrout, Spotted	87,396	386,021	148,926	688,682
Sharks	5,599	1,647	78,482	3,905
Sharks, Dogfish	9,101	3,159	45,596	12,083
Sheepshead	76,496	41,801	217,148	119,119
Snappers	12,965	36,908	15,147	48,348
Spot	1,081,083	510,794	395,268	148,883
Striped Bass ¹	0	375	0	1,407
Tuna, Bluefin ²	44	74	7,747	13,576
Tuna, Yellowfin	24,459	60,134	723,874	2,264,871
Wahoo	19,561	23,809	584,670	640,807
Weakfish	39,842	33,468	50,903	34,708

¹ Striped Bass landings reflect Atlantic Ocean catches only.

² Landings for Atlantic Bluefin Tuna (ABT) reflect the Highly Migratory Species fishing year (January 1 through December 31).

NOTE: The number and pounds of finfish listed represent estimated harvest; finfish released alive are not included. Headboat landings are not included but are available upon request from NOAA Beaufort Lab's Southeast Region Headboat Survey.

North Carolina Marine Recreational Finfish Harvest

(2012 – 2014)

<u>SPECIES</u>	<u>NUMBER</u>			<u>POUNDS</u>		
	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Amberjacks	8,976	10,078	3,098	154,734	172,647	60,260
Barracudas	683	224	852	8,535	1,276	10,737
Bluefish	888,888	1,183,627	1,084,292	1,010,575	988,664	966,003
Bonito	4,281	9,219	6,700	38,551	133,163	30,988
Cobia	2,050	19,224	9,804	104,106	506,067	247,386
Croaker, Atlantic	288,813	411,882	541,657	105,530	141,880	227,949
Dolphin	327,116	212,388	185,077	2,559,382	1,562,755	1,329,353
Drum, Red	52,948	164,218	116,601	238,312	676,050	596,447
Drum, Black	139,363	363,466	24,058	243,965	713,047	60,406
Flounder, Southern	118,614	178,178	69,956	298,043	409,086	149,723
Flounder, Summer	63,135	44,941	45,708	101,642	70,874	67,791
Groupers	10,198	5,390	1,729	126,567	54,418	18,973
Grunts	62,734	16,374	26,257	95,724	26,769	39,265
Jacks	19,239	25,164	8,871	20,463	24,835	28,167
Kingfishes	1,050,826	1,377,835	1,143,212	383,427	343,454	451,073
Mackerel, King	27,353	22,613	23,374	333,614	235,436	366,128
Mackerel, Spanish	491,238	497,329	398,398	665,201	625,035	449,709
Perch, Silver	22,053	13,345	11,519	3,988	2,366	2,519
Pigfish	334,052	299,065	293,523	117,021	101,014	83,741
Pinfish	259,674	355,871	332,185	40,471	61,148	74,085
Pompano	107,260	471,156	166,888	57,882	171,860	83,190
Porgies	15,857	8,460	7,812	26,249	16,720	15,657
Puffers	268,515	209,770	49,269	134,113	126,039	25,416
Sea Bass, Black	75,638	49,258	74,648	127,621	68,225	132,351
Seatrout, Spotted	500,522	369,265	234,045	817,551	649,158	433,978
Sharks	2,350	13,426	3,340	44,170	20,386	23,102
Sharks, Dogfish	316	4,986	853	1,454	10,143	4,296
Sheepshead	119,899	273,211	61,379	293,570	500,096	143,782
Snappers	27,822	9,852	9,110	60,163	14,013	15,017
Spot	784,272	1,464,592	2,111,880	230,250	460,928	704,445
Striped bass ¹	0	0	0	0	0	0
Tuna, Bluefin ²	189	201	69	31,861	40,979	14,492
Tuna, Yellowfin	57,100	44,688	27,248	1,579,260	1,441,122	873,536
Wahoo	30,885	9,370	11,639	854,568	255,306	322,468
Weakfish	40,299	33,851	26,308	46,081	34,731	25,957

¹ Striped bass landings reflect Atlantic Ocean catches only.

² Landings for Atlantic Bluefin Tuna represent Highly Migratory Species fishing year January 1 through December 31.

NOTE: The number and pounds of finfish listed represent estimated harvest; finfish released alive are not included. Headboat landings are not included but are available upon request from NOAA Beaufort Lab's Southeast Region Headboat Survey.

North Carolina Coastal Angling Program

North Carolina Marine Recreational Finfish Harvest and Release Catch Estimates, 2012 – 2016.

<u>Year</u>	<u>Number Harvested</u>	<u>Pounds Harvested</u>	<u>Number Released</u>
2012	8,472,954	12,059,556	18,536,492
2013	11,479,525	11,968,710	20,963,650
2014	9,572,612	8,788,702	19,765,129
2015	10,363,367	11,917,061	21,137,129
2016	8,494,662	12,198,455	21,444,250

North Carolina Marine Recreational Fishing Trip Estimates (number), 2012 – 2016.

<u>Year</u>	<u>Beach/Bank</u>	<u>Charter Boat</u>	<u>Manmade</u>	<u>Private Boat</u>	<u>Total</u>
2012	1,599,759	160,097	1,482,635	2,060,989	5,303,480
2013	1,212,558	111,366	1,543,314	2,100,515	4,967,753
2014	1,665,273	96,620	1,484,850	1,707,330	4,954,073
2015	1,205,413	114,061	1,285,166	2,041,020	4,645,660
2016	2,018,682	143,644	1,461,579	1,774,666	5,398,571

Coastal Recreational Fishing License (CRFL) Sales by Residency, 2012 – 2016.

<u>Year</u>	<u>In State</u>	<u>Out-of-State</u>	<u>Total</u>
2012	304,840	155,457	460,297
2013	317,649	162,351	480,000
2014	320,663	165,624	486,287
2015	316,376	164,469	480,845
2016	308,883	158,826	467,709

Survey Methods

The survey consists of telephone/mail and on-site angler interviews. Telephone/mail interviews are used to collect data on number of trips, fishing location, and when these trips were made. Information on actual catch (species, number, weight, and length) is collected through on-site angler interviews. Information from both types of interviews is combined to produce estimates of total number and pounds of finfish caught.

Precision of Estimates

Numbers and pounds presented are estimates, not actual counts, therefore having varying levels of precision.



Coastal recreational fishery statistics are provided through participation in the Marine Recreational Information Program. In North Carolina, this project is supported in part by the U.S. Fish and Wildlife Service through the Sport Fish Restoration Program, Grant F-31.



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 21, 2017

MEMORANDUM

Blue Crab 08-17

TO: Marine Fisheries Commission
FROM: Jason Rock
SUBJECT: Blue Crab Traffic Light Update

Amendment 2 to the N.C. Blue Crab Fishery Management Plan adopted by the Marine Fisheries Commission in November 2013 incorporated the use of the traffic light stock assessment method and adaptive measures for management of the blue crab stock. The current plan requires annual updates to the Blue Crab Traffic Light be presented to the Marine Fisheries Commission as part of the Division of Marine Fisheries' annual Stock Status Overview.

The Blue Crab Traffic Light is divided into three separate characteristics: 1) adult abundance, 2) recruit abundance, and 3) production. Each characteristic uses data from several division biological surveys and sampling programs to determine the relative abundance of adult and recruit blue crabs in the population and various production indicators for the stock each year. Under the plan, management measures will be implemented in the blue crab fishery if certain biological triggers are met. To trigger management actions, either the adult abundance or production characteristic of the Blue Crab Traffic Light must be at or above the 50 percent red threshold for three consecutive years to trigger moderate management action and must be at or above the 75 percent red threshold for two of three consecutive years to trigger elevated management action as established in the plan (Table 1). The recruit abundance indicator, while not used to trigger initial management action, may be used to supplement any management action taken if an adult abundance or production trigger is activated. The three-year period was chosen to prevent taking management action due to annual variability in the blue crab stock and instead base any management response on the observation of a short, but continued declining trend in the population.

The update in 2014, which incorporated data through 2013, showed both the adult abundance and production characteristics had met or exceeded the moderate threshold of 50 percent red for the first year. The update in 2015, which incorporated data through 2014, showed both the adult abundance and production characteristics exceeded the moderate threshold of 50 percent red for 2014. The Blue Crab Traffic Light was updated early last year with 2015 data due to the high probability that management action might be needed. As a result of that update, a revision to the



Blue Crab Fishery Management Plan was adopted in May 2016 to improve the condition of the blue crab stock. Since management measures were implemented in June 2016, it is too early to tell what effect, if any, they have had on the condition of the blue crab stock.

The current update, including data through 2016, indicates the adult abundance characteristic continues to exceed the moderate threshold of 50 percent red (adult=66 percent red; Figure 1). This serves as the fourth consecutive year at or above the 50 percent red threshold for the adult abundance characteristic. The recruit abundance characteristic has exceeded the 75 percent red threshold for fourth consecutive year (2016=88 percent red). The production characteristic has met the 50 percent red threshold (2016=50 percent red) for the first of three years required before management action must be taken due to the condition of this characteristic. Under the adaptive management plan adopted by the Marine Fisheries Commission as part of Amendment 2 to the Blue Crab Fishery Management Plan management measures adopted in May 2016 should continue (Table 2).

The blue crab stock status is currently listed as “Concern” due to the reduced abundance of adult and juvenile blue crabs in the population indicated by the traffic light. The division is currently working on a new stock assessment for blue crab and expects results to be available in late 2017 or early 2018.

Table 1. Moderate and elevated management measures under the adaptive management framework for the Blue Crab Traffic Light in Amendment 2 to the Blue Crab Fishery Management Plan.

Characteristic	Moderate management level	Elevated management level
Adult abundance	A1. Increase in minimum size limit for male and immature female crabs	A4. Closure of the fishery (season and/or gear)
	A2. Reduction in tolerance of sub-legal size blue crabs (to a minimum of 5%) and/or implement gear modifications to reduce sublegal catch	A5. Reduction in tolerance of sub-legal size blue crabs (to a minimum of 1%) and/or implement gear modifications to reduce sublegal catch
	A3. Eliminate harvest of v-apron immature hard crab females	A6. Time restrictions
Recruit abundance	R1. Establish a seasonal size limit on peeler crabs	R4. Prohibit harvest of sponge crabs (all) and/or require sponge crab excluders in pots in specific areas
	R2. Restrict trip level harvest of sponge crabs (tolerance, quantity, sponge color)	R5. Expand existing and/or designate new crab spawning sanctuaries
	R3. Close the crab spawning sanctuaries from September 1 to February 28 and may impose further restrictions	R6. Closure of the fishery (season and/or gear)
Production		R7. Gear modifications in the crab trawl fishery
	P1. Restrict trip level harvest of sponge crabs (tolerance, quantity, sponge color)	P4. Prohibit harvest of sponge crabs (all) and/or require sponge crab excluders in pots for specific areas
	P2. Minimum and/or maximum size limit for mature female crabs	P5. Reduce peeler harvest (no white line peelers and/or peeler size limit)
	P3. Close the crab spawning sanctuaries from September 1 to February 28 and may impose further restrictions	P6. Expand existing and/or designate new crab spawning sanctuaries
		P7. Closure of the fishery (season and/or gear)

Table 2. Management measures implemented under the May 2016 Revision to Amendment 2 to the Blue Crab Fishery Management Plan ([Proclamation M-11-2016](#)).

Traffic Light Characteristic	Management Level	Management Action	Effective Date
Adult Abundance	Moderate	Add one additional cull ring to crab pots, which 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	January 15, 2017
Adult Abundance	Moderate	Eliminate the harvest of v-apron immature female hard crabs (excluding peeler crabs) and that v-apron immature hard crab females be included in the culling tolerance (currently only includes sublegal male and immature female hard crabs)	June 6, 2017
Adult Abundance	Moderate	Lower the cull tolerance to 5 percent for all crabs, except mature females	June 6, 2017
Adult and Recruit Abundance	Elevated	Prohibit crab harvest with dredges except incidental to lawful oyster dredging as outlined in North Carolina Marine Fisheries Commission Rule 15A NCAC 03L .0203(a)(2)	June 6, 2017
Recruit Abundance	Moderate	Prohibit harvest of dark sponge crabs (brown and black) from April 1-April 30. Include dark sponge crabs in the cull tolerance	June 6, 2017

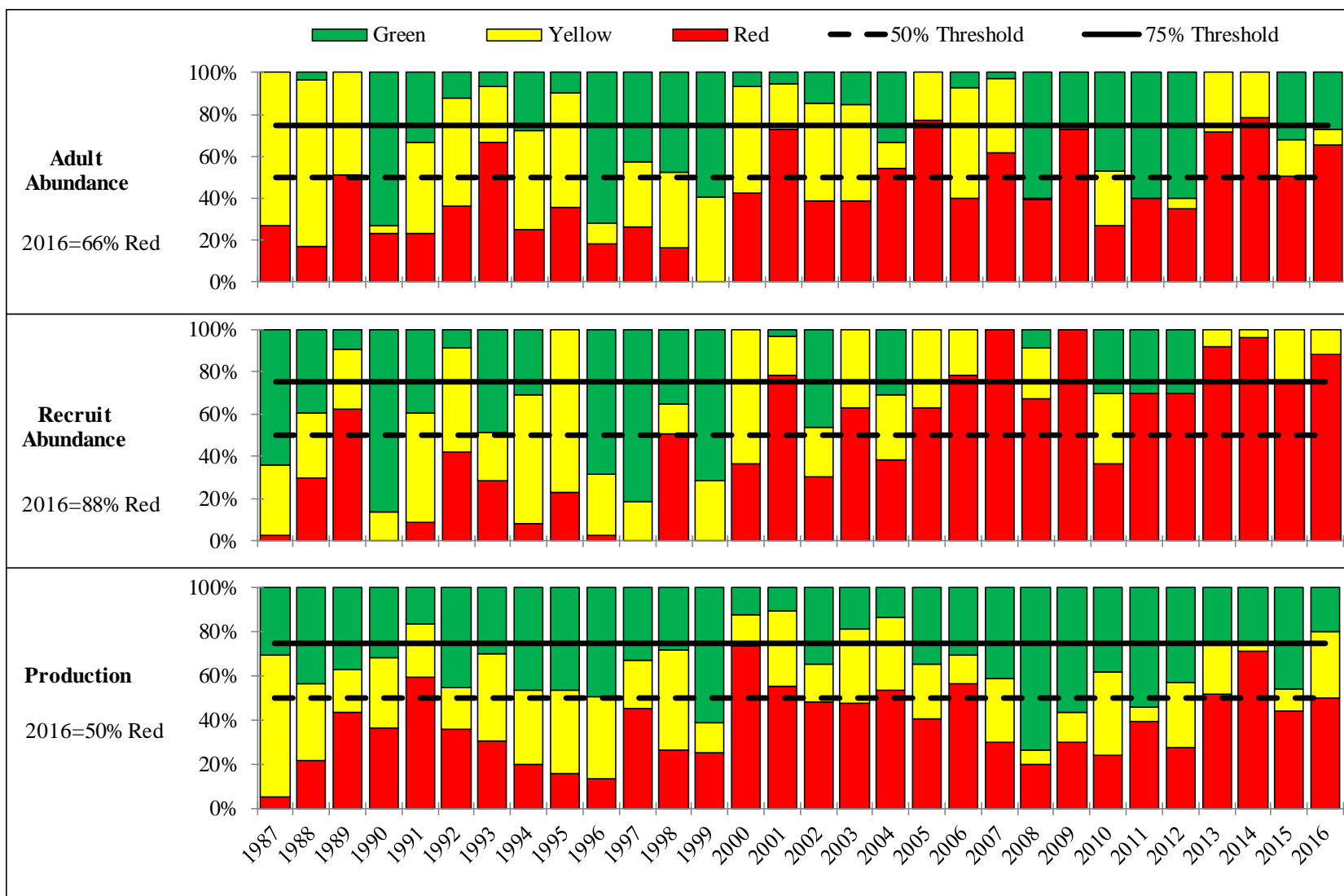


Figure 1. Adult abundance, recruit abundance, and production characteristics for the 2016 Blue Crab Traffic Light update.



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 21, 2017

MEMORANDUM

Stock 8-17

TO: Marine Fisheries Commission
FROM: Tina Moore
SUBJECT: 2016 Species Stock Status Overview Report

Attached is the Division of Marine Fisheries 2016 Stock Status Overview Report. This report has been changed to make it more user friendly and better correspond to stock status determinations at the federal and interstate management levels. The division only assigned a stock status to the 14 state-managed marine fisheries stocks. For the remaining 23 stocks, the state defers to the stock status assigned by the principal management agency, including the Atlantic States Marine Fisheries Commission, the South Atlantic Fishery Management Council, and the Mid-Atlantic Fishery Management Council.

Additionally, the division has redesigned the individual species pages, making them more visual with photographs and color graphics showing fishery landings and abundance trends. The new pages also give life history and management summaries.

This annual report is intended to serve as an overview of the condition of North Carolina's fisheries resources. The information contained in the stock status report is used to prioritize development of state fishery management plans and subsequent plan reviews. Classifications are based on updated information through 2016.

One species with a state fishery management plan had a stock status change. Striped mullet moved from "viable" to "concern" because monitoring triggers established in Amendment 1 to the North Carolina Striped Mullet Fishery Management Plan were met. 2016 commercial landings fell below the minimum landings threshold in the plan and there is low abundance in division sampling programs. Under the striped mullet plan's guideline, the division will review striped mullet data in more detail to determine what factors are responsible for this decline. Management action may or may not occur depending on the findings from further examination of the data. More information will be provided to the Marine Fisheries Commission towards the end of 2017.

The complete 2016 Stock Status Report can be found on the division's website at:
<http://portal.ncdenr.org/web/mf/stock-status-overview>






The annual stock status overview report for state-managed species is informed by annual fishery management plan updates. These updates are compiled to create the annual Fishery Management Plan Review. A copy of this document will be provided to each commissioner at the August 2017 business meeting. The annual Fishery Management Plan Review is a good resource about species management and provides information critical to our understanding of stock status.



2016 NORTH CAROLINA DIVISION OF MARINE FISHERIES STOCK STATUS OVERVIEW - STATE MANAGED SPECIES

(July 2017, based on 2016 Data)



 = Viable
  = Recovering
  = Concern
  = Depleted
 ? = Unknown

Species	Status	Comments
<u>Bay Scallop</u>		Bay scallops are considered an annual crop, so high natural mortality from environmental change and predation impacts annual abundance. As a result, a stock assessment is not an effective tool for management. Sampling showed low numbers in all areas and harvest was not allowed in 2016 because abundance levels did not meet the thresholds to open the season.
<u>Blue Crab</u>		Results of the stock assessment update in 2016 met the moderate management trigger for adult abundance. Additional management measures were implemented in June 2016 to improve stock condition. The stock assessment update in 2017 indicates the condition of the stock has not improved and continues to need protection.
<u>Eastern Oyster</u>		A stock assessment could not be conducted due to limited data; therefore, population size and the rate of removals from the population are unknown. Commercial landings from public bottom have been variable, and landings from private bottom in the past few years have increased significantly due to more interest in aquaculture.

2016 NORTH CAROLINA DIVISION OF MARINE FISHERIES STOCK STATUS OVERVIEW - STATE MANAGED SPECIES

(July 2017, based on 2016 Data)

 = Viable
  = Recovering
  = Concern
  = Depleted
 ? = Unknown



Species	Status	Comments
+ Estuarine Striped Bass: Albemarle Sound/Roanoke River Management Area		The 2016 Albemarle/Roanoke striped bass stock assessment update indicates overfishing (excessive fishing mortality) is not occurring and the stock is not overfished (stock size is adequate). Although the stock is not overfished, the abundance of mature females in the population has declined steadily since the peak in 2003. While very large, the estimate of abundance in the final year of the assessment (2014) is the most uncertain and should be viewed with caution. The estimate will likely decrease as additional years of data are added to the model. A new benchmark stock assessment is underway in conjunction with the ongoing fishery management plan review. Results are expected in the late fall of 2017.
Estuarine Striped Bass: Central/Southern Management Area		The Central Southern Management Area stocks include the Tar/Pamlico, Neuse, and Cape Fear rivers. The major issue is determining the environmental and biological factors preventing a self-sustaining population. No stock assessment is currently available for management. A benchmark stock assessment is underway in conjunction with the ongoing fishery management plan review. Results are expected in the late fall of 2017.
Hard Clam	?	A stock assessment could not be conducted due to limited data; therefore, population size and the rate of removals from the population are unknown. Harvest fluctuates, often in response to changes in demand, improved harvesting methods, and increases in polluted shellfish area closures.

+ The species is also managed by the Atlantic States Marine Fisheries Commission. Management measures are implemented by the North Carolina Fishery Management Plan for Interjurisdictional Fisheries, which defers to the Atlantic States Marine Fisheries Commission plans.

2016 NORTH CAROLINA DIVISION OF MARINE FISHERIES STOCK STATUS OVERVIEW - STATE MANAGED SPECIES

(July 2017, based on 2016 Data)

 = Viable
  = Recovering
  = Concern
  = Depleted
 ? = Unknown


Species	Status	Comments
Kingfishes		A stock assessment is not available due to lack of migration data, so an annual trend analysis with management triggers is used to monitor the stock. Though three management triggers were activated in 2016, no action is required because triggers must be activated for two consecutive years to warrant further evaluation and possible management change.
+ Red Drum		The regional benchmark stock assessment (North Carolina and all states north), conducted by the Atlantic States Marine Fisheries Commission in 2017, indicates that overfishing (excessive fishing mortality) is not occurring and that management targets continue to be met. The size of the population (overfished status), however, continues to be unknown due to limited data available for the adult population.

+ The species is also managed by the Atlantic States Marine Fisheries Commission. Management measures are implemented by the North Carolina Fishery Management Plan for Interjurisdictional Fisheries, which defers to the Atlantic States Marine Fisheries Commission plans.

2016 NORTH CAROLINA DIVISION OF MARINE FISHERIES STOCK STATUS OVERVIEW - STATE MANAGED SPECIES

(July 2017, based on 2016 Data)

 = Viable
  = Recovering
  = Concern
  = Depleted
 ? = Unknown




Species	Status	Comments
+ River Herring		River herring are currently listed as depleted in the Albemarle Sound by the Atlantic States Marine Fisheries Commission. This designation is based on the results of the 2012 Atlantic States Marine Fisheries Commission Atlantic coastwide stock assessment. The North Carolina portion of the coastwide assessment is for the Albemarle Sound blueback herring stock only. River herring in other parts of the state are currently listed as unknown by the Atlantic States Marine Fisheries Commission due to the lack of data for these systems. Many factors contribute to the stock's failure to recover, including bycatch in offshore fisheries, degraded water quality, and reductions in spawning habitat due to dams and other blockages. An update to the coastwide stock assessment with data through 2015 is underway with results expected in the fall of 2017.
Sheepshead	?	No stock assessment is available for sheepshead due to lack of data; therefore, the stock status is currently unknown. Landings trends and other biological data prompted the Marine Fisheries Commission to implement new harvest restrictions in June 2015. The division continues to monitor landings and collect data on the stock. In 2016, both recreational and commercial landings were below the 10 year average.

+ The species is also managed by the Atlantic States Marine Fisheries Commission. Management measures are implemented by the North Carolina Fishery Management Plan for Interjurisdictional Fisheries, which defers to the Atlantic States Marine Fisheries Commission plans.

2016 NORTH CAROLINA DIVISION OF MARINE FISHERIES STOCK STATUS OVERVIEW - STATE MANAGED SPECIES

(July 2017, based on 2016 Data)

 = Viable
  = Recovering
  = Concern
  = Depleted
 ? = Unknown


Species	Status	Comments
Shrimp		The stock is considered an annual crop that consists of three species of shrimp (brown, pink, white). The population size is determined mainly by the number of shrimp entering the population each year, which is driven by environmental conditions. Therefore, a stock assessment is not an effective tool for management. The division is continuing to collaborate with the industry on bycatch reduction in the shrimp trawl fishery.
Southern Flounder		The Division of Marine Fisheries 2014 stock assessment of southern flounder in North Carolina waters was not approved for management due to mixing of the stock on a regional scale (the U.S. South Atlantic). There are concerns about the coastwide trends in juvenile and adult abundance and the high percentage of immature fish in the harvest. A regional stock assessment is underway including partners from Florida, Georgia, South Carolina and North Carolina and is scheduled to be completed in late 2017.
⁺ Spotted Seatrout		The 2014 stock assessment showed a viable status and removals from fishing were considered sustainable. Recreational and commercial landings for 2016 were at average levels compared to the past 10 years and there is no indication that the stock is at risk.

+ The species is also managed by the Atlantic States Marine Fisheries Commission. Management measures are implemented by the North Carolina Fishery Management Plan for Interjurisdictional Fisheries, which defers to the Atlantic States Marine Fisheries Commission plans.

2016 NORTH CAROLINA DIVISION OF MARINE FISHERIES STOCK STATUS OVERVIEW - STATE MANAGED SPECIES

(July 2017, based on 2016 Data)

 = Viable
  = Recovering
  = Concern
  = Depleted
 ? = Unknown

Species	Status	Comments
<u>Striped Mullet</u>		The 2011 stock assessment indicated overfishing (excessive fishing mortality) was not occurring but could not determine the overfished (stock size) status. The stock is classified as concern due to commercial landings from 2016 falling below the landings thresholds established in Amendment 1 and due to historically low striped mullet abundance in division sampling surveys.



Release: Immediate
Date: July 10, 2017

Contact: Patricia Smith
Phone: 252-726-7021

Changes make annual Stock Status Overview Report more user friendly, striped mullet reclassified

MOREHEAD CITY – The North Carolina Division of Marine Fisheries has changed its annual Stock Status Overview Report to make it more user friendly and better correspond to stock status determinations at the federal and interstate management levels.

A new webpage design separates state-managed species from those cooperatively managed through a federal or interstate entity. The Division of Marine Fisheries assigned a stock status only to the 14 state-managed marine fisheries stocks. For the remaining 23 stocks, the state defers to the stock status assigned by the principal management agency, including the Atlantic States Marine Fisheries Commission, the South Atlantic Fishery Management Council and the Mid-Atlantic Fishery Management Council.

Additionally, the Division of Marine Fisheries has redesigned the individual species pages, making them more visual with photographs and color graphics showing fishery landings and abundance trends. The new pages also give life history and updated management summaries.

The Division of Marine Fisheries classifies the status of important marine finfish, shellfish, shrimp and crabs as viable, recovering, concern, depleted or unknown. Definitions of these categories can be found [here](#).

The annual classifications are based on biological and statistical data from the prior year and describe the overall condition of North Carolina's state-managed fishery resources.

This year's Stock Status Overview Report reclassifies one state-managed species. Striped mullet moved from "viable" to "concern" because monitoring triggers established in Amendment 1 to the North Carolina Striped Mullet Fishery Management Plan were met. 2016 commercial landings fell below the minimum landings threshold established in the plan. Also, Division of Marine Fisheries sampling surveys showed low striped mullet abundance.

Under the striped mullet plan's guidelines, the division will review striped mullet data in more detail to determine what factors are responsible for this decline and to decide if management action is needed.

No other state-managed species were reclassified, but the status of red drum, currently listed as "recovering," is now based on a new regional stock assessment which indicates that the stock continues to meet or exceed the management targets set forth in Amendment 1 to the North Carolina Red Drum Fishery Management Plan.

The complete 2016 Stock Status Overview Report can be found [here](#). The stock condition of overfished and overfishing, if known for a state-managed species, is highlighted in the comments column of the state-managed species table. A stock is overfished when the population size is too small. Overfishing occurs when the removal rate of fish is too high.

For more information, contact division Fisheries Management Section Chief Kathy Rawls at 252-808-8074 or Kathy.Rawls@ncdenr.gov.

###



Introduction

This document presents a summary of the 2017 stock assessments for red drum. These assessments were initially conducted through the Southeast Data, Assessment and Review (SEDAR) process using Stock Synthesis (SS3) models. However, after further review by the Atlantic States Marine Fisheries Commission's Red Drum Technical Committee and Stock Assessment Subcommittee (TC/SAS), the TC/SAS expressed concern over certain assumptions made in the SS3 model. The Committee recommended reverting to the Statistical Catch-at-Age (SCA) model used in the 2009 benchmark assessment as the base model for these new assessments, with the inclusion of updated and additional data collected since the 2009 assessment.

The revised assessments were peer-reviewed by an independent panel of scientific experts through the Commission's peer review process. The assessment represents the latest and best information on the status of Atlantic coast red drum stocks and provide the scientific basis for continued management of the species. The Commission's South Atlantic State/Federal Fisheries Management Board, which oversees red drum management, accepted the assessments for management use in February 2017.

Management Overview

Red drum are managed solely by the Atlantic States Marine Fisheries Commission through Amendment 2 to the Interstate Fishery Management Plan for Red Drum and Addendum I. The Amendment requires states to implement recreational creel and size limits to achieve the fishing mortality target, including a maximum size limit of 27 inches and maintain existing commercial regulations. A harvest moratorium and Presidential Executive Order prevents any harvest or sale of red drum from federal waters (3 – 200 miles from shore). Addendum I includes current information on red drum habitats needed for each life stage (egg, larval, juvenile, sub-adult and adult) and identifies habitats of concern which are especially important as spawning and nursery areas.

What Data Were Used?

The red drum stock assessments used both fishery-dependent and -independent data, including information on red drum biology and life history. Fishery-dependent data come from recreational and commercial fisheries, while fishery-independent data are collected through scientific research and surveys. Red drum are divided into two management areas or stocks along the Atlantic coast, a northern stock (from New Jersey to North Carolina) and a southern stock (from South Carolina to Florida). The stock units are based on differences in life history traits between the two stocks (such as growth rates and maximum observed ages) and information from genetic and tagging studies indicating red drum rarely move between the two regions. Separate assessments were performed for each stock.

Life History

While red drum on the Atlantic coast may be encountered from Massachusetts to Key West, Florida, catches from states north of New Jersey are negligible. Adult red drum spawn at night in the summer and fall in nearshore waters, and juveniles are most abundant in estuarine waters and inlets. Depending on the area, males mature between ages one and four at a size of 20 – 28 inches total length. Females mature between ages three and six at a size of 31 – 36 inches total length. Red drum may live to be 60 years old, reach 60 inches and more than 90 pounds in size. After they mature, they spend less time in estuaries and more time in ocean waters. It is thought fish older than age four spend most of their time in deep offshore waters, where they are less vulnerable to fishing pressure. As a result of this life history pattern and the regulations restricting the harvest of larger fish, there is very little information on the adult portion of the populations.

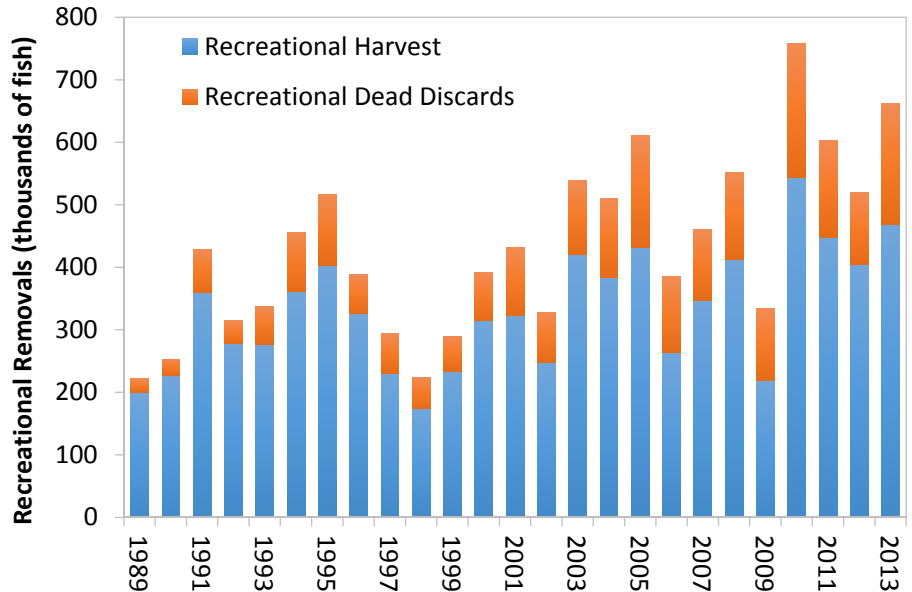
Commercial Data

Since 1988, there have been no commercial landings from the southern stock, as South Carolina and Florida enacted regulations preventing commercial harvest of red drum. Prior to 1988, commercial landings in the southern region mostly came from Florida's gillnet and hook and line fisheries.

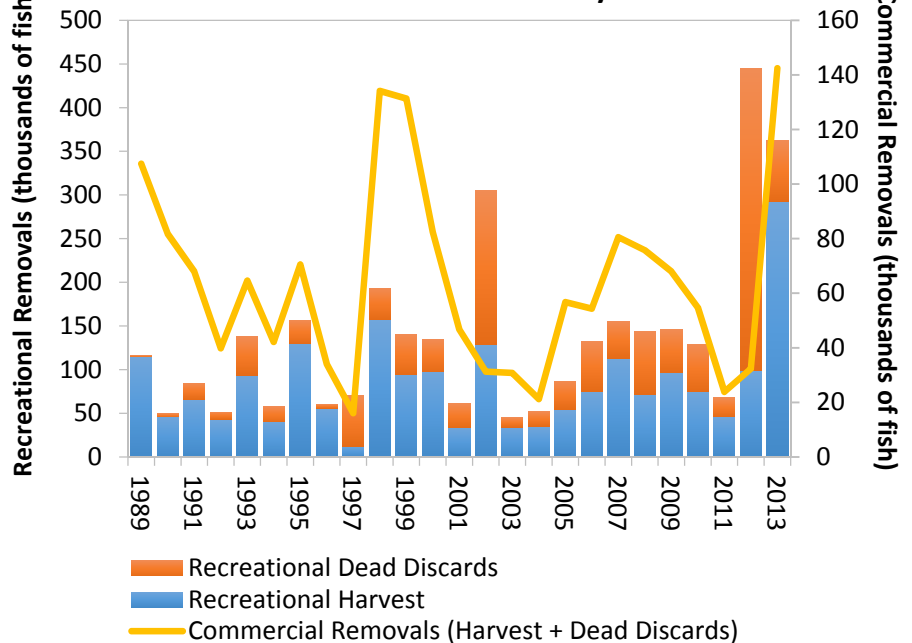
In the northern stock, North Carolina accounts for more than 90% of landings in recent years, mostly from gillnets. Commercial removals (harvest plus dead discards) have fluctuated around an average of 63,638 fish per year and showed a large increase in 2013. North Carolina provided on-board observer data that were used to estimate the number of red drum that were discarded from the gillnet fishery; most fish were discarded dead, and the assessment assumed 5% of fish discarded alive died after release.

Biological samples were taken from commercial catch in Florida, North Carolina and Virginia. Fish were measured and weighed, and otoliths (the fish's ear bones) were collected to age them. Samples were used to

Red Drum Southern Stock Fishery Removals



Red Drum Northern Stock Fishery Removals



develop age-length keys that predict fish age based on length. Since Florida has not landed red drum commercially since 1988, annual age-length keys characterizing the commercial catch were developed using only data from North Carolina and Virginia, covering the time period from 1989 – 2013. Age-length keys were applied to length frequencies to estimate the number of fish of each age in the commercial catch (catch-at-age).

Recreational Data

Recreational catch information is currently collected by the Marine Recreational Information Program (MRIP). Recreational removals have shown similar fluctuations as those seen in the commercial fishery, but on a much larger scale (average number of recreational removals from 1989 – 2013 was 135,367 fish per year). Removals were also high in 2013 due to the largest recreational harvest in the time series. Most of the recreational harvest occurs in the southern stock, but recreational harvest in the northern stock is regularly two or more times the commercial harvest. The majority of recreational harvests from the northern and southern stocks come from North Carolina and Florida, respectively. Based on several studies of survival rates for fish caught by hook and line, the assessments assumed 8% of recreationally-caught fish released alive died after release.

In both the northern and southern stocks, anglers have released an increasingly large percentage of their catch alive, going from about 4% in 1982 to over 80% in recent years. Due to slot limit regulations, the majority of fish harvested by anglers are ages one to three. Thus, removals due to harvest only describe fish in this age range, but release mortality may apply to any age. In addition to catch information, the assessments also used fishing effort information from MRIP dockside surveys of anglers to calculate the yearly catch-per-unit-effort (CPUE). This annual CPUE was used as a fishery-dependent index to provide information on trends of relative abundance for fish ages one to three in each stock.

Fishery-independent Data

The red drum assessments used a number of different fishery-independent surveys that provide information on trends in relative abundance for different age classes. In the northern stock, the assessment used three fishery-independent surveys from North Carolina: a seine survey that catches young-of-year, a gillnet survey that catches ages one and two, and a longline survey that catches ages seven and older. In the southern stock, the assessment used eight fishery-independent surveys: a Florida small seine survey, a Georgia gill net survey, and a South Carolina stop net survey that catches age one fish; a South Carolina trammel net survey that catches fish up to age two; a



A red drum being captured for sampling as part of the Red Drum Longline Survey © Bryan Frazier, SC DNR

Florida haul seine survey that catches age two and three fish; and longline surveys from Georgia (1 mile sets) and South Carolina (1 mile and 1/3 mile sets) that catches adult red drum ages seven and older.

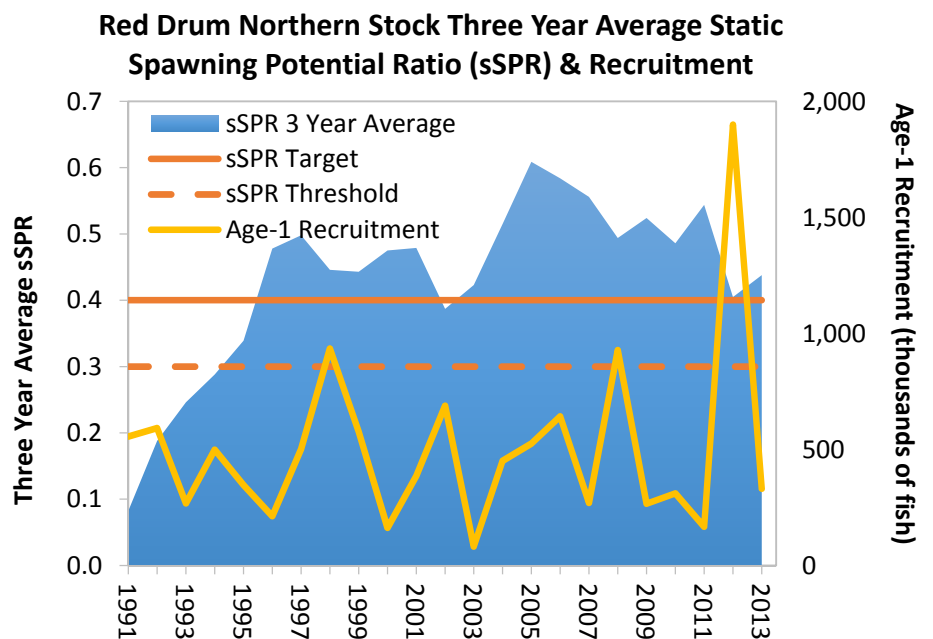
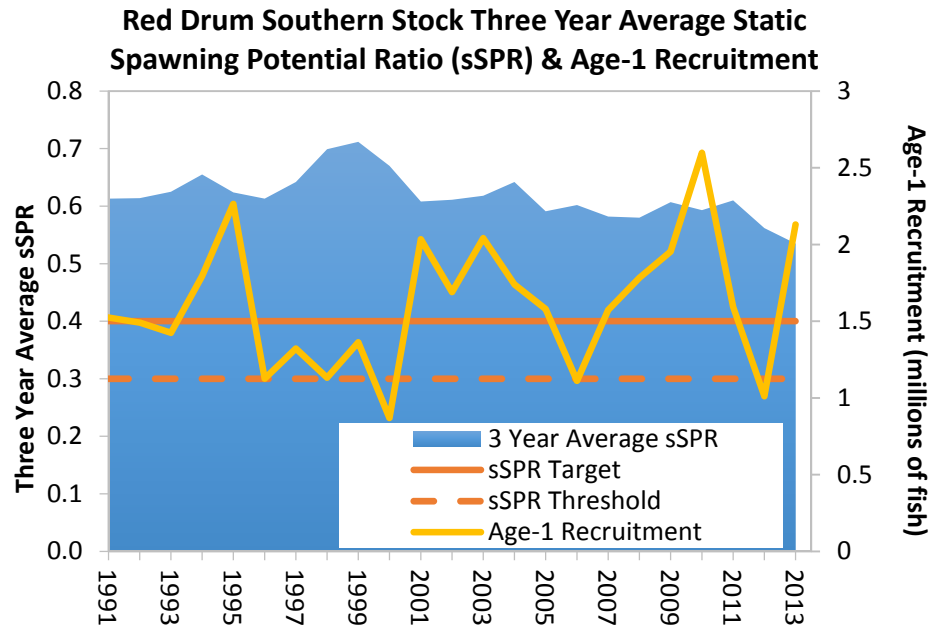
Tagging Data

In the southern stock, tag-recapture data from South Carolina were used to describe the age composition of fish released alive by anglers in South Carolina and Georgia. A previously published tagging study from North Carolina was used to estimate age composition for fish released alive by anglers in Florida, as the North Carolina study was conducted when regulations were similar to Florida's regulations

In the northern region, a 2008 study provided important information used in the assessment about fishing mortality and the age composition of the fish released alive by recreational anglers.

What Models Were Used?

An SCA model was used to assess the red drum stocks. The model combines the catch-at-age data from commercial and recreational fisheries with information from fishery-independent surveys and biological information such as growth rates and natural mortality rates to estimate the abundance and fishing mortality rates of each age class. Because of the limited data on adults, the model groups all fish ages seven and older into a single "plus group." The model, which estimates static spawning potential ratios (sSPR), determines if current fishing mortality rates will likely lead to sustainability over the long-term. For the purposes of these assessments, sSPR is a measure of spawning stock biomass survival when fished at the current year's fishing mortality rate relative to the spawning stock biomass survival if no fishing mortality was occurring. Due to high variability in red drum recruitment between years, a three-year average sSPR was used to determine the status of the stock.



What is the Status of the Stock?

The assessments determined that overfishing was not occurring for either the northern or the southern stocks. The 2011 to 2013 three-year average sSPR for the northern and southern stocks was 43.8% and 53.5%, respectively, both above the overfishing threshold (30%) and the target (40%) sSPR.

Age-1 recruitment, or the number of fish spawned the previous fall, has shown high annual variability, but without much net increase or decrease since the early 1990s. Because there was so little information on the adult population (age four and older), the assessments could not determine the total abundance of the stocks or whether the stocks were overfished.

Data and Research Needs

More information on the abundance and age composition of the adult population (ages four and older) is critical to improving the red drum stock assessments. Several fishery-independent surveys have been developed since the last assessment. However, longer time series for the surveys are needed, most notably to improve abundance estimation for adult (ages four and older) red drum that are not susceptible to the fishery. Additionally, tagging data were very important to the northern assessment, and similar analyses by tagging programs covering the southern stock could prove beneficial.

Whom Do I Contact For More Information?

Atlantic States Marine Fisheries Commission
1050 N. Highland Street
Arlington, VA 22201
703/842-0740
info@asmfc.org

Glossary

Age class: all of the individuals in a stock that were spawned or hatched in the same year. This is also known as the year class.

Catch-at-age: the number of fish of each age that are removed in a year by fishing activity.

Fishing mortality: the instantaneous rate at which fish are killed by fishing

Marine Recreational Information Program (MRIP): a national survey conducted by the National Marine Fisheries Service (NMFS), often in conjunction with state agencies, to collect information on the catch, effort, and length frequencies of marine recreational fisheries

Natural mortality: the instantaneous rate at which fish die because of natural causes (predation, disease, starvation, etc)

Otoliths: the inner ear bones of a fish. They form rings as they grow which can be counted to assign an age to the fish.

Recruitment: A measure of the weight or number of fish that enter a defined portion of the stock, such as the spawning stock or fishable stock.

Static spawning potential ratio (sSPR): the reproductive potential (the amount of eggs or biomass that a fish could produce over its lifetime) of a fished stock compared to the reproductive potential of an unfished stock.

Statistical catch-at-age (SCA) model: an age-structured stock assessment model that works forward in time to estimate population size and fishing mortality in each year. It does not assume that the catch-at-age is known without error.

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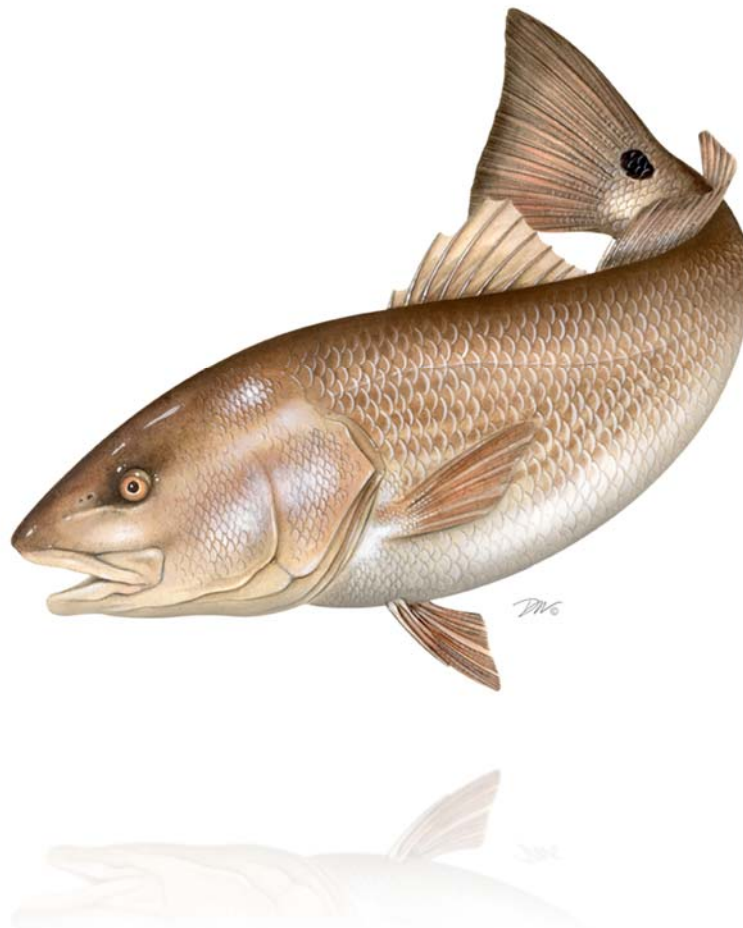
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ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

Aug. 2, 2017

MEMORANDUM

FMP 08-17

TO: Marine Fisheries Commission
FROM: Catherine Blum, Fishery Management Plan and Rulemaking Coordinator
SUBJECT: Fishery Management Plan Update

This memo describes the general materials about fishery management plans for the August 2017 commission meeting. There are three items in this section; the first two are for information and the third is scheduled for the commission to take action. Each item is summarized below.

Status of Ongoing Plans

The first item is a three-page summary of the status of the fishery management plans. This is a document staff presents to the commission at its annual August business meeting. The document provides background information on the authority and process for fishery management plans, as well as the status of each individual plan.

Fishery Management Plan Review

The second item is a separate publication in its own folder entitled “2016 Fishery Management Plan Review.” It is a compilation of annual updates about state-managed, federally-managed, and Atlantic States Marine Fisheries Commission-managed species for which there are fishery management plans for North Carolina. The updates are based on data through the previous calendar year. Staff provides the document to the commission at its annual August business meeting. It is a useful resource document, especially as a means of providing fishery management plan schedule recommendations based on the latest data; two such recommendations are described below under “Five-Year Schedule.” The document also provides a comprehensive list of research recommendations for all fishery management plans.

The Fishery Management Plan Review is an invaluable reference document for information about the latest status of fisheries occurring in North Carolina. The document is organized into two primary sections: state-managed species and interstate-managed species, including species managed by the Atlantic States Marine Fisheries Commission and federal fishery councils. The latter section is further divided into species with and without North Carolina indices. If a species has a North Carolina index, it means that North Carolina data were used by the federal councils or the Atlantic States Marine Fisheries Commission in their respective plans.



Each update in the Fishery Management Plan Review contains information about the:

- History of the plan;
- Management unit;
- Goal and objectives;
- Status of the stock;
- Status of the fishery, including current regulations and commercial and recreational landings;
- Monitoring program data, including dependent and independent monitoring;
- Management strategy;
- Research needs; and
- Recommendation on the timing for the next state plan review.

Five-year Schedule

The final item in this section is the draft “Fishery Management Plan Review Schedule” presented for the commission’s consideration and approval. This is an action item because it requires the commission’s approval each year in accordance with General Statutes 113-182.1 and 143B-289.52. Upon the commission’s approval, the final schedule will be forwarded to the secretary of the Department of Environmental Quality, also per statutory requirements, to assist the secretary in monitoring the progress in the development and adoption of fishery management plans.

The draft schedule reflects two schedule change recommendations from the Division of Marine Fisheries. The first is for the review of the Spotted Seatrout Fishery Management Plan to begin in 2018, one year later than originally planned. This is due to staff workload for the review of the Southern Flounder Fishery Management Plan, the early review of the Estuarine Striped Bass Fishery Management Plan, and the unscheduled review of the Blue Crab Fishery Management Plan. A stock assessment was completed on spotted seatrout in North Carolina and Virginia in 2014 and indicated the stock was at viable levels and removals were considered sustainable for the long-term benefit of the stock. As provided in the Fishery Management Plan Review for spotted seatrout, data through 2016 do not indicate anything to the contrary.

The second schedule change recommendation is for the annual fishery management plan update to satisfy the formal statutory review of Amendment 1 to the North Carolina Red Drum Fishery Management Plan. The Atlantic States Marine Fisheries Commission benchmark stock assessment was approved for management use in February 2017. The stock assessment showed that management targets set forth by Amendment 2 to the Atlantic States Marine Fisheries Commission Red Drum Fishery Management Plan continue to be met. Thus, the Atlantic States Marine Fisheries Commission opted to keep all management and compliance requirements under Amendment 2 in place with no further action taken. The management targets of the state fishery management plan are consistent with Amendment 2 to the Atlantic States Marine Fisheries Commission plan, which requires that states not adopt a less protective management program than currently in effect.



The management program currently in place for red drum has resulted in a stock that has met ongoing management targets. All management strategies that have led to management targets being met shall be maintained both within the state plan and the Atlantic States Marine Fisheries Commission plan. Stock conditions will be monitored and reported through each annual fishery management plan update and the Marine Fisheries Commission will continue to have the option to modify the review schedule annually. The next scheduled formal review as recommended will begin July 2022. Additional information is provided under the “Stock Status Report” tab in the briefing book.

These recommendations are reflected in the “Fishery Management Plan Review Schedule,” which follows. Two final items of note are marked with asterisks in the draft schedule. The next review of the Southern Flounder Fishery Management Plan will begin as soon as a valid stock assessment is available. Also, the timing of the next review of the Shrimp Fishery Management Plan could be impacted by the North Carolina Wildlife Federation’s petitioned rules.



Annual Fishery Management Plan Update
North Carolina Division of Marine Fisheries and Marine Fisheries Commission
Aug. 2, 2017

Authority and Process

The Fisheries Reform Act of 1997 and its subsequent amendments established the requirement to create fishery management plans for all of North Carolina's commercially and recreationally significant species or fisheries. The contents of the plans are specified, advisory committees are required, and reviews by the Department of Environmental Quality secretary and the Joint Legislative Commission on Governmental Operations are mandated.

The original 1997 legislation mandated the Blue Crab Fishery Management Plan be completed first. The Marine Fisheries Commission used the Division of Marine Fisheries' annual stock status review to prioritize the order of species that would be addressed in subsequent plans. All initial fishery management plans identified on the priority list have been developed. Fishery management plans normally take about two years to complete and are required to be reviewed at least once every five years. Upon review, amendment of a plan is required when changes to management strategies are necessary. An information update for a plan, which includes changes in factual and background data only, is completed if there are no management changes. The division and the Marine Fisheries Commission adopted an annual rule cycle in 2009 to coincide with rulebook production, increase efficiency in rule making processes, and consolidate efforts in the development of fishery management plans and the associated implementing rules.

Status of State Fishery Management Plans

Three of 13 state plans are currently underway. These are reviews of the Blue Crab, Estuarine Striped Bass and Southern Flounder fishery management plans. A table indicating the draft 2017 schedule for the plan reviews is included at the end of the report. The Marine Fisheries Commission will vote on approval of the schedule at its August 2017 business meeting.

The next review of the **Blue Crab Fishery Management Plan Amendment 2** was scheduled to begin in 2018. In June 2016, management measures were implemented under the adaptive management framework adopted as part of Amendment 2. Due to continued stock status concerns, the Marine Fisheries Commission adjusted the schedule for the review of this plan at its August 2016 business meeting to begin immediately. A stock assessment is underway and an advisory committee has been formed. Adaptive management measures will remain in place until the next amendment is adopted.

The next review of the **Division of Marine Fisheries-Wildlife Resources Commission Joint Estuarine Striped Bass Fishery Management Plan Amendment 1** was scheduled to begin in 2018; however, staff from both state agencies recommended initiating the review in 2017 to address problems with striped bass reproduction in the Central Southern Management Area. The Marine Fisheries Commission agreed with the recommendation and adjusted the schedule for the review to begin in 2017. Stock assessments for the Central Southern Management Area stock and the Roanoke River Management Area stock are underway.

Supplement A to the **Southern Flounder Fishery Management Plan Amendment 1** was approved in November 2015 to adopt temporary management measures to reduce the catch of southern flounder up to 60 percent. This was due to concerns about the sustainability of current harvest levels because of a coast-wide decline in the number of young fish entering into the stock since the 1990s. Per statute, the temporary management measures will be in place until the adoption of the next amendment. Although data inputs used in the 2014 stock assessment of southern flounder in North Carolina waters were determined to be valid, the stock assessment could not be used to determine stock status because the southern flounder stock mixes throughout the South Atlantic (North Carolina to Florida.) As a result, a coastwide stock assessment for southern flounder is underway and is expected to be completed in the second half of 2017, after which the next review of the plan will commence.

The Division of Marine Fisheries recommends the next review of the **Spotted Seatrout Fishery Management Plan** begin in 2018, one year later than originally planned. This is due to staff workload for the unscheduled review of the Blue Crab Fishery Management Plan, the early review of the Estuarine Striped Bass Fishery Management Plan and the review of the Southern Flounder Fishery Management Plan. A stock assessment was completed on spotted seatrout in North Carolina and Virginia in 2014 and indicated the stock was at viable levels and removals were considered sustainable for the long-term benefit of the stock. Data through 2016 do not indicate anything to the contrary.

The Division of Marine Fisheries recommends the annual fishery management plan update satisfy the formal statutory review of Amendment 1 to the North Carolina **Red Drum Fishery Management Plan**. The Atlantic States Marine Fisheries Commission benchmark stock assessment was approved for management use in February 2017. The stock assessment showed that management targets set forth by Amendment 2 to the Atlantic States Marine Fisheries Commission Red Drum Fishery Management Plan continue to be met. Thus, the Atlantic States Marine Fisheries Commission opted to keep all management and compliance requirements under Amendment 2 in place with no further action taken. The management targets of the state fishery management plan are consistent with Amendment 2 to the Atlantic States Marine Fisheries Commission plan, which requires that states not adopt a less protective management program than currently in effect. Stock conditions will be monitored and reported through each annual fishery management plan update and the Marine Fisheries Commission will continue to have the option to modify the review schedule annually. The next scheduled formal review as recommended will begin July 2022.

The Marine Fisheries Commission gave its final approval of the **Bay Scallop Fishery Management Plan Amendment 2, Division of Marine Fisheries-Wildlife Resources Commission Joint River Herring Fishery Management Plan Amendment 2, and Shrimp Fishery Management Plan Amendment 1** in February 2015 and the implementing rules became effective May 1, 2015 and June 13, 2016. The next reviews are scheduled to begin in 2020. The timing of the next review of the Shrimp Fishery Management Plan could be impacted by the North Carolina Wildlife Federation's petitioned rules.

The **Interjurisdictional Fisheries Management Plan Information Update** and the **Kingfishes Fishery Management Plan Information Update** were approved in November 2015. No change in management strategies was necessary, so the plans were updated with the most current factual and background data. The next review of these plans will begin in 2020.

The **Striped Mullet Fishery Management Plan Amendment 1** was also approved in November 2015 and implementing rules became effective April 1, 2016. The next review of this plan is scheduled to begin in 2020. After completing the annual fishery management plan update for striped mullet, the stock status was moved from “viable” to “concern” because monitoring triggers established in Amendment 1 to the North Carolina Striped Mullet Fishery Management Plan were met. In 2016, commercial landings fell below the minimum landings threshold in the plan and there are consistent declines in division sampling programs. Under the Striped Mullet Fishery Management Plan guideline, the division will review striped mullet data in more detail to determine what factors are responsible for this decline. Management action may or may not occur depending on the findings from further examination of the data. More information will be provided to the Marine Fisheries Commission at its November 2017 business meeting.

The **Hard Clam Fishery Management Plan Amendment 2** and the **Oyster Fishery Management Plan Amendment 4** were approved in February 2017. The 2010 supplement to the oyster plan was addressed in this review as well as additional management issues for both plans. The implementing rules became effective May 1, 2017.

DRAFT

FISHERY MANAGEMENT PLAN REVIEW SCHEDULE (July 2017 – June 2022) Revised August 2017					
SPECIES (Date of Last Action)	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
BLUE CRAB (11/13)					
ESTUARINE STRIPED BASS (5/13)					
SOUTHERN FLOUNDER (2/13)	*				
SPOTTED SEATROUT (2/12)					
BAY SCALLOP (2/15)					
RIVER HERRING (2/15)					
SHRIMP (2/15)				**	
INTERJURISDICTIONAL (11/15)					
KINGFISHES (11/15)					
STRIPED MULLET (11/15)					
HARD CLAM (2/17)					
OYSTER (2/17)					
RED DRUM (8/17) †					

* The next review of the Southern Flounder Fishery Management Plan will begin as soon as a valid stock assessment is available.

** The timing of the next review of the Shrimp Fishery Management Plan could be impacted by the North Carolina Wildlife Federation's petitioned rules.

† The management program currently in place for red drum has resulted in a stock that has met ongoing management targets; therefore, the North Carolina Division of Marine Fisheries recommends that the annual fishery management plan update satisfy the formal statutory review of Amendment 1 to the North Carolina Red Drum Fishery Management Plan.

**North Carolina
Division of Marine Fisheries**

2016 Fishery Management Plan Review

August 2017



INTRODUCTION

The Fishery Management Plan Review is a compilation of annual updates about state-managed, federally-managed, and Atlantic States Marine Fisheries Commission-managed species for which there are fishery management plans for North Carolina. The updates are based on data through the previous calendar year and the document is presented to the Marine Fisheries Commission at its annual August business meeting.

The Fishery Management Plan Review is an invaluable reference document and a resource for information about the latest status of fisheries occurring in North Carolina. The document is organized into two primary sections: state-managed species and Atlantic States Marine Fisheries Commission and federally-managed species. The latter section is further divided into species with and without North Carolina indices. If a species has a North Carolina index, it means there is North Carolina data that the federal Councils or Atlantic States Marine Fisheries Commission used in its respective plans.

There are currently 13 state fishery management plans, 12 of which are updated annually and included in this document. The remaining plan is the North Carolina Fishery Management Plan for Interjurisdictional Fisheries. This plan adopts by reference management measures appropriate for North Carolina contained in approved federal Council or Atlantic States Marine Fisheries Commission fishery management plans.

These management measures are implemented by Marine Fisheries Commission rules to provide compliance or consistency with the approved plans and amendments. The goals of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal Councils plans) and the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic States Marine Fisheries Commission plans), are similar to the goals of the North Carolina Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries. The state interjurisdictional plan reduces duplication of effort while meeting the requirements of North Carolina General Statute 113-182.1, Fishery Management Plans.

Each update in the Fishery Management Plan Review contains information about the:

- History of the plan;
- Management unit;
- Goal and objectives;
- Status of the stock;
- Status of the fishery, including current regulations and commercial and recreational landings;
- Monitoring program data, including dependent and independent monitoring;
- Management strategy;
- Management and research needs; and
- Recommendation on the timing for the next review of state plans.

TABLE OF CONTENTS

INTRODUCTION 2

STATE-MANAGED SPECIES

BAY SCALLOP 4

BLUE CRAB 18

EASTERN OYSTER 51

ESTUARINE STRIPED BASS (ALBEMARLE/ROANOKE STOCK AND CENTRAL SOUTHERN MANAGEMENT AREA)..... 81

HARD CLAM..... 115

KINGFISHES 131

RED DRUM..... 148

RIVER HERRING..... 166

SHEEPSHEAD 180

SHRIMP..... 188

SOUTHERN FLOUNDER..... 207

SPOTTED SEATROUT 223

STRIPED MULLET 240

ATLANTIC STATES MARINE FISHERIES COMMISSION AND FEDERALLY-MANAGED SPECIES

SPECIES WITH NORTH CAROLINA INDICES

AMERICAN SHAD (INCLUDES HICKORY SHAD) 250

ATLANTIC CROAKER 269

ATLANTIC MENHADEN..... 282

ATLANTIC STURGEON 288

BLACK DRUM..... 297

BLACK SEA BASS (NORTH OF CAPE HATTERAS) 308

BLUEFISH 319

SPOT..... 327

STRIPED BASS (ATLANTIC MIGRATORY)..... 339

SUMMER FLOUNDER..... 356

WEAKFISH..... 374

SPECIES WITHOUT NORTH CAROLINA INDICES

AMERICAN EEL 389

COBIA 399

DOLPHIN 410

KING MACKEREL..... 419

MONKFISH..... 432

SCUP 441

SHARKS..... 452

SNAPPER GROUPER COMPLEX (INCLUDES BLACK SEA BASS SOUTH OF CAPE HATTERAS)..... 467

SPANISH MACKEREL..... 506

SPINY DOGFISH..... 521

STATE-MANAGED SPECIES – BAY SCALLOP

FISHERY MANAGEMENT PLAN UPDATE BAY SCALLOP AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	November 2007
Amendments:	Amendment 1 – November 2010 Amendment 2 – February 2015
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	July 2005 – Began the original FMP a year earlier than planned due to concerns of limited abundance
Next Benchmark Review:	July 2020

The N.C. Bay Scallop Fishery Management Plan (FMP) was adopted in November 2007. The FMP implemented prohibited take from 2006 to 2008 until an independent sampling indicator was established for re-opening in 2009. Amendment 1 of the Bay Scallop FMP was finalized in November 2010 to provide more flexibility (Adaptive Management) to open the fisheries as the bay scallop population recovers. Target indices were established from fishery independent data collected before a red tide (toxic dinoflagellate) event of late autumn 1987 and early 1988 in Core, Back, and Bogue sounds that decimated the fishery. A separate sampling indicator for re-opening was developed in 2009 for Pamlico Sound. Amendment 2, adopted in February 2015, continues to use the abundance thresholds for opening the harvest season and defining the harvest levels for all areas, except areas south of Bogue Sound. Areas south of Bogue Sound will not be managed with a specific abundance opening level, but will be opened or remain closed based on North Carolina Division of Marine Fisheries (NCDMF) evaluation of sampling results in this region. Expanded sampling is to occur in all areas including areas south of Bogue Sound and improve the reliability of the data for the recreational scallop harvest. For private culture and enhancement, the current management strategy is to modify rules for bottom culture and aquaculture operations to be consistent with rules for other shellfish species. The Shellfish Research Hatchery in Wilmington, N.C. will establish a pilot program to distribute cultured bay scallop seed on private bottom, and depending on the results potentially expand the pilot program to include enhancement for public bottom.

STATE-MANAGED SPECIES – BAY SCALLOP

Management Unit

Includes the bay scallop (*Argopecten irradians*) and its fisheries in all waters of coastal North Carolina.

Goal and Objectives

The goal of the North Carolina Bay Scallop Fishery Management Plan (FMP) is to implement a management strategy that restores the stock, maintains sustainable harvest, maximizes the social and economic value, and considers the needs of all user groups. To achieve this goal, it is recommended that the following objectives be met:

1. Develop an objective management program that restores and maintains sustainable harvest.
2. Promote the protection, restoration, and enhancement of habitats and water quality necessary for enhancing the fishery resource.
3. Identify, enhance, and initiate studies to increase our understanding of bay scallop biology, predator/prey relationships, and population dynamics in North Carolina.
4. Investigate methods for protecting and enhancing the spawning stock.
5. Investigate methods and implications of bay scallop aquaculture.
6. Address social and economic concerns of all user groups.
7. Promote public awareness regarding the status and management of the North Carolina bay scallop stock.

STATUS OF THE STOCK

Stock Status

Bay scallop in North Carolina are listed as a species of concern in the annual Stock Status Report because of population declines. Annual commercial landings of bay scallops show large fluctuations through time and are presumed to be driven by changing climate conditions (i.e., winter freezes, high freshwater runoff), predation, and red tide. Bay scallops are vulnerable to overharvest because of the multiple factors affecting their survival.

Stock Assessment

Independent data on bay scallop have been collected by the NCDMF since 1975, and consistently collected since 1998 to evaluate recruitment into the population and recruitment into the fishery for the current fishing season. Analyses of these data have demonstrated trends between NCDMF independent data and landings data from the following year. The long term landings data (1972-2005) most likely reflected population abundance because harvest was allowed to continue until scallop densities reached levels below those that make the fishing economically viable (Peterson and Summerson 1992). However, during 2006 and after the implementation of the 2007 Bay Scallop FMP, a prohibited take on harvest went into effect to rebuild the stock and until a standardized catch per unit effort measure could be determined (NCDMF 2007). Therefore, using landings data is no longer an effective tool to indicate population size.

STATE-MANAGED SPECIES – BAY SCALLOP

Data on scallop abundance from fishery independent sampling are evaluated annually and standardized scallop population level indicators were first established as progressive triggers for opening the harvest season in Amendment 1 of the Bay Scallop FMP in 2010 (NCDMF 2010). These triggers are based on NCDMF sampling that occurred between the pre-red tide months of October and December in 1984 and 1985 for Back, Bogue, and Core sounds and in post-red tide January 2009 in Pamlico Sound (Table 1). This time period for estimating abundance makes the most sense since it is less likely for the two year-classes to be selecting to the sampling gear. Areas south of Bogue Sound will not be managed with a specific abundance opening level, but will be opened or remain closed based on NCDMF evaluation of sampling results in this region (NCDMF 2015). These progressive triggers allow for flexibility to open the fisheries as the bay scallop population recovers and determines harvest limits based on 50 percent, 75 percent, and 125 percent of the natural log of the Catch Per Unit Effort (lnCPUE) target (Tables 2 and 3).

Fishery independent sampling shows that most tows have small or zero catch, while only a few samples exhibit large catches producing a lognormal distribution, which is usual for most fishery independent data. The natural log (ln) of the catch per unit effort (lnCPUE), measured as the number of scallops per minute (using dredges) and number of scallops per meter squared (using a square-meter quadrat), is taken to avoid bias towards occasional large catches. A constant of 0.1 was added to all catches so that tows/quadrats with zero catches can be included in the estimates of the mean since the natural log of zero is undefined. All tows/quadrats taken at a station are averaged to get a single value for each station and are referred to as a sample. This is done to avoid weighting some tows/quadrats to each station more than others because the number of tows/quadrats was not always consistent in duration. Each sample is averaged to get the estimated mean lnCPUE and standard deviation for the October-December time period for all areas to produce indices of abundance.

Trends in the past 10 years show bay scallop abundance is very low in all regions, which is also reflected in landings when harvest is opened (Figures 1, 2, and 3). Since the inception of the harvest opening index of abundance, the season has only opened during three years in specific regions, and at the lowest allowed harvest levels. Two of the three open harvest seasons saw very little catch (Figure 4). Expanding the sampling coverage or number of stations in all areas is recommended in Amendment 2 of the FMP to improve estimates of bay scallop abundance. As bay scallop abundances expand and retract from year to year, broader sampling coverage of these areas will help identify more precisely what is happening to the population before entering the harvest season.

STATUS OF THE FISHERY

Current Regulations

The North Carolina Marine Fisheries Commission (NCMFC) adopted an adaptive management strategy to open waters to bay scallop harvest with specific progressive triggers for Bogue, Core, Back, and Pamlico sounds (Table 1). Areas south of Bogue Sound will not be managed with a specific abundance opening level, but will be opened or remain closed based on NCDMF evaluation of sampling results in this region. Expanded sampling is to occur in all areas including areas south of Bogue Sound and improve the reliability of the data for the recreational scallop

STATE-MANAGED SPECIES – BAY SCALLOP

harvest. The triggers allow limited harvest when NCDMF sampling indicates bay scallop abundance in a given region is at 50 percent of the target. Trip limits and fishing days for commercial harvest will progressively increase if sampling showed bay scallop abundance was at 75 percent and 125 percent of the target levels established within each region (Table 2). Recreational daily harvest limits and open days remain the same at all abundance levels (Table 3).

The season can only occur from the last Monday in January through April 1st and there is no minimum size limit for both the commercial and recreational user groups. Specific trip limits, number of days to harvest, and specific gear allowances are implemented within the open season. Both the opening of the season and the harvest restrictions within the open season are based on NCDMF fishery independent sampling abundance levels determining the levels of harvest (NCDMF 2015). There was no open harvest season for bay scallops in 2017 because abundance levels were too low to meet the threshold for opening the season.

Commercial Landings

Bay scallop abundance and harvest have widely fluctuated since landings have been recorded (MacKenzie 2008). Landings are closely linked to weather and other environmental factors. Landings ranged from a peak of approximately 1.4 million pounds of meats in 1928 when North Carolina led the nation in scallop production, to a low of zero landings in 2005 even though there was an open harvest season. Landings have been virtually non-existent since 2005.

The red tide (toxic dinoflagellate) event of late autumn 1987 and early 1988 caused mortality to approximately 21 percent of the adult scallops in Bogue and Back sounds and reduced recruitment of juvenile scallops the following spring to only two percent of normal (the mean of the previous three red tide-free years) (Summerson and Peterson 1990). This event has had lasting impacts to the bay scallop fishery and repopulation of the Bogue, Back, and Core sound regions has not fully occurred. Landings in recent years have been extremely low due to the failure of scallop stocks to recover after the red tide event, fishing pressure, and predation.

A prohibited take on harvest occurred from 2006 to 2008 through the 2005 FMP (NCDMF 2007). Amendment 1 initiated abundance estimates to determine opening the fishery and at what levels harvest would occur based on the abundance estimates by region (NCDMF 2010). An open harvest commercial and recreational harvest season occurred in Core and Pamlico sounds in 2009, and in Pamlico Sound in 2010 (less than 500 pounds of meat were landed commercially) (Figure 4). Bogue Sound and all areas south of Bogue Sound were opened to harvest to the NC/SC state line in internal waters in 2014 (less than 1,500 pounds of meat were landed commercially) (Figure 4).

Recreational Landings

The recreational harvest of bay scallop in North Carolina does not require a fishing license, and due to this the total amount of recreational landings cannot be estimated and remains unknown.

STATE-MANAGED SPECIES – BAY SCALLOP

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

There are no fishery dependent sampling programs that collect information on the commercial or recreational fisheries for bay scallops.

Fishery-Independent Monitoring

Independent sampling of bay scallops for fisheries management information has been conducted since 1975, and has varied from monthly examinations at 20 stations to seasonal monitoring at fewer locations.

Currently sampling occurs four times a year in Pamlico, Core, Back, Bogue sounds and areas south of Bogue Sound during the second or third week of the month in January, April, July, and October. Standardized sampling occurs in Pamlico Sound using a meter-square (m^2) quadrat and a bay scallop dredge is towed in Core, Back, and Bogue sounds, and areas south of Bogue Sound. A fixed set of eight stations are towed three times for two minutes with a scallop dredge in Core, Back, and Bogue sounds and additional stations are also sampled three times for two minutes where scallops have historically been found. The fixed stations were selected based on historical information from the sampling program (Program 697) of traditionally abundant areas in Core, Bogue, and Back sounds. A set of three fixed stations, two in New River and one in Topsail Sound, are towed three times for two minutes with a scallop dredge beginning in 2009 in areas south of Bogue Sound. Stations were selected in New River and Topsail Sound based on scouting the areas for scallops and input from fishermen and the public that use the waters regularly. Sampling also occurs at five fixed stations and five non-core stations off Hatteras Island. Scallops are collected with a rake or by hand for 10 m^2 samples within the station in Pamlico Sound. The PVC m^2 quadrat is randomly placed 10 separate times within the area. Catch per unit effort (CPUE) is defined as the number of scallops (juvenile and adult combined) per one-minute tow if a dredge is used or per quadrat. Additional stations (non-fixed) are sampled in most areas dependent on scallop abundance at the given time of year.

Most tows/quadrats have small or zero catch, while only a few samples exhibit large catches producing a lognormal distribution, which is usual for most fishery independent data. The natural log (\ln) of the catch per unit effort (\ln CPUE), measured as the number of scallops per minute (dredges) and number of scallops per meter squared (quadrat), is taken to avoid bias towards occasional large catches. A constant of 0.1 was added to all catches so that tows/quadrats with zero catches can be included in the estimates of the mean since the natural log of zero is undefined. All tows/quadrats taken at a station are averaged to get a single value for each station and are referred to as a sample. This is done to avoid weighting some tows/quadrats to each station more than others because the number of tows/quadrats was not always consistent in duration historically. Each sample is averaged to get the estimated mean \ln CPUE and standard deviation for the October-December time period for all areas to produce indices of abundance (Figures 1 and 2).

STATE-MANAGED SPECIES – BAY SCALLOP

Trends in the past 10 years show bay scallop abundance is very low in all regions which is also a reflection in limited open areas to harvest in the past decade (Table 4; Figure 1).

MANAGEMENT STRATEGY

The current management strategy for the bay scallop fisheries is to allow the NCDMF Director to open a region to limited bay scallop harvest when sampling indicates bay scallop abundance is at 50 percent of the natural logarithm of the Catch Per Unit Effort (lnCPUE) level it was in 1984-1985 in the main harvest areas (Core, Bogue and Back sounds) (Table1). A separate sampling indicator for re-opening was developed in 2009 for Pamlico Sound (Table 1). Trip limits and fishing days will progressively increase if sampling shows bay scallop abundance is at 75 percent or 125 percent of 1984-85 lnCPUE levels (Tables 2 and 3). The open season may only occur from the last Monday in January through April 1 to ensure spawning is complete and the economic yield is at an optimum for fishermen. Improving data collection on the biology, harvest, environment, enhancement, and socioeconomic aspects relative to bay scallops is recommended throughout Amendment 2 to provide more comprehensive information for assisting in future management decisions. See Table 5 for current management strategies and the status on the implementation of each.

Bay scallop abundance is still quite low (Figure 1, 2, and 3). Harvest openings have only occurred three times since the initiation of the original FMP which was scheduled one year earlier in development due to concern for the stocks.

RESEARCH NEEDS

The list below is presented in order as it appears in Amendment 2 of the Bay Scallop FMP and the section or issue paper they come from is identified. Prioritization of each research recommendation is designated either a HIGH, MEDIUM, or LOW standing. A low ranking does not infer a lack of importance but is either already being addressed by others or provides limited information for aiding in management decisions. A high ranking indicates there is a substantial need, which may be time sensitive in nature, to provide information to help with management decisions.

Proper management of the bay scallop resource cannot occur until some of these research needs are met, the research recommendations include:

- Develop better methods to quantify the population including the means to have more precise measures of spatial and temporal variability at both within and between Sound scales – HIGH (Expanded number of stations sampled by region)
- Collect information on larval recruitment and spat settlement – LOW (Incomplete)
- Genetically identify how many separate bay scallop stocks exist in North Carolina – MEDIUM (Ongoing work through UNCW Shellfish Hatchery)
- Examine the effects of scallop culture and oyster cultch on seagrass density – MEDIUM (Incomplete)
- Perform socioeconomic surveys on commercial participants to determine specific business characteristics, the economics of working in the fishery, which issues are important to the

STATE-MANAGED SPECIES – BAY SCALLOP

- participants, attitudes towards management of the fishery and general demographic information – LOW (Incomplete; No open seasons since FMP adopted)
- Determine a method to collect socioeconomic information on processors – LOW (Incomplete; No open seasons since FMP adopted)
 - Collect information on the economic impact and value of the recreational bay scallop fishery – MEDIUM (Incomplete; No open seasons since FMP adopted)
 - Determine the spatial and biological characteristics of SAV beds that maximize their ecological value to the bay scallop for enhancement or conservation purposes – LOW (Ongoing; Several SAV enhancement projects have been completed or are ongoing)
 - Develop techniques to enhance SAV habitat to promote scallop survival – LOW (Ongoing; Several SAV enhancement projects have been completed or are ongoing)
 - Conduct research to evaluate the role of shell hash and shell bottom in bay scallop recruitment and survival, particularly where SAV is absent – LOW (Incomplete)
 - Determine the concentrations of EDCs in known bay scallop habitats and impacts on bay scallops – LOW (Incomplete)
 - Assess the impacts of nutrient loading and algae on SAV and the life history of bay scallops – MEDIUM (Incomplete)
 - Determine levels of TSS, turbidity, chlorophyll *a*, and other parameters necessary to achieve desired water clarity and investigate the feasibility of a water quality standard for light attenuation required for SAV growth - LOW (Incomplete)
 - Complete a more comprehensive study on treading and impacts of treading on juvenile and adult bay scallops - HIGH (Incomplete)
 - Survey fishermen that use a commercial license for personal consumption – LOW (Incomplete; No open seasons since FMP adopted)
 - Collect more information on the value of the spring spawn to the population – MEDIUM (Incomplete)

FISHERY MANAGEMENT PLAN RECOMMENDATION

Recommend maintain the current timing of the Benchmark Review. Amendment 2 of the N.C. Bay Scallop FMP was adopted in February 2015 with rule changes in effect May 1, 2015. Suggested statute change to G.S. 113-168.4 is also part of Amendment 2 with the intention to take this suggested change to legislators at their next short session, otherwise leaseholders who wish to grow out bay scallops reared in an aquaculture operation cannot acquire them without this change.

STATE-MANAGED SPECIES – BAY SCALLOP

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TABLES

Table 1. Target and progressive triggers based on the lnCPUE (natural log of the number of scallops per 1-minute tow) for the October – December 1984-1985 time period for Back, Bogue, and Core sounds. Target and progressive triggers based on the lnCPUE (natural log of the number of scallops per meter squared) for Pamlico Sound based on sampling in January 2009.

	Pamlico Sound	Core Sound	Back Sound	Bogue Sound
Target lnCPUE	-0.18	1.72	2.02	2.33
Progressive trigger 50%	-0.27	0.86	1.01	1.17
Progressive trigger 75%	-0.23	1.29	1.52	1.75
Progressive trigger	-0.14	2.15	2.53	2.91

STATE-MANAGED SPECIES – BAY SCALLOP

Table 2. Adaptive management measures for opening the bay scallop commercial fishery as the selected management strategy of the Marine Fisheries Commission. The harvest levels are based on progressive triggers derived from the lnCPUE1984-1985 (Oct-Dec) target indicators for Core, Bogue and Back sounds and the lnCPUEJan 2009 target indicator for Pamlico Sound.

Progressive triggers and target	Trip limit	Days open in the week	Allowed gears	Season
Less than 50% of target	No allowed harvest			
50% or greater of target but less than 75% of target	5 bushels per person per day not to exceed 10 bushels per fishing operation	Mon and Wed	By hand, hand rakes, hand tongs, dip net, and scoops	Last Monday in January to April 1st
75% or greater of target but less than 125% of target	10 bushels per person per day not to exceed 20 bushels per fishing operation	Mon, Tues, Wed, and Thur	By hand, hand rakes, hand tongs, dip net, and scoops	Last Monday in January to April 1st
	10 bushels per person per day not to exceed 20 bushels per fishing operation	Mon and Wed	Bay scallop dredges as described by rule 15A NCAC 03K .0503	Delay opening until first full week in March after hand harvest removes scallops from shallow waters to April 1st
125% or greater of target	15 bushels per person per day not to exceed 30 bushels per fishing operation	Mon, Tues, Wed, and Thur	By hand, hand rakes, hand tongs, dip net, and scoops	Last Monday in January to April 1st
	15 bushels per person per day not to exceed 30 bushels per fishing operation	Mon and Wed	Bay scallop dredges as described by rule 15A NCAC 03K .0503	Delay opening until the third full week in February after hand harvest removes scallops from shallow waters to April 1st

Table 3. Adaptive management measures for opening the bay scallop recreational fishery as the selected management strategy by the Marine Fisheries Commission. The harvest levels are based on progressive triggers derived from the lnCPUE1984-1985 (Oct-Dec) target indicators for Core, Bogue and Back sounds and the lnCPUEJan 2009 target indicator for Pamlico Sound.

Progressive triggers and target	Trip limit	Days open in week	Allowed gears	Season
Less than 50% of target	No allowed harvest			
50% or greater of target	1/2 bushel per person per day not to exceed 1 bushel per recreational fishing operation	Seven days a week	By hand, hand rakes, hand tongs, dip net, and scoops	Last Monday in January to April 1st

STATE-MANAGED SPECIES – BAY SCALLOP

Table 4. Fishery Independent sampling annual lnCPUE and standard error. Pamlico Sound sampling is conducted in January with a m² quadrat, all other areas are sampled in October with a scallop dredge.

Year	Pamlico Sound		Core Sound		Back Sound		Bogue Sound		South	
	lnCPUE	Standard Error	lnCPUE	Standard Error	lnCPUE	Standard Error	lnCPUE	Standard Error	lnCPUE	Standard Error
2006			-2.3026	0.0000	-1.5419	0.4975	-1.0241	0.3366		
2007			-1.2432	0.4958	-2.0040	0.2986	-1.5685	0.3366		
2008			2.9378	0.3485	-1.4067	0.4006	1.2051	0.5700		
2009	-0.1766	0.7908	-1.0071	0.4207	-1.3057	0.4549	1.3421	0.2676	0.9372	0.7512
2010	0.3238	0.6701	-0.5450	0.3887	-1.1036	0.5362	-1.1168	0.5366	-2.3026	0.0000
2011	-1.9941	0.1273	-0.6323	0.5705	0.8260	0.2581	0.3793	0.3429	-1.7652	0.3704
2012	-1.6620	0.2626	-1.7053	0.3777	-0.5607	0.7793	1.1833	0.2450	-0.9060	0.3599
2013	-1.2115	0.1091	-2.3026	0.0000	-2.3026	0.0000	-0.4116	0.7131	-1.1949	0.4186
2014	-1.5395	0.3130	-2.0040	0.2986	-1.0071	0.4207	-2.0040	0.2013	-1.6380	0.3374
2015	-1.8590	0.3865	-2.1427	0.1599	-2.0637	0.1628	-1.7992	0.1906	-1.6885	0.1552
2016	-2.2946	0.0080	-1.9329	0.2519	-1.9442	0.1915	-1.8681	0.1630	-2.0040	0.2013
2017	-2.3026	0.0000								

Table 5. Summary of the management strategies and their implementation status from Amendment 2 of the Bay Scallop Fishery Management Plan.

Management Strategy	Implementation Status
ENVIRONMENTAL CONCERNS	
<i>Status quo</i> (manage fishing gear based on scallop densities)	No action required
Continue to support CHPP recommendations that enhance protection of existing bay scallop habitat	No action required; Already support the CHPP
Support programs that enhance bay scallop habitat by planting sea grass or other suitable settlement substrate	No action required; Already support the CHPP
Identify and designate SHAs that will enhance protection of the bay scallop	Ongoing through CHPP implementation plan
Remap and monitor SAV coverage in North Carolina to assess distribution and change over time.	Ongoing through CHPP implementation plan
Restore coastal wetlands to compensate for previous losses and enhance water quality conditions for the bay scallop	Ongoing through CHPP implementation plan
Work with CRC to revise shoreline stabilization rules to adequately protect riparian wetlands and shallow water habitat and significantly reduce the rate of shoreline hardening	Ongoing through CHPP implementation plan
Develop and implement a comprehensive coastal marina and dock management plan and policy to minimize impacts to SAV and other fish habitats	Ongoing through CHPP implementation plan
Evaluate dock criteria siting and construction to determine if existing requirements are adequate for SAV survival and growth, and modify if necessary	Ongoing through CHPP implementation plan
Assess the distribution, concentration, and threat of heavy metals and other toxic contaminants in freshwater and estuarine sediments and identify the areas of greatest concern to focus water quality improvement efforts	Ongoing through CHPP implementation plan
Shallow areas where trawling is currently allowed should be re-examined to determine if additional restrictions are necessary	Ongoing through CHPP implementation plan

STATE-MANAGED SPECIES – BAY SCALLOP

Management Strategy	Implementation Status
Accelerate and complete mapping of all shell bottom in coastal North Carolina	Ongoing through CHPP implementation plan
Improve methods to reduce sediment and nutrient pollution from construction sites, agriculture, and forestry	Ongoing through CHPP implementation plan
Reduce impervious surfaces and increase on-site infiltration of storm water through voluntary or regulatory measures	Ongoing through CHPP implementation plan
Provide more incentives for low-impact development	Ongoing through CHPP implementation plan
Aggressively reduce point source pollution from wastewater through improved inspections of wastewater treatment facilities, improved maintenance of collection infrastructure, and establishment of additional incentives to local governments for wastewater treatment plant upgrading	Ongoing through CHPP implementation plan
Aggressively reduce point and non-point nutrient and sediment loading in estuarine waters, to levels that will sustain SAV habitat, using regulatory and non-regulatory actions	Ongoing through CHPP implementation plan
ENVIRONMENTAL CONCERNS	
Provide proper disposal of unwanted drugs, reduce insecticide and heavy metal run-off, and develop technologies to treat wastewater for antibiotics and hormones	Ongoing through CHPP implementation plan
Discourage use of detergents in coastal waters, especially detergents with antimicrobial components	Ongoing through CHPP implementation plan
INSUFFICIENT DATA	
Support improving the reliability of the data for the recreational scallop harvest	Incomplete
MANAGEMENT	
Eliminate the August 1 through September 15 season open period in rule	Rule change required to 15A NCAC 03K .0501; Rule change completed on May 1, 2015
Expand sampling in all regions and manage harvest conditionally in areas south of Bogue Sound until adequate sampling can determine a harvest trigger for management.	Existing authority
Continue current progressive triggers with adaptive harvest levels in all areas, except areas south of Bogue Sound, and modify harvest management measures as shown in Table 12.7 and Table 12.8 in the issue paper. And continue to improve the statistical rigor of the abundance index.	Existing proclamation authority
Keep dredges at the 75% trigger harvest level in Table 12.7	Existing proclamation authority
Modify the daily commercial harvest possession limit in Rule 15A NCAC 03K .0501 to a quantity of no more than 15 standard U.S. bushels per person per day not to exceed 30 standard U.S. bushels in any combined commercial fishing operation per day to be consistent with the adaptive management measures trip limits.	Requires rule change to rule 15A NCAC 03K .0501; Rule change completed on May 1, 2015
Exempt bay scallop harvest from leases from the regular season and harvest limits	Requires rule change to rules 15A NCAC 03K .0111, 03K .0206, 03K .0303, 03K .0501, 03K .0502, 03K .0507, 03K .0508, 03O .0501; Rule changes completed on May 1, 2015
Support an exemption from G.S. 113-168.4 (b) (3) when the sale is to lease or Aquaculture Operations permit holders for further rearing	Requires statutory change to G.S. 113-168.4; NCDMF will take this suggested change to legislators at the next short session.
STOCK ENHANCEMENT	
Establish a pilot program with the Shellfish Research Hatchery to distribute cultured seed on private bottoms	Will need to start communicating with Shellfish Hatchery staff and interested private culturists interested in establishing this pilot work
Contingent on results to distribute seed on private bottom, expand the pilot program to include public bottom	Dependent on results from previous management strategy.

STATE-MANAGED SPECIES – BAY SCALLOP

FIGURES

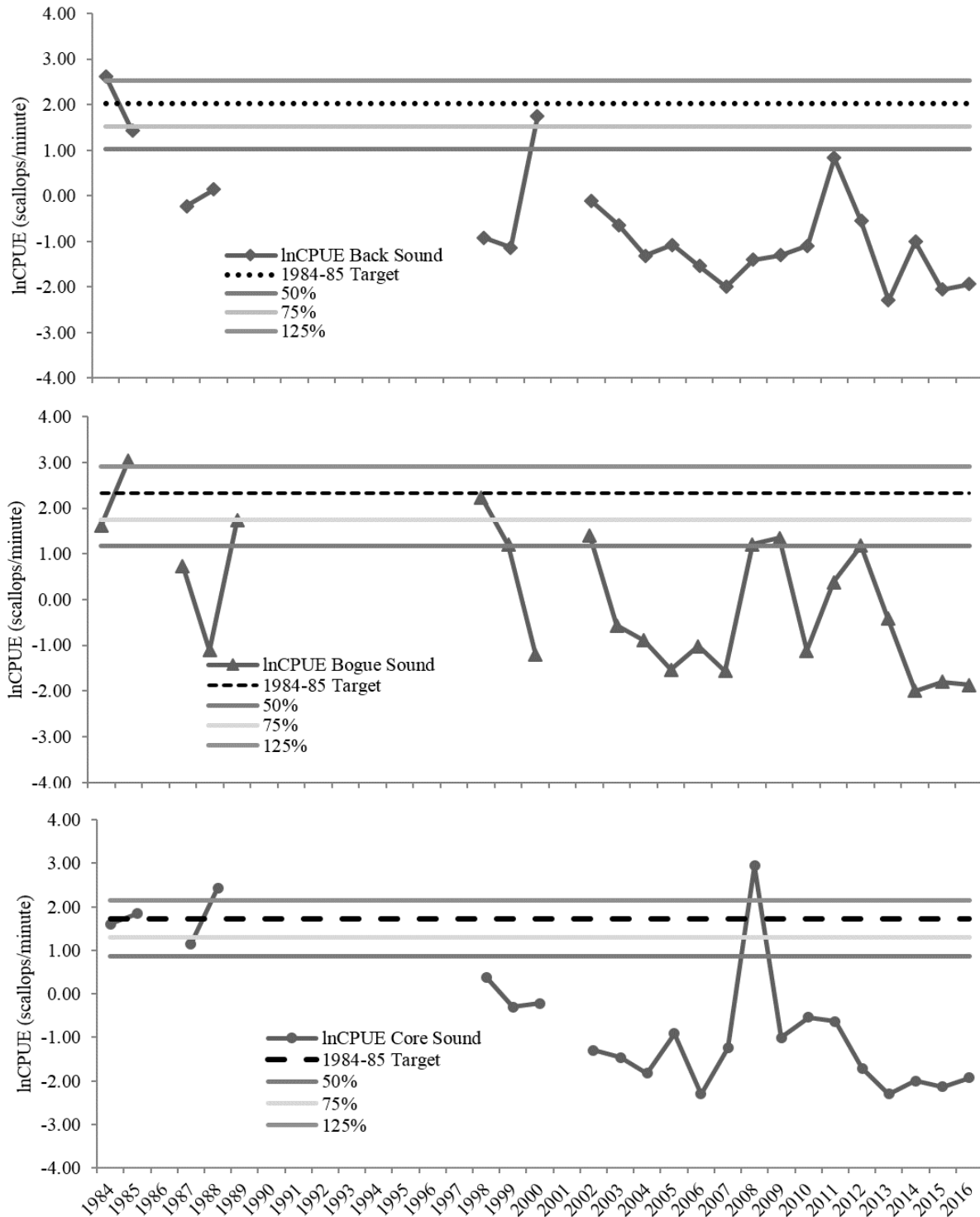


Figure 1. The mean number of scallops (lnCPUE)(scallops/minute) for Back, Bogue, and Core sounds during the October-December sampling time period and average lnCPUE (target) for the 1984-1985 period showing progressive triggers at 50 percent, 75 percent, and 125 percent of the target. Year indicates the sampling year which is used to determine the harvest season for the next calendar year.

STATE-MANAGED SPECIES – BAY SCALLOP

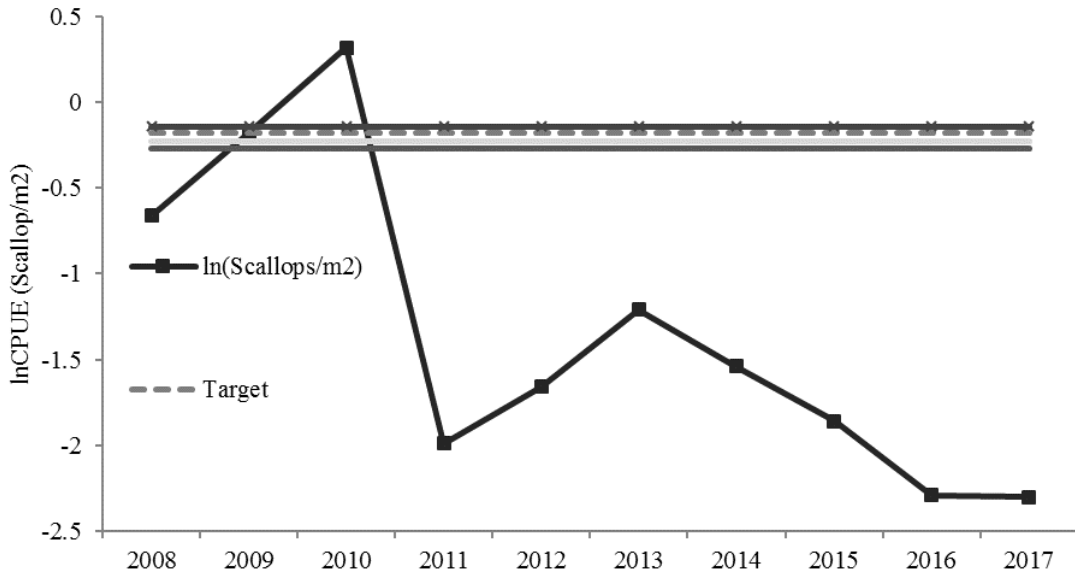


Figure 2. The mean number of bay scallops, lnCPUE ($\ln(\text{scallops}/\text{m}^2)$), for Pamlico Sound during the January sampling time period and target for the January 2009 period showing progressive triggers at 50 percent, 75 percent, and 125 percent of the target. Year indicates the sampling year which is used to determine the harvest season for the same calendar year.

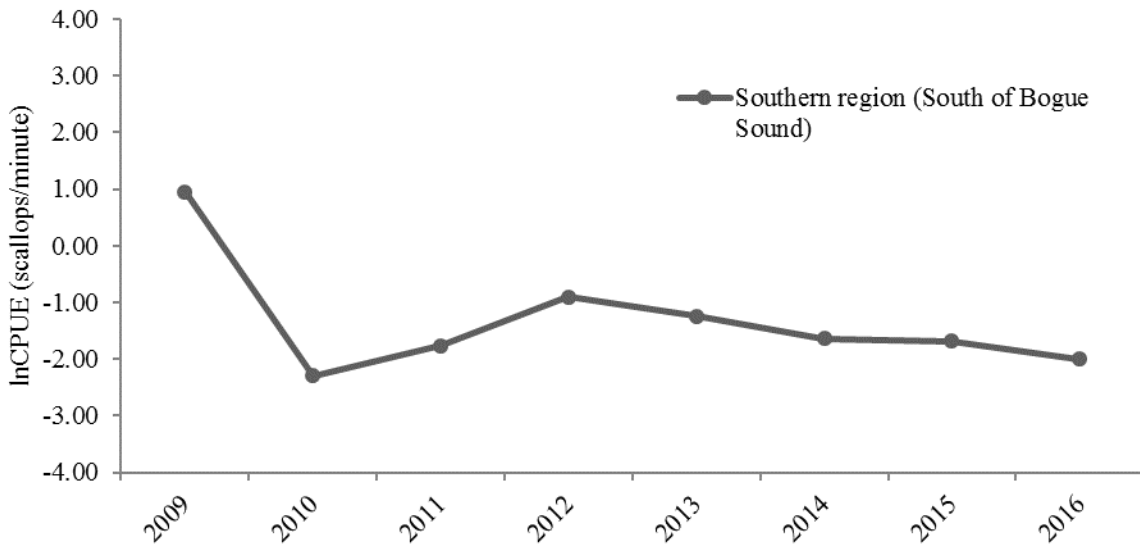


Figure 3. The mean number of scallops (lnCPUE)(scallops/minute) for areas south of Bogue Sound in October, 2009-2014. Target opening estimates an progressive triggers are not defined for this region until sampling is expanded and a longer time series is established.

STATE-MANAGED SPECIES – BAY SCALLOP

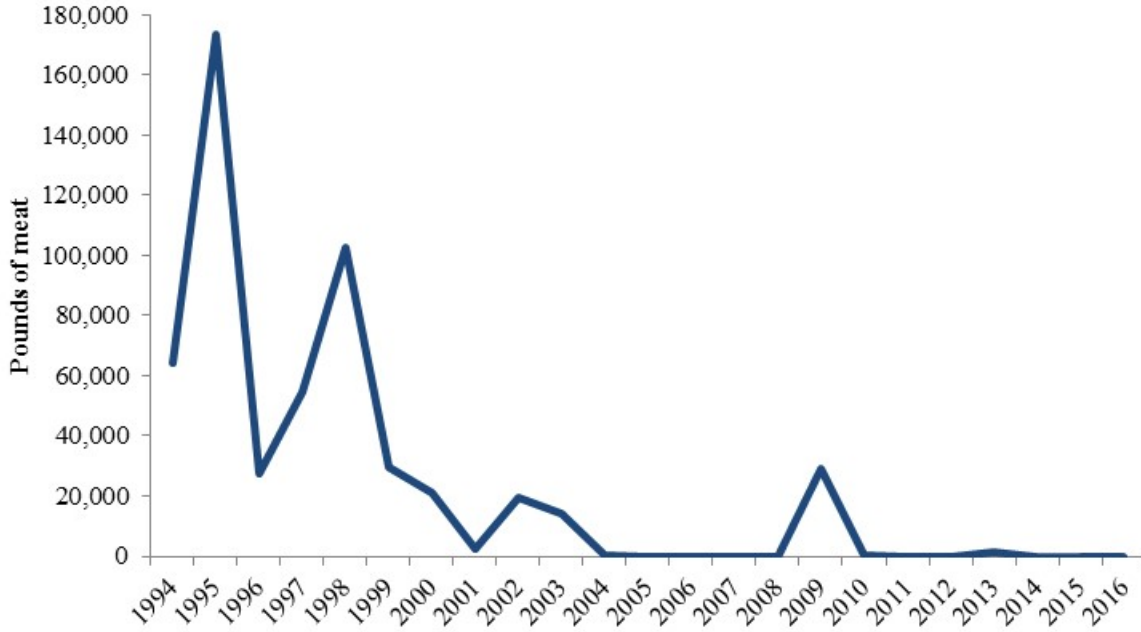


Figure 4. Bay scallop landings (pounds of meat) in North Carolina, 1994-2016. Landings occurred in 2010 and 2013 but are not evident in the figure due to the scale required to show the range of landings for the time series.

STATE-MANAGED SPECIES – BLUE CRAB

**FISHERY MANAGEMENT PLAN UPDATE
BLUE CRAB
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	December 1998
Amendments:	Amendment 1 – December 2004 Amendment 2 – November 2013
Revisions:	May 2016
Supplements:	None
Information Updates:	None
Schedule Changes:	August 2016
Next Benchmark Review:	August 2016

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 from March 1 through 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) prohibiting the possession of white line peelers from June 1 through September 30, 6) changed the unattended pot rule from 10 days to seven days, 7) prohibiting 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) establishing 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) establishing 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) prohibiting 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) extending the pot cleanup period by nine days, 5) change the unattended pot rule from seven days to five days, 6) requiring a four-inch stretch mesh tail bag for crab trawls in western Pamlico Sound (including the Pamlico, Pungo, Bay, and Neuse rivers), 7) separate hard and

STATE-MANAGED SPECIES – BLUE CRAB

peeler crab trawl landings on trip ticket, 8) modifying channel net rule to incorporate limited blue crab bycatch provisions identical to those for shrimp trawls, 9) modifying user conflict rule to resolve user conflicts on a regional basis, 10) rule change to allow crab pots in all designated long haul areas in the Hyde, Beaufort, and Pamlico counties, 11) modifying the dates for designated crab pot areas from May 1 through October 31 to June 1 through November 30, 12) change designated pot area boundary description to a standardized six foot depth contour in many areas, and 13) prohibit 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) repealing the spawner index trigger and replacing it with adaptive management framework based on the results of the annual Traffic Light Stock Assessment update, 2) open long haul areas in the Pungo River to pots, 3) add Lower Broad Creek to non-pot areas in rule, 4) modify crab dredging rule to conform to current harvest management, 5) incorporate Pamlico Sound four-inch crab trawl line into rule, 6) redefine criteria for exempting escape rings in crab pots from the 1.5-inch pot mesh size to unbaited pots and pots baited with a male crab, 7) repeal proclamation authority that allowed for the exemption of escape ring requirement to allow harvest of peeler crabs, 8) adopt 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) modify trawl nets rule to identify Pamlico, Back, and Core sounds as areas that can open to peeler trawling by proclamation, 10) modify rule to clearly state the intent of the exceptions, culling tolerance, and separation requirements for various crab categories, and 11) establish proclamation authority to require terrapin excluders in crab pots and establish a framework for developing criteria and terrapin excluder specifications.

The NCMFC preferred adaptive management strategy for blue crabs (Table 1) relies on the Traffic Light Stock Assessment as the tool to provide information on the relative condition of the stock. The base years (1987 to 2009) for assigning the signals in the Traffic Light Stock Assessment will remain constant until the next amendment of the FMP. The Traffic Light Stock Assessment will be updated annually by July of each year.

Based on the results of the annual Traffic Light update with 2015 data management action was required by the North Carolina Marine Fisheries Commission (NCMFC). At their May 19, 2016 business meeting, the NCMFC 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 NCMFC 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) from April 1-April 30 each year; and include dark sponge crabs in the culling tolerance; 4) lower the culling tolerance from 10 percent to five percent for all crabs, except mature females; and 5) prohibit the harvest of crabs with dredges except incidental to lawful oyster dredging as outlined in NCMFC Rule 15A NCAC 03L .0203(a)(2).

STATE-MANAGED SPECIES – BLUE CRAB

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 NCMFC are documented in the May 2016 Revision to Amendment 2 to the N.C. Blue Crab FMP (NCDMF 2016).

Management Unit

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

Goal and Objectives

The goal of the North Carolina Blue Crab FMP is to manage the blue crab fishery in a manner that promotes its ecological and economic value, and the long-term viability of the resource through sustainable harvest. The following objectives will be utilized to achieve this goal.

1. Utilize a management strategy that provides resource protection and sustainable harvest, promotes blue crab ecological and economic value, provides opportunity for resource utilization, and considers the needs of all users.
2. Promote harvesting practices that minimize waste of the resource and environmental damage.
3. Promote the protection, restoration, and enhancement of habitats and environmental quality necessary for the perpetuation of the blue crab resource.
4. Maintain a clear distinction between conservation goals and allocation issues.
5. Minimize conflicts among and within user groups, including non-crabbing user groups.
6. Identify and promote research to improve the understanding and management of the blue crab resource.
7. Promote education and public information to help users understand the causes and nature of problems for blue crabs in North Carolina, its habitats and fisheries, and the rationale for efforts to address resource management.

STATUS OF THE STOCK

Stock Status

Results of the current stock assessment indicate the North Carolina blue crab stock is not overfished. The stock status of blue crabs is “Concern” because the adult abundance characteristic of the Traffic Light triggered management action in 2016. Even though there is now a more robust assessment of the stock condition, overfishing status cannot be determined at this time.

STATE-MANAGED SPECIES – BLUE CRAB

Stock Assessment

The Traffic Light method was used to assess the blue crab stock in 2011. The Traffic Light Stock Assessment method synthesizes a variety of information to provide a description of the stock condition. The nature of the Traffic Light method does not allow for a quantitative assessment of sustainable harvest for the North Carolina blue crab stock since overfishing cannot be calculated.

The blue crab stock is considered overfished when the proportion of red in the production characteristic of the Traffic Light method is greater than or equal to the third quartile (≥ 0.75) for three consecutive years. Based on this definition, the results of the Traffic Light through 2016 indicate the North Carolina blue crab stock is not overfished.

Though the overfished definition is based only on the production characteristic, the adult abundance and recruit abundance characteristics are evaluated annually for warning signs that the stock may be approaching an unfavorable state. If a series of negative trends is evident in the adult abundance and production characteristics for three consecutive years, management action may be taken to reduce the unfavorable condition of the stock. Only the adult abundance and production characteristics are utilized to trigger management actions; the recruit abundance characteristic may be used to supplement or further direct conservation management actions, if deemed necessary. A review by the Shellfish/Crustacean Advisory Committee is required so they may consider management options and evaluate their merits. All management measures must be approved by the NCMFC before the Director's proclamation authority (expanded under the adaptive management framework) may be used to implement any changes to the fishery.

STATUS 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 NCMFC 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

STATE-MANAGED SPECIES – BLUE CRAB

cover all gear, area, or other rules which may impact the blue crab fishery. As regulations may change, please contact the North Carolina Division of Marine Fisheries (NCDMF) 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, which 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 male and immature female hard blue crabs. 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 where 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 [suspended by Proclamation M-11-2016]. 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

STATE-MANAGED SPECIES – BLUE CRAB

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, may by proclamation, close the harvest of blue crabs and may impose any or all of the following restrictions on the commercial and recreational blue crab harvest: 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.

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 [15A NCAC 03R .0110] from March 1 through August 31. During the remainder of the year the Director may, by proclamation, close these areas and may impose any or all of 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 NCDMF. 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, and 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, and 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.

STATE-MANAGED SPECIES – BLUE CRAB

Trawls

- It is unlawful to use trawl nets in designated pot areas opened to the use of pots and 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 that the weight of the crabs shall not exceed; 50 percent 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. 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 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).
- All pots shall be removed from internal waters from January 15 through February 7. Areas may be reopened, by proclamation, to the use of pots after January 19 if it is determined that such areas are free of pots. 15A NCAC 03J .0301(a)(1).
- 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

STATE-MANAGED SPECIES – BLUE CRAB

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 yellow or hot pink or any combination of colors that include yellow or hot pink. The pot owner's N.C. motorboat registration number, or U.S. vessel documentation name, or last name and initials shall be engraved in the buoy, or on a metal or plastic tag attached to the buoy. 15A NCAC 03J .0301(c)(1), (2), and (3).
- It is unlawful to use crab pots in coastal fishing waters unless each pot contains no less than two unobstructed escape rings that are at least 2 and 5/16 inches inside diameter and located in the opposite outside panels of the upper chamber of the pot except: unbaited pots, pots baited with a male crab, and pots set in areas described in 15A NCAC 03R .0118. 15A NCAC 03J .0301(g) [suspended by Proclamation M-11-2016, effective January 15, 2017].
- The Fisheries Director may, by proclamation, exempt the escape ring requirement describe in paragraph (g) in order to allow the harvest of mature female crabs and may impose any or all of the following restrictions: specify time, areas, means and methods, seasons, and quantity. 15A NCAC 03J .0301(h).
- 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 use any dredge weighing more than 100 pounds except in the Atlantic Ocean. 15A NCAC 03J .0303(a).
- It is unlawful to use more than one dredge per vessel to take crabs or to use any dredges between sunset and sunrise. 15A NCAC 03J .0303(b).
- It is unlawful to take crabs with dredges except from January 1 through March 1 in portions of Pamlico Sound. 15A NCAC 03L .0203(a)(1) [suspended by Proclamation M-11-2016, effective June 6, 2016] and 15A NCAC 03R .0109.
- Crabs may be taken incidental to lawful oyster dredging provided the weight of the crabs shall not exceed 50 percent of the total weight of the combined oyster and crab catch; or 500 pounds, whichever is less. 15A NCAC 03L .0203(a)(2)(A) and (B) [suspended by Proclamation M-11-2016, effective June 6, 2016].

STATE-MANAGED SPECIES – BLUE CRAB

- It is unlawful to take crabs with dredges between sunset and sunrise and between sunset on any Saturday and sunrise on the following Monday, except in the Atlantic Ocean. 15A NCAC 03L .0203(b).

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

Manner of Taking Nongame Fish Purchase and Sale

- 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 .0401(a)(1).
- Blue crab taken by hook and line, grabbling or by licensed special devices may not be sold. 15A NCAC 10C .0401(c).

Taking Nongame Fish, Crustaceans, and Mollusks for Bait or Personal Consumption

- A single, multiple bait line for taking crabs not to exceed 100 feet in length that is under the immediate control and attendance of the user and is limited to one line per person and no more than one line per vessel. The line is required to be marked on each end with a solid float no less than five inches in diameter and bearing legible and indelible identification of the user's name and address. 15A NCAC 10C .0402(a)(6).
- A collapsible crab trap with the largest opening not greater than 18 inches and which, by design, collapses at all times when in the water, except when being retrieved or lowered to the bottom. 15A NCAC 10C .0402(a)(7).
- Nongame fishes, crustaceans (crayfish and blue crabs), and mollusks taken for bait or personal consumption may not be sold. 15A NCAC 10C .0402(b).
- No more than 50 crabs per person, per day or 100 per vessel, per day with a minimum carapace width of five inches (point to point) from inland fishing waters or in designated waterfowl impoundments located on game lands. 15A NCAC 10C .0402(d)(3).

Special Device Fishing

- 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 Landings

Commercial blue crab landings (hard, soft, and peeler crabs) averaged 40.5 million pounds from 1987 – 2009 (base years used in the traffic light; Figure 1). The majority of blue crab landings are hard blue crabs. Landings for 2016 were 32.1 million pounds, under the base year average.

STATE-MANAGED SPECIES – BLUE CRAB

Generally, landings have been declining since 2003, and landings for 2016 were 21 percent lower than 2015. Landings have been below the base year average since 2004. Landings data from 1987 – 1994 were collected under the NCDMF/National Marine Fisheries Service Cooperative Statistics Program which was based on voluntary dealer reporting. Since 1994, landings data have been collected under the NCDMF Trip Ticket Program which instituted mandatory dealer reporting. Landings data should be viewed only as a general indicator of fishing trends since they are influenced by market demand, price, fishing effort, weather, availability of alternate species, regulations, and data collection techniques as well as stock abundance.

Recreational Landings

A survey of Recreational Commercial Gear License (RCGL) holders conducted from 2002 – 2008 by the NCDMF indicated blue crabs were the most abundant species landed (by weight) by RCGL participants. During this time, on average, blue crabs accounted for 20 percent (116,797 pounds) of the total poundage (587,172 pounds) landed by RCGL holders. This survey was discontinued in 2009 so 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 who use 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 attempt to generate recreational harvest estimates for blue crab. One weakness of the survey is 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 2011-2016 (Table 2). Generally, estimates of recreational blue crab harvest were low, ranging from 71,587 blue crabs (approximately 23,862 pounds, using an average of three crabs per pound) in 2015 to 120,979 blue crabs (approximately 40,326 pounds) in 2012. For 2011 – 2016, the average annual recreational harvest of blue crab was 97,774 blue crabs (approximately 32,591 pounds).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

The Traffic Light, used to monitor the health of the blue crab stock, uses commercial crab sampling data (combined with fishery-independent data) to determine the annual length of 50 percent maturity for female blue crabs. This index is used in the Production characteristic of the Traffic Light. The annual length of 50 percent maturity is compared to the mean length of 50 percent maturity for the base years of 1987 – 2009 (112.1 mm carapace width [CW]). In 2016, the length of 50 percent maturity was 115.7 mm CW and was above the mean for the base years. The length of 50 percent maturity has been above the base year mean since 2005 (Figure 2).

STATE-MANAGED SPECIES – BLUE CRAB

Fishery-Independent Monitoring

The Traffic Light, used to monitor the condition of the blue crab stock, uses several fishery-independent indices for the Adult Abundance, Recruit Abundance, and Production characteristics. The status of each indicator is compared to the mean of that indicator over a set of base years. The base years used for the blue crab traffic light were 1987 – 2009.

Adult Abundance

The adult abundance characteristic uses data from the Juvenile Anadromous Trawl Survey (Program 100), the Estuarine Trawl Survey (Program 120), and the Pamlico Sound Survey (Program 195) to monitor adult blue crab abundance. Indices from Program 120 and Program 195 consist of blue crabs greater than or equal to 100 mm CW; an index of total abundance (no size restrictions) is derived from Program 100. Two indices are derived from Program 120, a Pamlico index using data from tributaries in and around Pamlico Sound and Core Sound and a Southern index using data collected from Back Sound and south (Figure 3).

Adult abundance for Program 100 was above the mean for the base years (0.27 crabs/minute) from 2006 – 2012, both 2013 (0.266 crabs/minute) and 2014 (0.23 crabs/minute) adult abundance estimates were below the base year mean but in 2015 (1.04 crabs/minute) and 2016 (0.78 crabs/minute) adult abundance estimates were above the base year mean. Adult abundance for Program 120 in the Pamlico region was below the base year mean (0.62 crabs/tow) in 2013 (0.31 crabs/tow), 2014 (0.27 crabs/tow), 2015 (0.53 crabs/tow), and 2016 (0.35 crabs/tow). In the Southern region, adult abundance for Program 120 was below the base year mean (0.15 crabs/tow) from 2011-2014. In 2015, adult abundance was above the base year mean at 0.19 crabs/tow but in 2016 fell below the base year mean at 0.04 crabs/tow in the Southern region. Adult abundance for Program 195 has been below the base year mean (4.52 crabs/tow) since 2000. Adult abundance in 2016 was 1.54 crabs/tow and was the value since 2003 (3.9 crabs/tow). Figure 4 shows the individual traffic lights for each index as well as the composite adult abundance traffic light.

Recruit Abundance

The recruit abundance characteristic uses data from the Estuarine Trawl Survey (Program 120) and the Pamlico Sound Survey (Program 195) to monitor blue crab recruit abundance. Each index consists of blue crabs less than 100 mm CW and greater than or equal to 30 mm CW. Two indices are derived from Program 120, a Pamlico index using data from tributaries in and around Pamlico Sound and Core Sound and a Southern index using data collected from Back Sound and south. Two indices are also derived from Program 195, a summer (June) and a fall (September) index (Figure 5).

Recruit abundance for Program 120 in the Pamlico region was below the base year mean (1.93 crabs/tow) in 2013 (0.66 crabs/tow), 2014 (0.66 crabs/tow), 2015 (1.72 crabs/tow), and 2016 (0.85 crabs/tow). In the Southern region, recruit abundance has been below the base year mean (0.44 crabs/tow) since 2005. In 2016, recruit abundance was 0.14 crabs/tow in the Southern region. Recruit abundance for Program 195 in the summer has been below the base year mean (29.66 crabs/tow) since 2011 and was 7.50 crabs/tow in 2016. In the fall, recruit abundance has been below the base year mean (3.49 crabs/tow) since 1998. In 2016, recruit abundance was 2.08

STATE-MANAGED SPECIES – BLUE CRAB

crabs/tow in the fall. Figure 6 shows the individual traffic lights for each index as well as the composite recruit abundance traffic light.

Production

The production characteristic uses data from the Juvenile Anadromous Trawl Survey (Program 100), the Estuarine Trawl Survey (Program 120), and the Pamlico Sound Survey (Program 195) to monitor the blue crab stock's production potential. The production indicators include measures of median carapace width, pre-recruit abundance (blue crabs less than 30 mm CW), length at 50 percent maturity (see fishery-dependent monitoring section), spawning stock (mature female mm/minute), and frequency of occurrence of mature females (percent of samples with mature female blue crabs).

Three indices are derived from Program 100 including median carapace width, spawning stock, and frequency of occurrence of mature females (Figure 7). Median carapace width was below the base year mean (114.2 mm) from 2009-2014. In 2015, the median carapace width was above the base year mean at 124 mm but in 2016 it fell below the base year mean to 103 mm. The spawning stock index was below the base year mean (19.54 mm/minute) from 2012-2014. In 2015, the spawning stock index was above the base year mean at 146.79 mm/minute but in 2016 it fell below the base year mean to 18.23 mm/minute. The frequency of occurrence of mature females was above the base year mean (23.4 percent) from 2005 – 2013, and then dipped below in 2014; in 2015 and 2016 the frequency of occurrence of mature females was above the base year mean at 40.8 percent and 44.7 percent, respectively.

Three indices are derived from Program 120 including Pamlico and Southern region median carapace width and a statewide pre-recruit abundance index (Figure 8). Median carapace width was below the base year mean (34.3 mm) in 2013 (19.0 mm) and 2014 (22.0 mm) but was above the base year mean in 2015 (38.0 mm) and 2016 (35.0 mm) in the Pamlico region. In the Southern region, median carapace width was below the base year mean (32.7 mm) in 2013 (29.0 mm) and 2014 (32.0 mm) but was above the base year mean in 2015 (37.0 mm) but fell slightly below the base year mean in 2016 to 32.0 mm. The statewide pre-recruit index has been below the base year mean (1.10 crabs/tow) since 2010; in 2016 the pre-recruit index was 0.58 crabs/tow.

Four indices are derived from Program 195 including summer and fall median carapace width, fall spawning stock, and fall frequency of occurrence of mature female indices (Figure 9). The summer median carapace width index was below the base year mean (72.1 mm) in 2013 (54 mm) and 2014 (58 mm), was above the base year mean in 2015 (77 mm), and fell back below the base year mean in 2016 (61 mm). The fall median carapace width index was above the base year mean (107.7mm) from 2010 - 2013; in 2014 (56 mm), 2015 (64 mm), and 2016 (98 mm) the fall median carapace width was below the base year mean. The fall spawning stock index has been below the base year mean (741.7 mm/tow) since 2004; in 2016 the fall spawning index was 345.4 mm/tow. The frequency of occurrence of mature females has been below the base year mean (55.9 percent) since 2004; in 2016 the frequency of occurrence of mature females was 46.3 percent. Figure 10 shows the individual traffic lights for each index as well as the composite production traffic light.

MANAGEMENT STRATEGY

Traffic Light

The NCMFC preferred management strategy for blue crabs relies on the Traffic Light Stock Assessment approach to provide information on the relative condition of the stock. The base years (1987 to 2009) for assigning the signals in the Traffic Light Stock Assessment will remain constant until the next amendment of the FMP. The Traffic Light Stock Assessment is updated annually by July of each year to gauge the status of the stock. To trigger management actions, either the adult abundance or production characteristic of the assessment must be at or above the 50 percent red threshold for three consecutive years to trigger the moderate management actions and must be at or above the 75 percent red threshold for two of three consecutive years to trigger the elevated management actions established in the plan (Table 1). The recruit abundance indicator, while not used to trigger initial management action, may be used to supplement any management actions taken if the adult abundance or production triggers are activated.

Based on the results of the Traffic Light update in 2016 management action was required by the NCMFC. At their May 19, 2016 business meeting the NCMFC was presented with several management options identified in the adaptive management framework in Amendment 2 to the N.C. Blue Crab FMP. To improve the condition of the blue crab stock, the NCMFC took the following actions:

1. Required 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. Eliminated 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. Prohibited the harvest of dark sponge crabs (brown and black) from April 1-April 30 each year; and include dark sponge crabs in the culling tolerance.
4. Lowered the culling tolerance from 10 percent to five percent for all crabs, except mature females.
5. Prohibited the harvest of crabs with dredges except incidental to lawful oyster dredging as outlined in NCMFC 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 not effective until January 15, 2017 (NCDMF 2016). This delay was to allow fishermen time to modify their pots.

For the management measures implemented in May 2016 under the adaptive management framework to be relaxed, the adult abundance characteristic of the traffic light must fall below the 50 percent red threshold for three consecutive years. Currently the adult abundance characteristic is at 66 percent red and has been above the moderate management threshold for four consecutive years. The production characteristic is at 50 percent red and has been above the moderate management threshold for three of the last four years. The recruit abundance characteristic has exceeded the moderate threshold for the sixth consecutive year and has exceeded the elevated threshold for four consecutive years. Currently the recruit abundance characteristic is at 88 percent red (Figure 11). The current assessment update indicates that 2016

STATE-MANAGED SPECIES – BLUE CRAB

will not count as the first of three consecutive years required below the 50 percent red threshold for the adult abundance characteristic to allow management measures to be relaxed.

Principal Issues

Several management issues were explored in Amendment 2; Table 3 outlines the specific issues explored and the implementation status of each management strategy.

RESEARCH NEEDS

Several research needs were identified in N.C. Blue Crab Fishery Management Plan Amendment 2; the bulleted list below outlines the specific needs and highlights the progress made towards each management and research need.

- Continue to support research to determine the status of protected species (e.g., migration patterns, habitat utilization) along the North Carolina coast to better anticipate and prevent interactions (needed)
- Support research on blue crab fishery interactions with protected species (e.g., identifying any seasonal or spatial peaks in potential for interactions) (needed)
- Support gear modification research and testing that could reduce protected species interactions (needed)
- Continue socioeconomic surveys of blue crab harvesters and include wholesale and retail benefits, the entire support industry for this fishery including suppliers, picking houses, and restaurants (needed)
- Update Recreational Commercial Gear License (RCGL) survey (needed)
- Continue survey and compile data of recreational crabbers not possessing a RCGL license (ongoing through NCDMF mail survey of CRFL holders)
- Determine the economic effects of imported crabmeat, including the mixture of imported meat with local crabmeat, on processing and demand (needed)
- Determine the costs associated with crab processing. Identify the factors and their relative importance in predicting processor closures (needed)
- Research the changing demographics of the commercial blue crab fishery (needed)
- Continue research on the impacts of endocrine disrupting chemicals (EDCs) on the various life stages of the blue crabs and way to reduce introduction of EDCs into estuarine waters. (needed)
- Assess the impact of winter inlet deepening dredge activities on the overwintering female blue crabs and their habitat (needed)
- Determine the spatial and biological characteristics of SAV beds that maximize their ecological value to the blue crab for restoration or conservation purposes (needed)
- Identify, research, and map shallow detrital areas important to blue crabs (needed)
- Additional research is needed on the extent, causes, and impacts of hypoxia and anoxia on blue crab behavior and population abundance in North Carolina's estuarine waters (needed)
- Conduct research on the water quality impacts of crab pot zincs, bait discard, and alternative crab baits in the pot fishery (needed)
- Develop methods to expand sampling effort to more accurately assess the status of the blue crab stock and its fisheries (needed)

STATE-MANAGED SPECIES – BLUE CRAB

- Continue research on blue crab discards in the shrimp trawl fishery (ongoing through NCDMF observer studies)
- Expand research state wide on the use of terrapin excluder devices in crab pots (needed)
- Implement outreach programs to inform state agencies, the public, and the commercial and recreational fishing industries about issues relating to protected species and fishery management (needed)
- Continue gear development research to minimize species interactions (needed)
- Continue existing programs that have been used to monitor North Carolina's blue crab stock to maintain baseline data (ongoing through NCDMF fishery-independent sampling)
- Identify key environmental factors that significantly impact North Carolina's blue crab stock and investigate assessment methods that can account for these environmental factors (needed)
- Conduct a study of the selectivity of the gear used in the Juvenile Anadromous Trawl Survey (Program 100) to evaluate the size at which blue crabs are fully-selected to the survey gear; the results of such a study could help determine whether the survey data could be used to develop a reliable index of blue crab recruitment for the Albemarle region; no such index is currently available (needed)
- Expand spatial coverage of the Estuarine Trawl Survey (Program 120) to include shallow-water habitat in Albemarle Sound; sampling in shallow-water habitat is intended to target juvenile blue crabs so that a recruitment index for the Albemarle Sound could be developed (needed)
- Expand temporal coverage of the Estuarine Trawl Survey (Program 120) beyond May and June sampling; additional sampling later in the blue crab's growing season would provide more information on within-year changes in growth, mortality, and abundance; at a minimum, recommend addition of September sampling in order to capture the fall settlement peak (needed)
- Expand spatial coverage of Pamlico Sound Survey (Program 195) to include deep water habitat in Albemarle Sound and the Southern Region; expanding the sampling region of adult blue crab habitat would allow for a more spatially-comprehensive adult index; additionally, there would be increased confidence in comparison of adult abundance trends among regions since all would derive from the same sampling methodology (needed)
- Implement a statewide survey with the primary goal of monitoring the abundance of blue crabs in the entire state; such a survey would need to be stratified by water depth to ensure capture of all stages of the blue crab life cycle and standardized among North Carolina waters (needed)
- Implement monitoring of megalopal settlement near the ocean inlets could potentially add a predictive function to the blue crab stock assessments in the future; Forward et al. (2004) detected a positive, linear relationship between megalopal abundance and commercial landings of hard blue crabs for both the local estuarine area and the entire state of North Carolina when a two-year time lag was implemented (Forward et al. 2004); such monitoring is critical to track larval ingress peaks and the effect of natural forces, such as tropical storms and prevailing winds, on ingress (needed)
- Continue surveys of recreational harvest and effort to improve characterization of the recreational fishery for blue crabs (ongoing through NCDMF mail survey of CRFL holders)
- Identify programs outside the NCDMF that collect data of potential use to the stock assessment of North Carolina's blue crabs (needed)

STATE-MANAGED SPECIES – BLUE CRAB

- Perform in-depth analysis of available data; consider standardization techniques to account for gear and other effects in development of indices; explore utility of spatial analysis in assessing the blue crab stock

FISHERY MANAGEMENT PLAN RECOMMENDATION

The Benchmark Review of the Blue Crab FMP was originally scheduled to begin in July 2018 but at their August 2016 business meeting the NCMFC voted to move the review up on the FMP schedule to begin immediately. Consequently, the review of the Blue Crab FMP began in August 2016. The division's plan development team is working on a stock assessment scheduled to be completed later this year.

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- Forward, R.B. Jr, J.H. Cohen, R.D. Irvine. 2004. Settlement of blue crab, *Callinectes sapidus*, megalopae in a North Carolina, USA, estuary. *Marine Ecology Progress Series*. 182: 183-192.
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- NCDMF. 2013. North Carolina Blue Crab Fishery Management Plan Amendment 2. North Carolina Department of Environment and Natural Resources. North Carolina Division of Marine Fisheries. Morehead City, NC. 528 pp.
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STATE-MANAGED SPECIES – BLUE CRAB

TABLES

Table 1. Management measures in N.C. Blue Crab Fishery Management Plan Amendment 2 that may be implemented by proclamation as described in the blue crab adaptive management framework when a stock characteristic exceeds a designated management threshold.

Characteristic	Moderate management level	Elevated management level
Adult abundance	A1. Increase in minimum size limit for male and immature female crabs A2. Reduction in tolerance of sub-legal size blue crabs (to a minimum of 5%) and/or implement gear modifications to reduce sublegal catch A3. Eliminate harvest of v-apron immature hard crab females	A4. Closure of the fishery (season and/or gear) A5. Reduction in tolerance of sub-legal size blue crabs (to a minimum of 1%) and/or implement gear modifications to reduce sublegal catch A6. Time restrictions
Recruit abundance	R1. Establish a seasonal size limit on peeler crabs R2. Restrict trip level harvest of sponge crabs (tolerance, quantity, sponge color) R3. Close the crab spawning sanctuaries from September 1 to February 28 and may impose further restrictions	R4. Prohibit harvest of sponge crabs (all) and/or require sponge crab excluders in pots in specific areas R5. Expand existing and/or designate new crab spawning sanctuaries R6. Closure of the fishery (season and/or gear) R7. Gear modifications in the crab trawl fishery
Production	P1. Restrict trip level harvest of sponge crabs (tolerance, quantity, sponge color) P2. Minimum and/or maximum size limit for mature female crabs P3. Close the crab spawning sanctuaries from September 1 to February 28 and may impose further restrictions	P4. Prohibit harvest of sponge crabs (all) and/or require sponge crab excluders in pots for specific areas P5. Reduce peeler harvest (no white line peelers and/or peeler size limit) P6. Expand existing and/or designate new crab spawning sanctuaries P7. Closure of the fishery (season and/or gear)

STATE-MANAGED SPECIES – BLUE CRAB

Table 2. Recreational blue crab trip, harvest, and discard estimates (number of blue crabs), 2012 – 2016. Percent standard error (PSE) is a measure of precision.

Year	Number of Trips	PSE for Trips (%)	Harvest	PSE for Harvest (%)	Discards	PSE for Discards (%)	Total Catch	PSE for Total Catch (%)
2011	24,818	8.2	114,426	12.7	81,763	11.1	196,189	10.7
2012	26,863	8.9	120,979	12.0	79,072	12.5	200,051	11.5
2013	30,732	11.6	94,174	13.9	61,452	15.7	155,626	13.1
2014	23,381	11.3	100,597	19.5	67,413	15.7	168,010	16.5
2015	27,963	35.8	71,587	17.2	60,135	26.5	131,690	17.9
2016	23,325	9.9	84,879	14.4	82,781	12.3	167,660	11.9
Average	26,180		97,774		72,103		169,871	

STATE-MANAGED SPECIES – BLUE CRAB

Table 3. Summary of management strategies and outcomes from N.C. Blue Crab Fishery Management Plan Amendment 2.

Management Strategy	Implementation Status
STOCK PROTECTION	
Repeal the current female stock conservation management trigger.	Rule change to 15A NCAC 03L .0201; Rule change completed on April 1, 2014.
Continue existing sampling programs to maintain baseline information for the Traffic Light Stock Assessment method.	No action required.
Adopt the adaptive management framework based on the Traffic Light Stock Assessment and the proposed moderate and elevated management levels for recruit abundance, adult abundance, and production characteristics. Initial management action will only be implemented when either the adult abundance or production characteristic reach the management trigger of 50% red or greater for three consecutive years. The recruit abundance characteristic will be used as a supplement to further direct conservation management actions, if deemed necessary.	Rule change to 15A NCAC 03L .0201, 03L .0203, 03L .0204, 03L .0205, 03L .0206, 03L .0209 and 03J .0301; Rule change completed on April 1, 2014.
USER CONFLICTS	
Status quo, continue with no crab pot limit in southern Bogue Sound.	No action required.
Open the non-pot (long haul net) areas all the time by rule in the Pungo River and keep status quo in the Long Point area on the Pamlico River.	Rule change to 15A NCAC 03R .0107; Rule change completed on April 1, 2014.
CLARIFICATION OF RULES	
Modify the rule to include the lower Broad Creek area that is closed to crab pots from June 1 through November 30.	Rule change to 15A NCAC 03R .0107; Rule change completed on April 1, 2014.
Amend the rule to match harvest management for crab dredging.	Rule change to 15A NCAC 03L .0203; Rule change completed on April 1, 2014.
Modify Rule 15A NCAC 03L .0202 to incorporate the long-standing provisions of Proclamation SH-5-2007 (Pamlico Sound four-inch mesh crab trawl line), and retain the Director’s proclamation authority to restrict crab trawl mesh size.	Rule change to 15A NCAC 03L .0202; Rule change completed on April 1, 2014.
Amend the current rule to redefine criteria for exempting escape rings in crab pots from the 1.5-inch pot mesh size to unbaited pots and pots baited with a male crab.	Rule change to 15A NCAC 03J .0301 and 03L .0301; Rule change completed on April 1, 2014.

STATE-MANAGED SPECIES – BLUE CRAB

Management Strategy	Implementation Status
<p>Repeal the proclamation authority that allows for exempting the escape ring requirement in order to allow the harvest of peeler crabs.</p>	<p>Rule change to 15A NCAC 03J .0301; Rule change completed on April 1, 2014.</p>
<p>Adopt the no trawl line along the Outer Banks in Pamlico Sound as the new boundary in Pamlico Sound, and the Newport River boundaries as delineated in the proposed rule as new boundaries for the area where closure of escape rings to take small mature females is allowed.</p>	<p>Rule change to 15A NCAC 03J .0301 and add new rule 03R .0118; Rule change completed on April 1, 2014.</p>
<p>Modify Rule 15A NCAC 03J .0104(b)(4) TRAWL NETS to correctly reference the Pamlico, Back and Core sounds as the areas in which the Director can open peeler trawling by proclamation.</p>	<p>Rule change to 15A NCAC 03J .0104; Rule change completed on April 1, 2014.</p>
<p>Modify rule to clearly state the intent of the exceptions, culling tolerance, and separation requirements for the various categories of crabs.</p>	<p>Rule change to 15A NCAC 03L .0201; Rule change completed on April 1, 2014.</p>
<p>HARVEST PRACTICES</p>	
<p>Continue with non-floating line on crab pots.</p>	<p>No action required.</p>
<p>Establish proclamation authority for requiring terrapin excluder devices in crab pots.</p>	<p>Rule change to 15A NCAC 03L .0204; Rule change completed on April 1, 2014.</p>
<p>Establish a framework for developing proclamation use criteria and terrapin excluder specifications which may extend until after adoption of the amendment.</p>	<p>Will be addressed in next fishery management plan amendment.</p>
<p>Do not allow multiple pots to a single buoy.</p>	<p>No action required.</p>
<p>Encourage crab potters in areas of high pot loss to incorporate methods to reduce pot loss. Develop and provide information on potential methods to reduce pot loss.</p>	<p>Need to develop and provide information on potential methods to reduce pot loss.</p>
<p>Encourage crab potters in areas of high pot loss to incorporate escape panel designs in pots to reduce potential ghost fishing impacts. Develop and provide information on potential methods and materials to reduce ghost fishing impacts.</p>	<p>Need to develop and provide information on potential methods and materials to reduce ghost fishing impacts.</p>
<p>ENVIRONMENTAL FACTORS</p>	
<p>Identify and designate Strategic Habitat Areas that will enhance protection of the blue crab.</p>	<p>Existing authority through the Coastal Habitat Protection Plan (CHPP).</p>
<p>Identify, research, and designate additional areas as Primary Nursery Areas that may be important to blue crabs as well as other fisheries.</p>	<p>Existing authority through the CHPP.</p>

STATE-MANAGED SPECIES – BLUE CRAB

Management Strategy	Implementation Status
Continue to map blue crab spawning areas and evaluate any that need to adjust or expand the boundaries or restrictions of the crab spawning sanctuaries based on recent research.	Existing authority through the CHPP.
Remap and monitor submerged aquatic vegetation in North Carolina to assess distribution and change over time.	Existing authority through the CHPP.
Restore coastal wetlands to compensate for previous losses and enhance habitat and water quality conditions for the blue crab.	Existing authority through the CHPP.
Work with Coastal Resource Commission to revise shoreline stabilization rules to adequately protect riparian wetlands and shallow water habitat and significantly reduce the rate of shoreline hardening.	Existing authority through the CHPP.
Develop and implement a comprehensive coastal marina and dock management plan and policy to minimize impacts to submerged aquatic vegetation, wetland edge, and other habitat important to blue crab.	Existing authority through the CHPP.
Assess the distribution, concentration, and threat of heavy metals and other toxic contaminants in freshwater and estuarine sediments and identify the areas of greatest concern to focus water quality improvement efforts.	Existing authority through the CHPP.
Support oyster shell recycling and oyster sanctuary programs to provide areas of enhanced or restored shell bottom habitat.	Existing authority through the CHPP.
Consider if prohibition of crab dredging is advisable.	Existing authority through the CHPP.
Protect “recruitment bottlenecks”, like inlets for the blue crab, from trawling or other impacts including natural channel modification using hardened structures like groins and jetties.	Existing authority through the CHPP.
Shallow areas where trawling is currently allowed should be re-examined to determine if additional restrictions are necessary.	Existing authority through the CHPP.
Improve methods to reduce sediment and nutrient pollution from construction sites, agriculture, and forestry.	Existing authority through the CHPP.
Increase on-site infiltration of storm water through voluntary or regulatory measures.	Existing authority through the CHPP.
Provide more incentives for low-impact development.	Existing authority through the CHPP.

STATE-MANAGED SPECIES – BLUE CRAB

Management Strategy	Implementation Status
Aggressively reduce point source pollution from wastewater through improved inspections of wastewater treatment facilities, improved maintenance of collection infrastructure, and establishment of additional incentives to local governments for wastewater treatment plant upgrading.	Existing authority through the CHPP.
Provide proper disposal of unwanted drugs, prevent the use of harmful JHA insecticides near-surface waters or in livestock feed, and develop technologies to treat wastewater for antibiotics and hormones.	Existing authority through the CHPP.

STATE-MANAGED SPECIES – BLUE CRAB

FIGURES

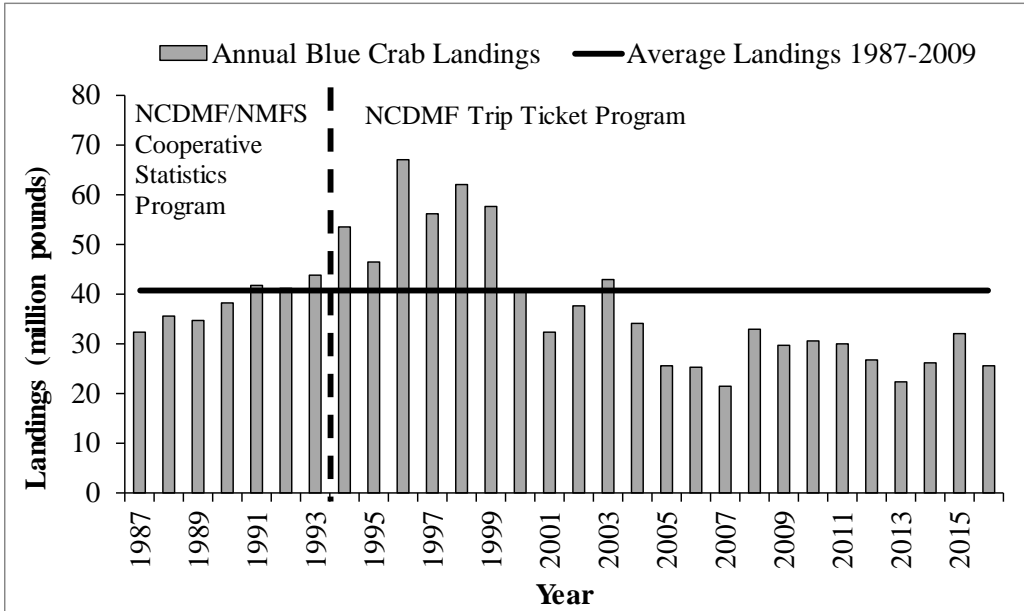


Figure 1. Annual blue crab commercial landings, 1987-2016. Landings include hard, soft, and peeler crabs. The vertical dashed line denotes the change from a voluntary to mandatory commercial landings reporting.

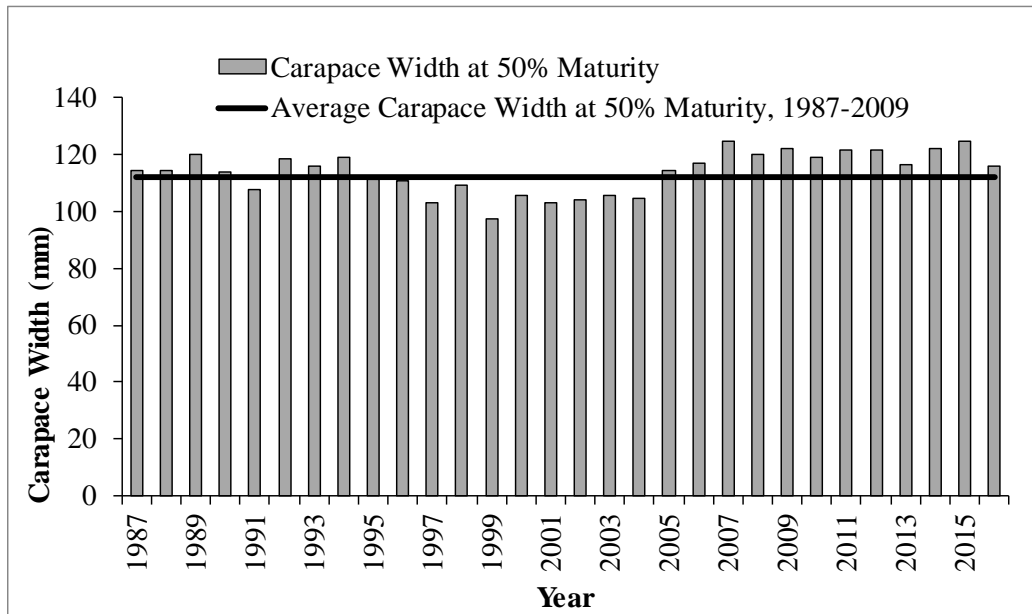


Figure 2. Length at 50% maturity for female blue crabs used in the production characteristic of the Blue Crab Traffic Light, 1987-2016. Fishery-dependent and independent data were included in the analysis.

STATE-MANAGED SPECIES – BLUE CRAB

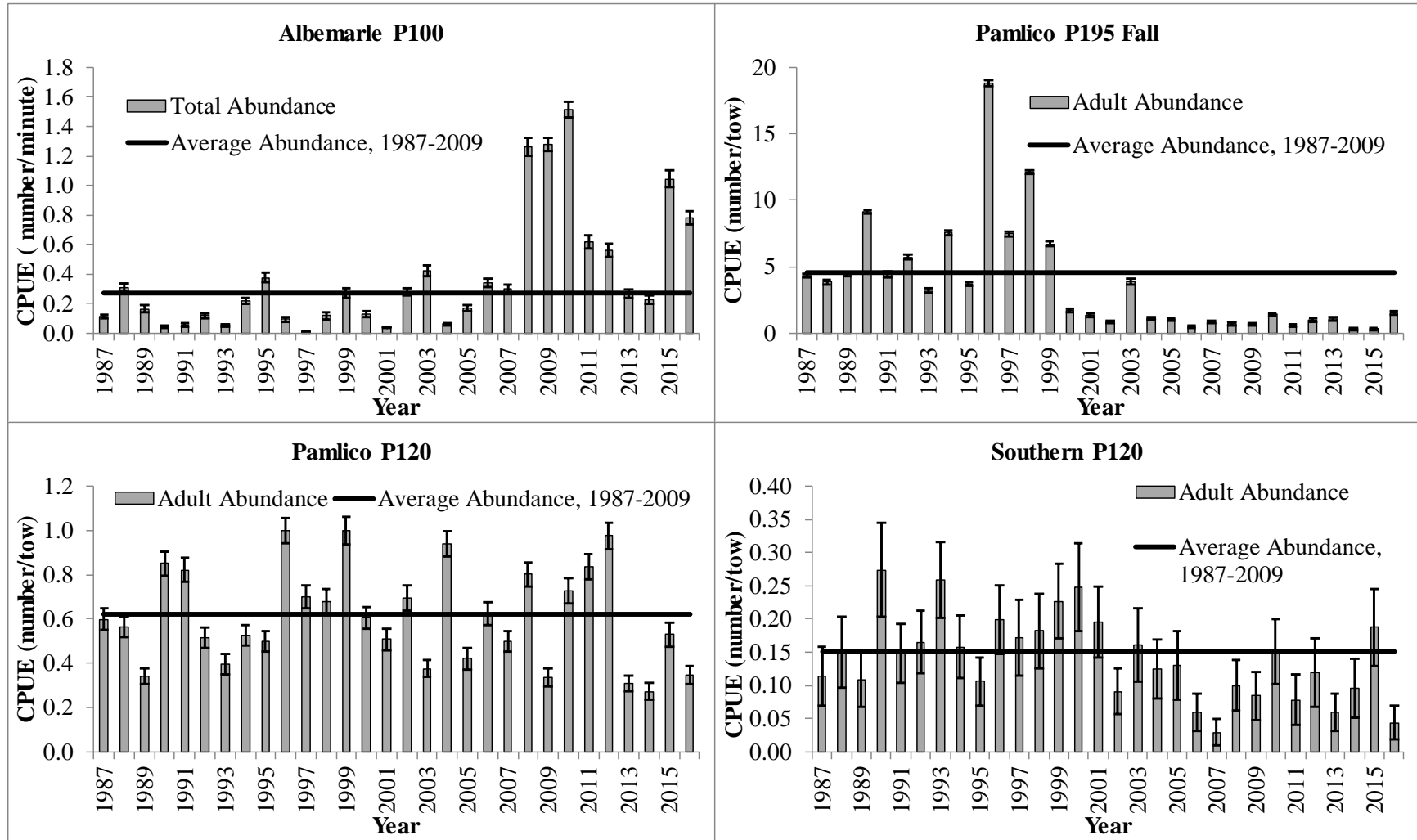


Figure 3. Indices from NCDMF sampling programs 100, 120, and 195 used for the adult abundance characteristic of the Blue Crab Traffic Light, 1987-2016. Error bars represent one standard error of the mean.

STATE-MANAGED SPECIES – BLUE CRAB

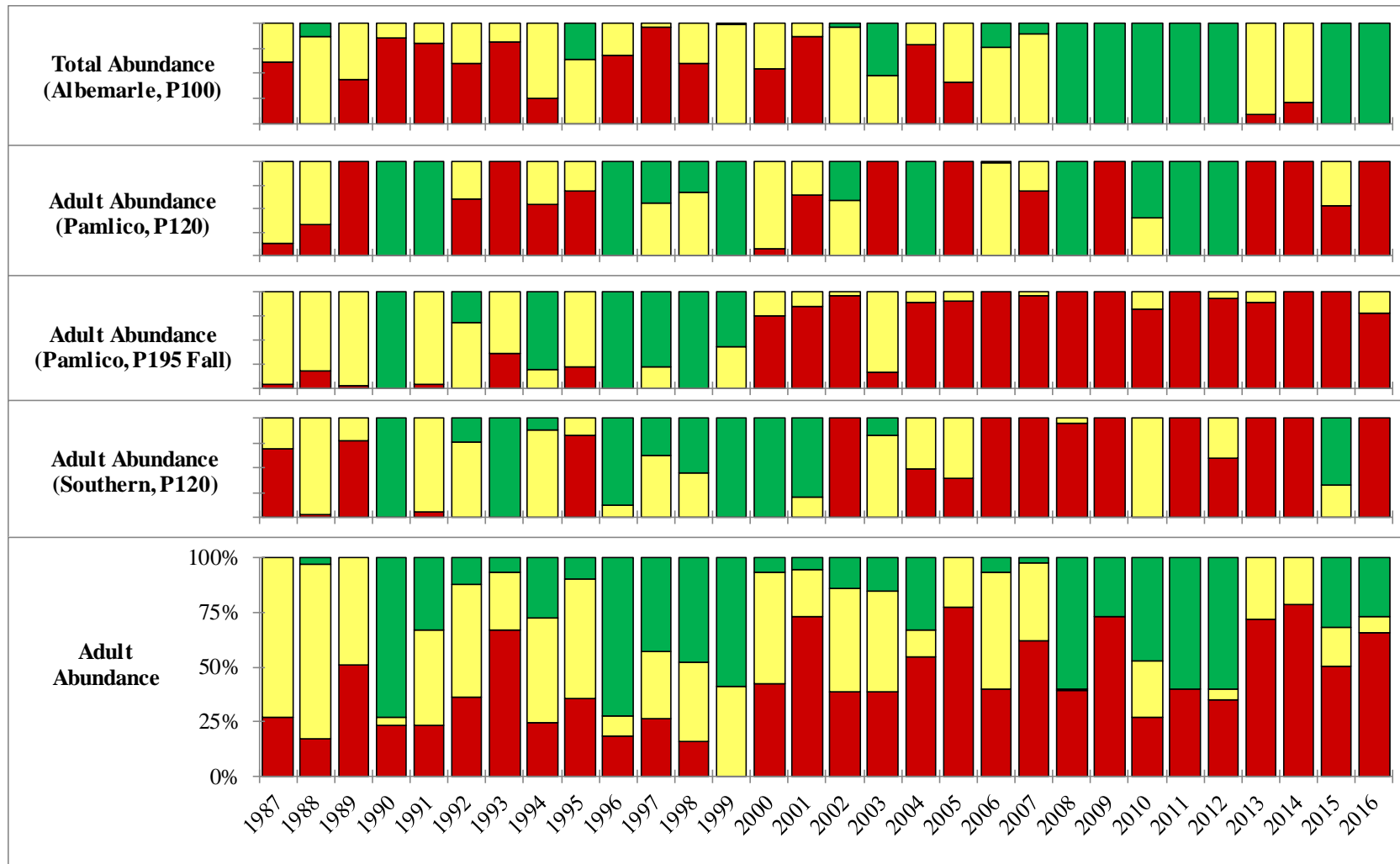


Figure 4. Blue Crab Traffic Light individual adult abundance indicators and the integrated summary (bottom figure), 1987-2016.

STATE-MANAGED SPECIES – BLUE CRAB

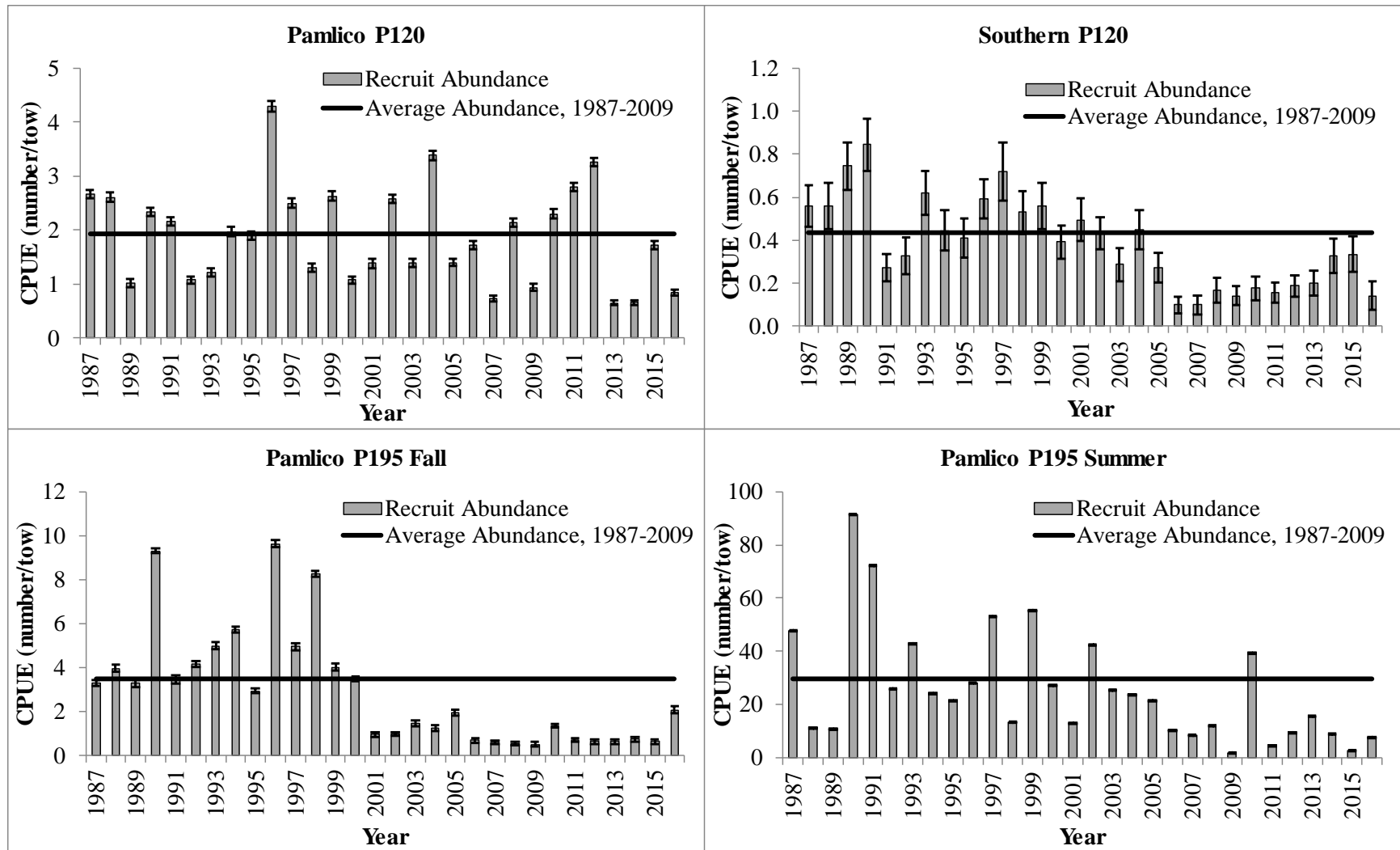


Figure 5. Indices from NCDMF sampling programs 120 and 195 used for the recruit abundance characteristic of the Blue Crab Traffic Light, 1987-2016. Error bars represent one standard error of the mean.

STATE-MANAGED SPECIES – BLUE CRAB

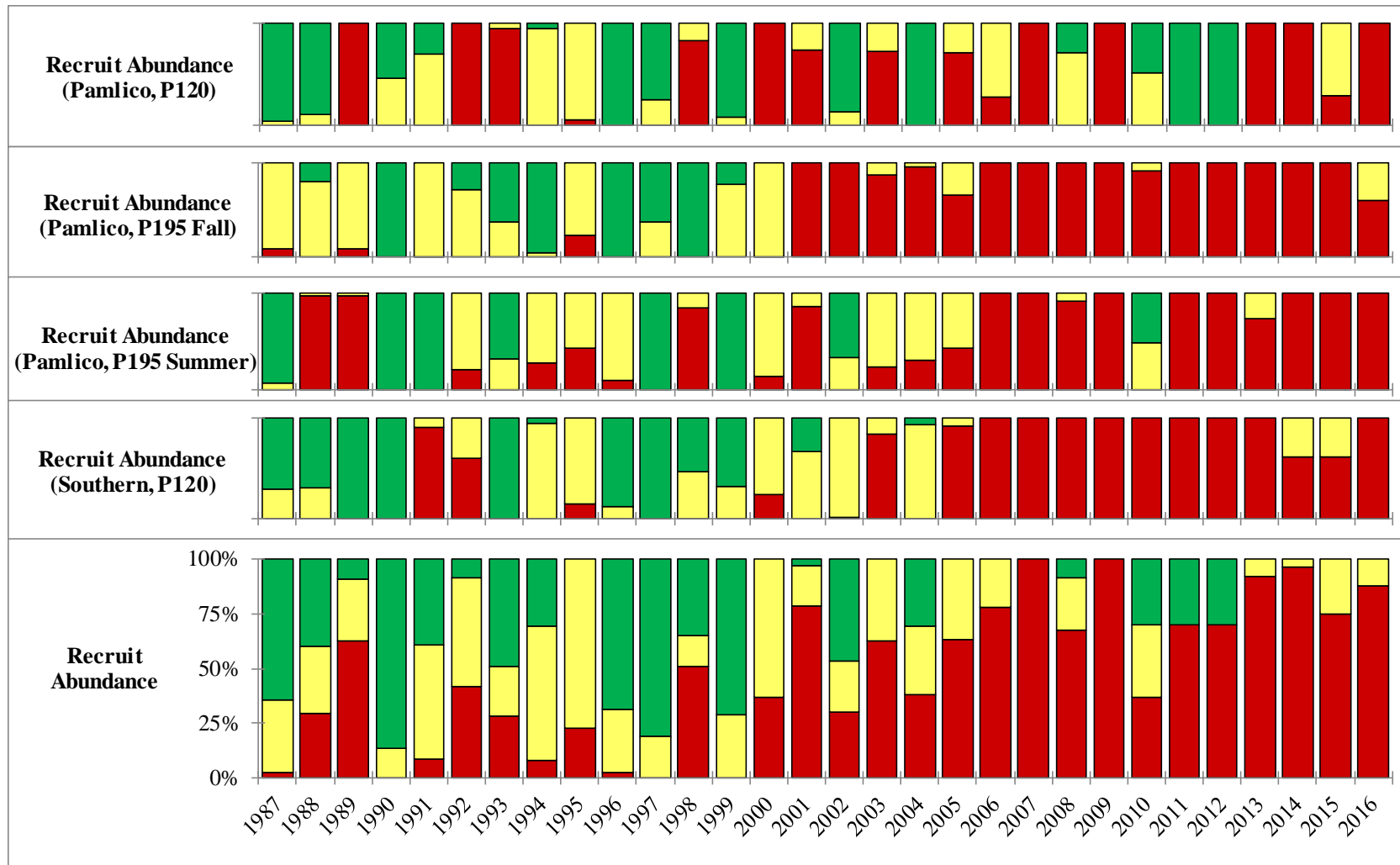


Figure 6. Blue Crab Traffic Light individual recruit abundance indicators and the integrated summary (bottom figure), 1987-2016.

STATE-MANAGED SPECIES – BLUE CRAB

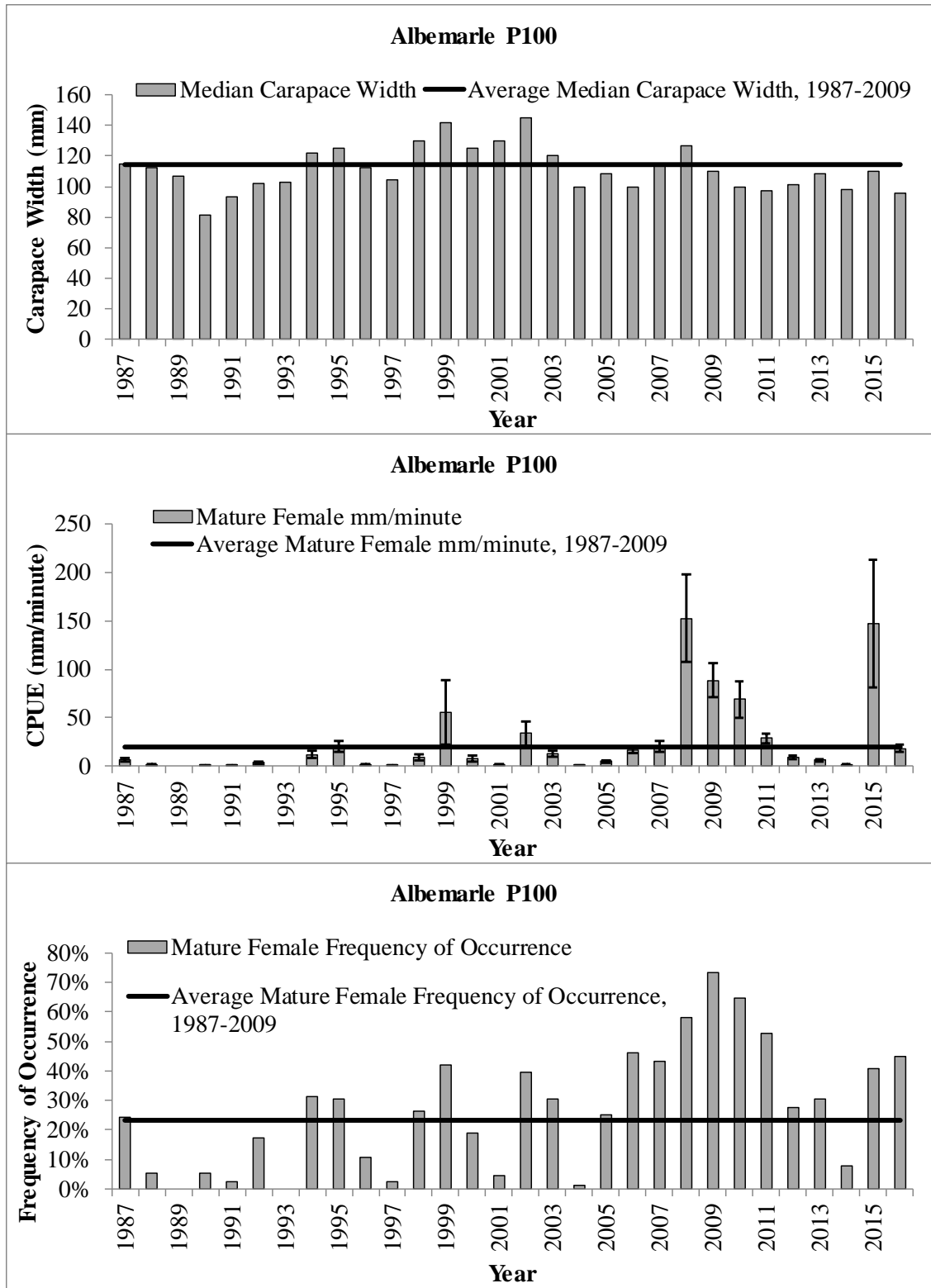


Figure 7. Indices from NCDMF sampling program 100 used for the production characteristic of the Blue Crab Traffic Light, 1987-2016. Error bars represent one standard error of the mean.

STATE-MANAGED SPECIES – BLUE CRAB

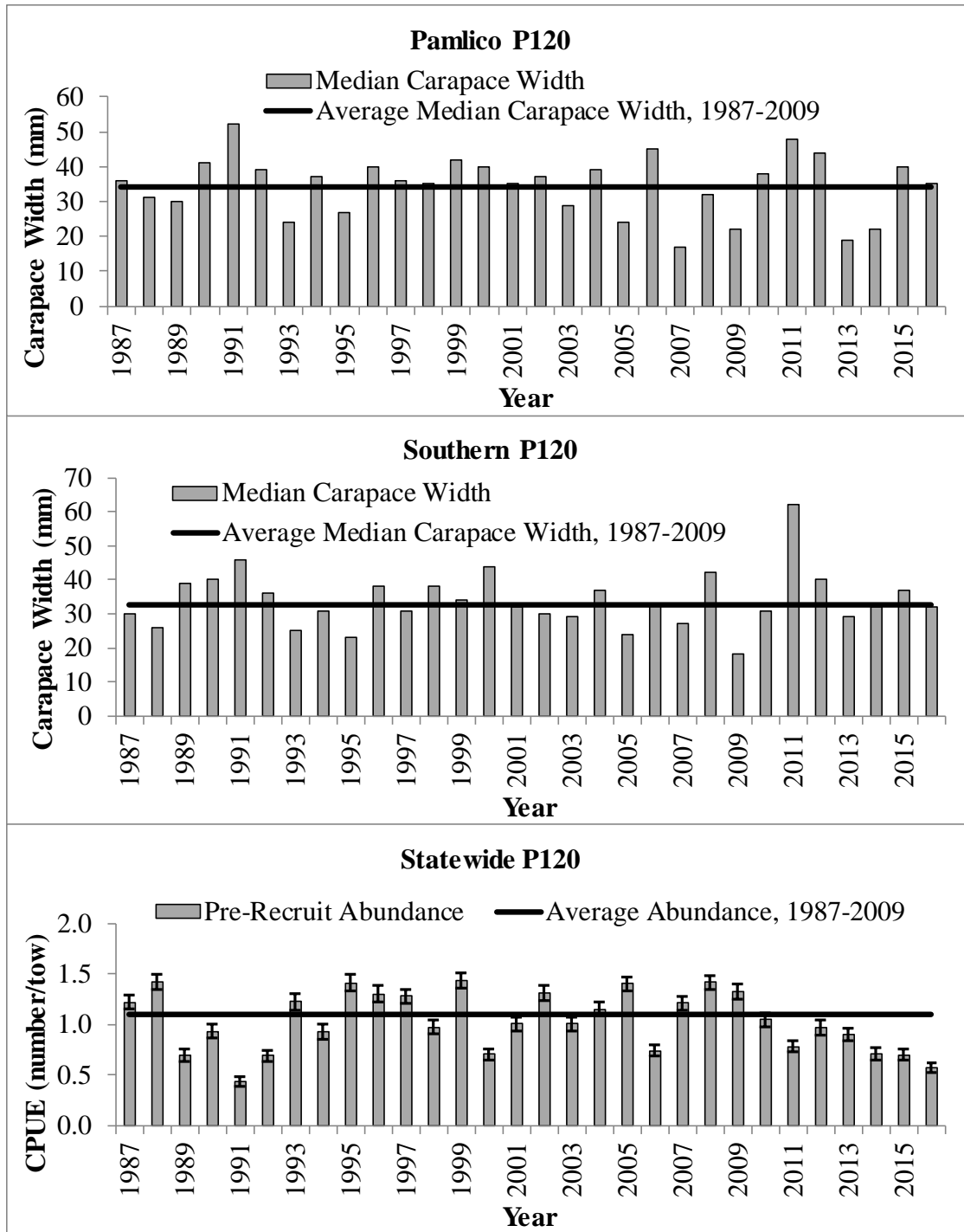


Figure 8. Indices from NCDMF sampling program 120 used for the production characteristic of the Blue Crab Traffic Light, 1987-2016. Error bars represent one standard error of the mean.

STATE-MANAGED SPECIES – BLUE CRAB

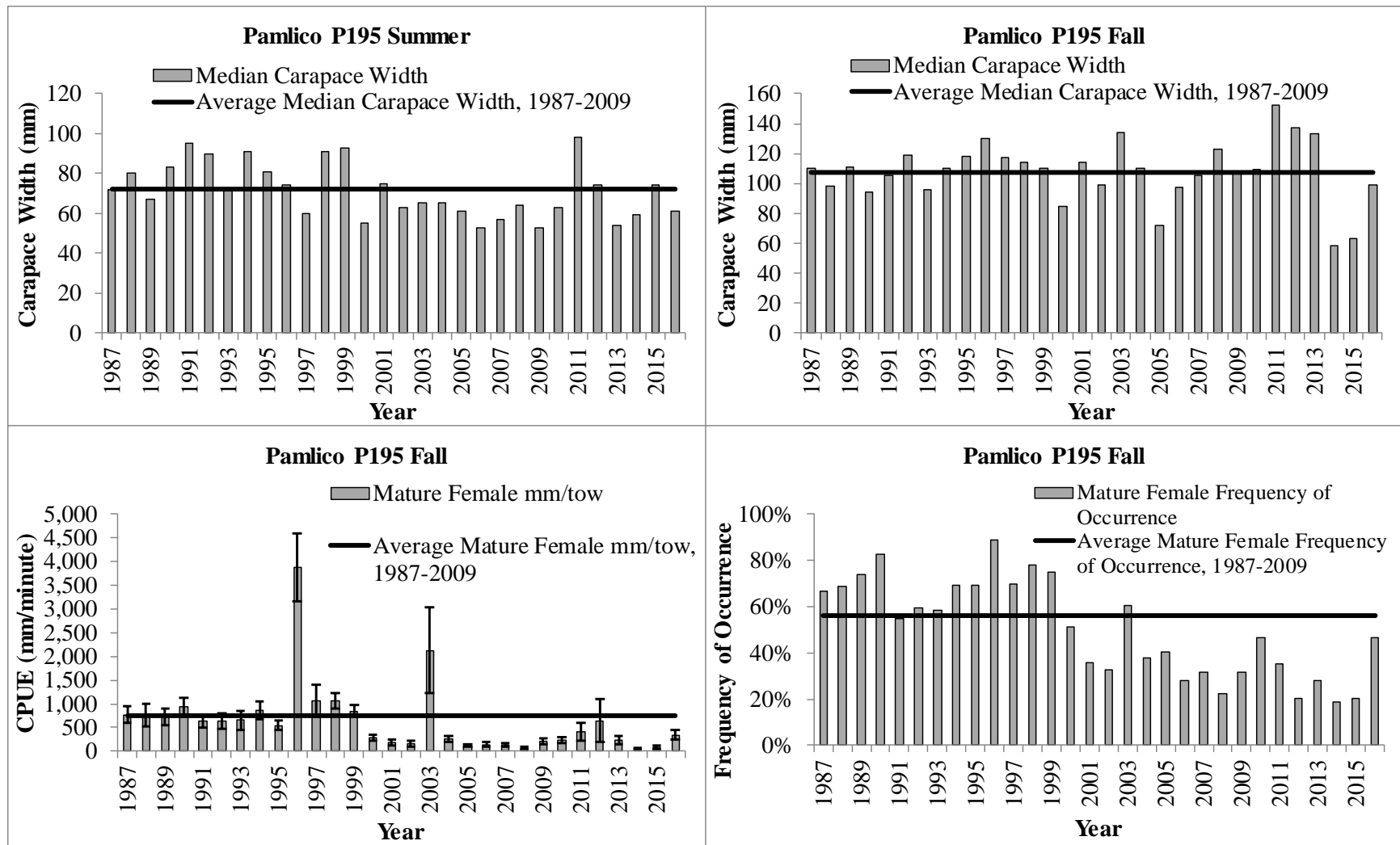


Figure 9. Indices from NCDMF sampling program 195 used for the production characteristic of the Blue Crab Traffic Light, 1987-2016. Error bars represent one standard error of the mean.

STATE-MANAGED SPECIES – BLUE CRAB



Figure 10. Blue Crab Traffic Light individual production indicators and integrated summary (bottom figure, next page), 1987-2016.

STATE-MANAGED SPECIES – BLUE CRAB



Figure 10 (cont.). Blue Crab Traffic Light individual production indicators and integrated summary (bottom figure), 1987-2016.

STATE-MANAGED SPECIES – BLUE CRAB

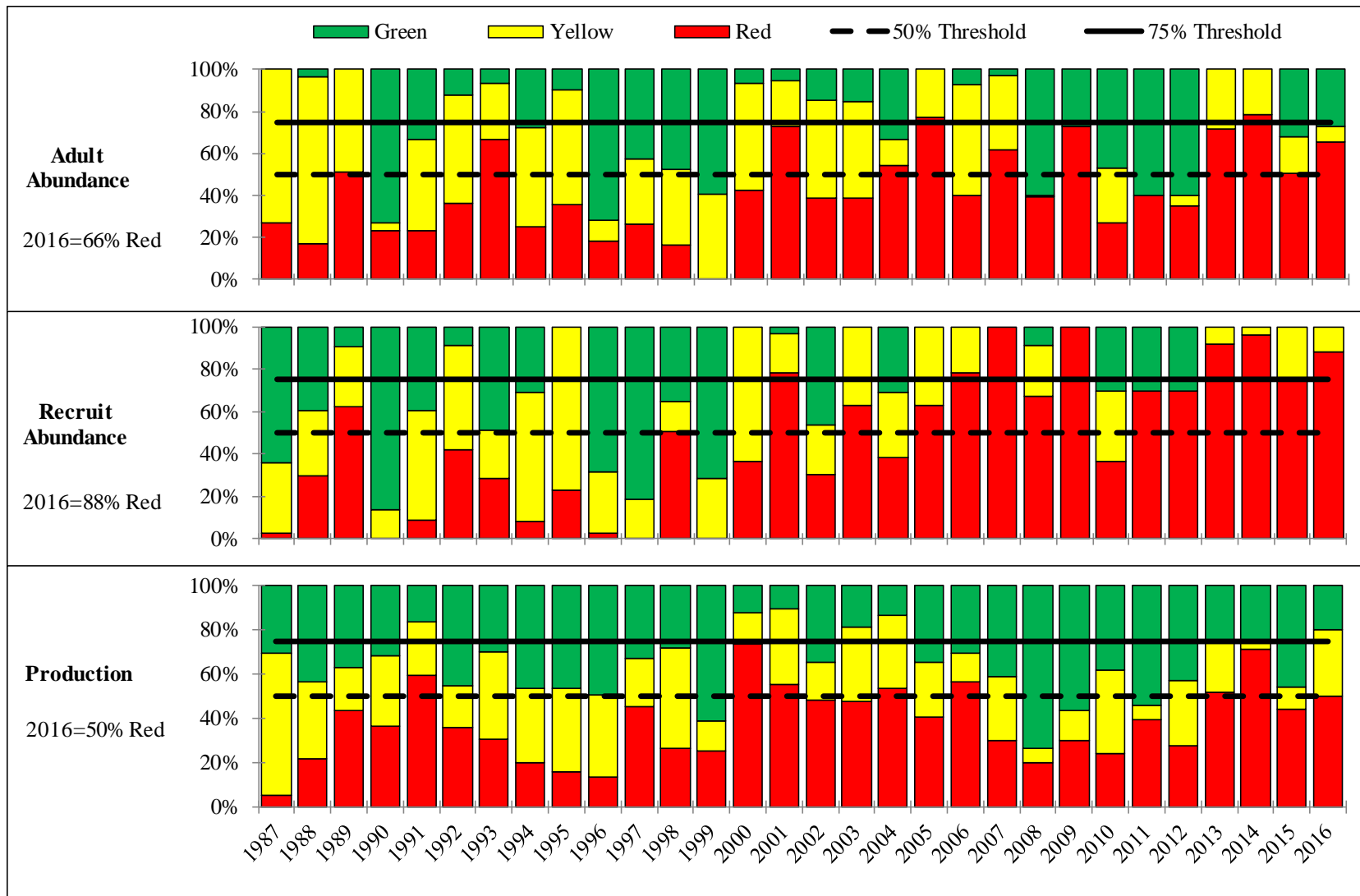


Figure 11. Blue Crab Traffic Light indicators for the adult abundance, recruit abundance, and production characteristics, 1987-2016. The dashed line represents the second quartile (50%) moderate management trigger and the solid line represents the third quartile (75%) elevated management trigger relative to the proportion of red.

STATE-MANAGED SPECIES – EASTERN OYSTER

FISHERY MANAGEMENT PLAN UPDATE EASTERN OYSTER AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	August 2001
Amendments:	Amendment 1 – January 2003 Amendment 2 – June 2008 Amendment 3 – April 2014 Amendment 4 – February 2017
Revisions:	None
Supplements:	Supplement A to Amendment 2 – November 2010
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	July 2022

The original N.C. Oyster Fishery Management Plan (FMP) was adopted by the North Carolina Marine Fisheries Commission (NCMFC) in 2001 and set up a process for designation of additional areas limited to hand harvest methods around Pamlico Sound and recommended several statutory changes to the shellfish lease program including higher fees, training requirements, and modified lease production requirements (NCDMF 2001). The N.C. Oyster FMP Amendment 1 simply changed one of the criteria for designation of hand harvest areas from waters generally less than 10 feet deep to waters less than six feet deep (NCDMF 2003). Highlights of the management measures developed in the N.C. Oyster FMP Amendment 2 included adopting a 15-bushel harvest limit in Pamlico Sound and a 10-bushel harvest limit for all gears (hand and mechanical) in designated areas around the sound, reducing the available harvest season, changing the way lease production averages were calculated, limited lease applications to five acres and had a recommendation to expand oyster sanctuary construction efforts (NCDMF 2008). Supplement A raised the potential harvest limit in Pamlico Sound to 20 bushels and created a monitoring system for determining when to close mechanical harvest in that area (NCDMF 2010). The N.C. Oyster FMP Amendment 3 created two seed oyster management areas in Onslow County. Amendment 4 was adopted in February 2017 with selected management measures including: the continuation of the monitoring system for when to close mechanical harvest off public bottom in an area, a reduction of the culling tolerance from 10 to five percent in the commercial fisheries off public bottom, a reduction of the daily harvest limit for holders of the Shellfish License off public bottom to two bushels per person per day

STATE-MANAGED SPECIES – EASTERN OYSTER

maximums four bushels per vessel, the continuation of the six-week open season to mechanical harvest off public bottom in the bays with changes in the timing of the six-week opening, modifications to shellfish lease provisions, and adding convictions of theft on shellfish leases and franchises to the types of violations that could result in license suspension or revocation.

Management Unit

The management unit includes the eastern oyster (*Crassostrea virginica*) and its fisheries in all waters of coastal North Carolina.

Goal and Objectives

The goal of the N.C. Oyster FMP is to manage the state's oyster population so that it achieves sustainable harvest and maximizes its role in providing ecological benefits to North Carolina's estuaries. To achieve this goal, it is recommended that the following objectives be met:

1. Identify, restore, and protect oyster populations as important estuarine habitat.
2. Manage and restore oyster populations to levels capable of maintaining sustained production through judicious use of natural oyster resources, enhancement of oyster habitats, and development and improvement of oyster production on shellfish leases and franchises.
3. Minimize the impacts of oyster parasites and other biological stressors through better understanding of oyster disease, better utilization of affected stocks, and use of disease resistant and biological stress resistant oysters.
4. Consider the socioeconomic concerns of all oyster resource user groups, including market factors.
5. Recommend improvements to coastal water quality to reduce bacteriological-based harvest closures and to limit other pollutants to provide a suitable environment for healthy oyster populations.
6. Identify and encourage research to improve understanding of oyster population ecology and dynamics, habitat restoration needs, and oyster aquaculture practices.
7. Identify, develop, and promote efficient oyster harvesting practices that minimize damage to the habitat.
8. Initiate, enhance, and continue studies to collect and analyze economic, social, and fisheries data needed to effectively monitor and manage the oyster resource.
9. Promote public awareness regarding the ecological value of oysters and encourage public involvement in management and enhancement activities.

STATUS OF THE STOCK

Stock Status

There are insufficient data to conduct a traditional stock assessment for the eastern oyster in North Carolina, therefore population size and the rate that oysters are removed from the population could not be determined. Until that time, it is recommended that the status of eastern oyster in North Carolina continue to be defined as concern. North Carolina commercial oyster landings have been in decline for most of the past century. This decline was likely initiated by

STATE-MANAGED SPECIES – EASTERN OYSTER

overharvest and compounded by habitat disturbance, pollution, and biological and environmental stressors. Oysters are believed to be more vulnerable to overharvest because these other factors negatively impact their survival. Species designated by the North Carolina Division of Marine Fisheries (NCDMF) with a concern status exhibit one or more of the following: increased effort, declining landings, truncated age distribution, or are negatively impacted by biotic (living, biological) such as disease, life history, and predation and/or abiotic (non-living, physical) factor, such as water quality and habitat loss.

Stock Assessment

An oyster stock assessment was attempted in 1999, but the necessary data were lacking to determine levels of sustainable harvest (NCDMF 2001). Since there were no significant changes in the types and quantity of data collected, an oyster stock assessment could not be achieved in 2006 and again in 2014 (NCDMF 2008; NCDMF 2017). Collection of appropriate data is needed in order to conduct a stock assessment and determine levels of sustainable harvest (NCDMF 2008).

Data are not available to perform a traditional assessment so it was not possible to estimate population size or rates or removals from the population in the latest FMP adopted in 2017. The only data representative of the stock were the commercial landings and associated effort. For this reason, the current analysis focused on trends in catch rates in the commercial oyster fishery. These catch rates should not be considered an unbiased representation of trends in population size; fisheries-dependent data are often not proportional to population size due to a number of caveats and should be interpreted with caution if the interest is relative to changes in the population. In order for a fisheries-dependent index to be proportional to abundance, fishing effort must be random with respect to the distribution of the population and catchability must be constant over space and time (NCDMF 2017). Other factors affecting the proportionality of fishery-dependent indices to stock size include changes in fishing power, gear selectivity, gear saturation and handling time, fishery regulations, gear configuration, fishermen skill, market prices, discarding, vulnerability and availability to the gear, distribution of fishing activity, seasonal and spatial patterns of stock distribution, changes in stock abundance, and environmental variables. Many agencies, such as the NCDMF, do not require fishermen to report records of positive effort with zero catch; lack of these “zero catch” records in the calculation of indices can introduce further bias.

The North Carolina commercial oyster fishery is subject to trip limits, which could bias catch rates (Mike Wilberg, University of Maryland Center for Environmental Science, personal communication; John Walter, National Oceanic and Atmospheric Administration Fisheries, personal communication); that is, the trip limits affect the amount of catch that is observed per unit effort—the true value of the variable cannot be observed. A censored regression approach was attempted to calculate an index of relative abundance (numbers harvested per transaction) using data collected from a fishery with trip limits.

Data were obtained from the North Carolina Trip Ticket Program for 1994 through 2013. The censored response variable (catch per unit effort) was fit within a Generalized Additive Models for Location Scale and Shape framework using the ‘gamlss.cens’ (Stasinopoulos et al. 2014) and

STATE-MANAGED SPECIES – EASTERN OYSTER

‘survival’ (Therneau 2014) packages in R (R Core Team 2014). Catch rates were estimated for both hand harvest and mechanical harvest in each of the major water bodies from which eastern oysters are harvested where sufficient data were available. Data were summarized by fishing year (October through March for hand harvest and November through March for mechanical harvest). Only landings from public bottom were examined.

Catch rates were expressed as bushels harvested per transaction. The censored regression approach failed for both hand and mechanical harvest data despite trying three different distributional assumptions (lognormal, gamma, t). This failure was believed to be due to the large number of trips (transactions) that meet or exceed the trip limit in both fisheries. Similar work found that when about 50 percent or more of the trips equaled or exceeded the trip limits, there was not enough information from the uncensored trips to produce a reliable model. Here, 51.4 percent of trips by hand gears equaled (39.3 percent) or exceeded (12.1 percent) the trip limits over all water bodies and fishing years combined; the number of trips equaling or exceeding the trip limits for mechanical gears was 43.5 percent (42.9 percent equaled and < one percent exceeded).

Available data were considered insufficient for estimating reliable fishing mortality rates.

STATUS OF THE FISHERY

Current Regulations

Oysters cannot be taken from any public or private bottom in areas designated as prohibited (polluted) by proclamation except for special instances for: Shellfish Management Areas (NCMFC Rule 15A NCAC 03K .0103), with a permit for planting shellfish from prohibited areas (NCMFC Rule 15A NCAC 03K .0104), and for the depuration of shellfish (NCMFC Rule 15A NCAC 03K .0107). Beginning in April 2014, time and temperature control measures were initiated for oysters to prevent post-harvest growth of naturally-occurring *Vibrio* sp. bacteria that can cause serious illness in humans between April 1 and September 30 of each year. Oysters cannot be taken between the hours of sunset and sunrise of any day. Beginning in the 2017-2018 season the culling tolerance will be reduced from 10 percent to five percent off public bottom based management measures adopted in Amendment 4 of the N.C. Oyster Fishery Management Plan.

Public Bottom

The minimum size limit for oysters from public bottom is three-inch shell length. Both the hand and mechanical oyster harvest season from public bottom are opened annually by proclamation. It is unlawful to sell oysters taken on Saturday and Sunday from public bottom. The hand-harvest season for commercial and recreational harvest begins on October 15 each year with commercial harvest limited to Monday through Friday each week and recreational harvest allowed seven days a week. Hand-harvest methods to take oysters are allowed in all areas found suitable for shellfish harvest by the Shellfish Sanitation and Recreational Water Quality Section of the NCDMF during the open season. Beginning in 2013 through statutory changes, the Shellfish License was restricted to hand harvest only, and harvest by mechanical methods was prohibited.

STATE-MANAGED SPECIES – EASTERN OYSTER

Recreational harvest is only allowed by hand methods. The season typically continues until closed by rule on March 31 although some locations close earlier due to perceived excessive harvest. Brunswick County is the only area frequently closed early due to this concern and it closed prior to March 31 fourteen times between the 1996-1997 and 2016-2017 seasons. The daily hand harvest limit for oysters in Pamlico Sound outside the bays is 15-bushel per day per commercial fishing operation and 10-bushels per day per commercial fishing operation in the bays and in the Mechanical Methods Prohibited area along the Outer Banks of Pamlico Sound. Areas from Core Sound south have a daily hand harvest limit of five-bushels per person not to exceed 10-bushels in any combined fishing operation regardless of the number of persons, license holders, or boats involved. Recreational daily harvest limits in 2016-2017 were one bushel per person per day not to exceed two bushels per vessel per day.

Beginning in the October of the 2017-2018 season, hand harvest for Shellfish License holders will be limited to two bushels per person per day not to exceed four bushels per vessel per day if two or more Shellfish License holders are onboard the vessel (NCDMF 2017). Hand harvesters with the Standard Commercial Fishing License will be allowed to harvest the higher daily harvest limits in all areas.

The mechanical harvest season for oysters in 2016-2017 was opened November 14, 2016, and areas where mechanical harvest gear was allowed were restricted to deeper portions of the sounds, rivers and bays north of Core Sound. These areas are designated by rule (NCMFC Rule 15A NCAC 03R .0108). Mechanical methods for oysters were only allowed to operate from sunrise to 2:00 p.m. during the 2016-2017 season (November 14 – March 31). The bays around Pamlico Sound are opened for a six-week season, and were opened from November 14 to December 23, 2016 with a 10-bushel per commercial fishing operation per day harvest limit. Areas outside the bays open to mechanical harvest were limited to a daily harvest limit of 15-bushels of oysters per operation. The mechanical harvest season can close sooner for areas in Pamlico Sound if sampling by NCDMF indicates that oysters of legal size have been reduced to below 26 percent of the live oysters sampled for two consecutive sampling trips, as directed by Amendment 4 of the Oyster FMP. Mechanical harvest was closed on January 16, 2017 in the Neuse River area and in the Northern Dare area on February 6, 2017 (Table 1; Figure 1) and remained closed until the season ended on March 31, 2017.

There are also further restrictions noted in the proclamation for mechanical oyster harvesters to make sure that cultch material and culled oysters are either put back into the water where they were taken or remain on the existing rocks. North Carolina has a rule in place (NCMFC Rule 15A NCAC 03K .0202) requiring culling on site. The following restrictions were put in place beginning with the 2012-2013 oyster season to discourage harvesters from not culling and removing extra cultch material.

It is unlawful to possess more than **five** bushels of uncultured catch onboard a vessel. Only material on the culling tray is exempt from culling restrictions.

It is unlawful to possess uncultured catch or culled cultch material while underway and not engaged in mechanical harvesting.

STATE-MANAGED SPECIES – EASTERN OYSTER

Also, some harvesters did not have vessels or dredges rigged for circular dredging patterns which work best with towing points over the side of the vessel or for short tows to allow for culling between pickups. The following restrictions were put in place to encourage circular dredging patterns and shorter tows to keep the cultch and culled oysters on the existing rocks.

It is unlawful for the catch container (bag, cage) attached to a dredge to extend more than **two** feet in any direction from the tooth bar.

It is unlawful to tow a dredge unless the point where the tow line or cable exits the vessel and goes directly into the water is on the port or starboard side of the vessel forward of the transom.

Private Bottom

The minimum size limit for oysters from private bottom is a three-inch shell length and culling requirements only occur during the open public harvest season, the rest of the year there is no minimum size requirement for oysters taken from private bottom. There is no daily maximum harvest limit applied to the taking of oysters from private bottom in internal waters. Permits are required to use mechanical methods for oysters on a lease or franchise. Public bottom must meet certain criteria in order to be deemed suitable for leasing for shellfish cultivation and there are specific planting, production, and marketing standards for compliance to maintain a shellfish lease or franchise. Also there are management practices that must be adhered to while the lease is in operation, such as: marking poles and signs, spacing or markers, and removal of markers when the lease is discontinued.

Possession and sale of oysters by a hatchery or aquaculture operation and purchase and possession of oysters from a hatchery or aquaculture operation are exempt from the daily harvest limit and minimum size restrictions. The possession, sale, purchase and transport of such oysters must be in compliance with the Aquaculture Operation Permit. Leases that use the water column must also meet certain standards as outlined in G.S. 113-202.1 in order to be deemed suitable for leasing and aquaculture purposes.

There is a specific application process to obtain a lease and a public comment process that is required before a shellfish lease is granted if anyone wishes to protest the issuance of a lease. Owners of shellfish leases and franchises must provide annual production reports to the Division. Failure to furnish production reports can constitute grounds for termination. Cancellation proceedings will begin for failure to meet production requirements and interfering with public trust rights. Corrective action and appeal information is given. And there are also requirements for the transfer of a lease before the contract term ends.

Commercial Landings

Data on landings from public bottom by gear indicate that, prior to 1960, most of the oysters were taken by dredge when compared to all hand methods. Chestnut (1955) reported that 90 percent of the oysters landed in North Carolina came from Pamlico Sound. The Pamlico Sound area is largely dependent on dredging. The resurgence of the dredge landings in 1987 was due, in

STATE-MANAGED SPECIES – EASTERN OYSTER

part, to increased oyster populations and in part to increased effort, as displaced mechanical clam harvesters turned to oyster dredging due to closure of southern clam areas by a red tide. The red tide was a dinoflagellate bloom that caused closure of over 361,000 acres of public bottoms to shellfish harvest from November 1987 to May 1988. The dinoflagellate (*Karenia brevis*) produced a neurotoxin, which was concentrated in shellfish, making them unfit for consumption. These closures affected 98 percent of the clam harvesting areas and had its greatest impact on the clam fishermen. Hand harvest landings of oysters failed to reach their potential that same year due to the fact that the majority of the hand-harvest-only areas were also closed because of the red tide. Hand harvest landings are the most consistent contributor to the state's oyster fishery. Hand harvest landings exceeded the dredge landings for significant periods between 1961 and 1970 and between 1989 and 2008 (NCDMF 2017).

The oyster parasite *Perkinsus marinus*, also known as Dermo disease, has been responsible for major oyster mortalities in North Carolina during the late 1980s to mid-1990s. Dermo, a protist, similar to dinoflagellates, causes degradation of oyster tissue. Once infected, oysters suffer reduced growth, poor condition, diminished reproductive capacity and ultimately mortality resulting from tissue lysis and occlusion of hemolymph vessels (Ford and Figueras 1988; Ford and Tripp 1996; Haskin et al. 1966; Ray and Chandler 1955). Chestnut (1955) may have been the first to report its occurrence in North Carolina. However, no extensive assessments were attempted until large-scale oyster mortalities prompted investigations during the fall of 1988. Oyster samples from 11 sites were sent to the Virginia Institute of Marine Science (VIMS) and the Cooperative Oxford Laboratory. Results showed that Dermo infection was the major cause of mortalities (NCDMF 2008).

Staff observed in the southern estuaries, while the Dermo infections were on the rise, that during late summer, moderate and high Dermo infection levels did not reduce oyster populations. Hand harvest landings in the south from 1991 through 2002 did not decline in the same manner as landings from Pamlico Sound during the same time. It is suspected that the small, high salinity estuaries may inhibit mortality by flushing out parasites at a higher rate or by exceeding the salinity tolerance of the Dermo parasite, allowing for a higher survival rate compared to Pamlico Sound. The link between low dissolved oxygen, increased availability of iron and increased parasite activity may also be a factor in the different mortality rates as the smaller, high salinity estuaries are less prone to low dissolved oxygen events than the Pamlico Sound (Leffler et al. 1998). Dermo infection intensity levels since 2005 have remained low; however, prevalence appears to be increasing (NCDMF unpublished data; Colosima 2007). Dermo infection intensity has remained low and mechanical harvest landings in Pamlico Sound continued to recover from the extremely high Dermo mortality levels and hurricane impacts of the mid-1990s until additional environmental impacts (i.e., low dissolved oxygen) began affecting the fishery in 2011 (Figure 2).

Bioeroders (other species that tunnel into the oyster's shell), in particular boring sponge (*Cliona* sp.), are also of concern to researchers for their impacts to oyster reefs in North Carolina. These sponges can chemically etch out canal systems within oyster reefs, as well as encrust and smother them. Boring sponges range in color from yellow to dark brown or black and can cause mortality by weakening the shell. As the shell becomes weak, the oyster is unable to protect itself from predators. Once the oyster reef has been compromised, there is a loss of material for spat

STATE-MANAGED SPECIES – EASTERN OYSTER

attachment and eventually a reduction in the vertical height of the reef. Boring sponges are linked to salinity gradients with some species found in high salinity waters while other species are found in the low to mid-range salinities but typically are not found in waters with less than 10 parts per thousand. Intertidal oysters have some refuge from boring sponge. Dunn et al. (2014) examined the distribution and abundance of oyster reef bioerosion by *Cliona* sp. in North Carolina. The study examined levels of boring sponge infestations across salinity gradients in multiple oyster habitats from New River through the southern portions of Pamlico Sound. The study found boring sponge infestations in all oyster communities sampled, with the exception of those found in the upper reaches of some tidal creeks in the Newport and North rivers in Carteret County. Low salinity areas had mean salinity levels of 15 parts per thousand while the higher salinity areas had a mean salinity of 20 parts per thousand or greater. High salinity areas were infested by the high salinity tolerant boring sponge *Cliona celata*. The study found that as salinities increased, infestations increased.

Overall oyster landings from private bottom have been increasing while landings off public bottom have been much more variable in the last 10 years (Figure 2). Hand harvest landings exceeded the mechanical landings from public bottom in 2007 to 2008, 2012 to 2013, and 2015 to 2016 (Figure 3). The most significant increase in oyster landings from public bottom occurred in the mechanical harvest fishery in Pamlico Sound during the 2009-2010 and 2010-2011 seasons (Figures 2 and 3). There was a high abundance of oysters in some areas in Pamlico Sound that had not been seen in over 20 years, high market demand, and an increase in new participants in the fishery likely influenced these higher landings. In 2013 General Statute 113-169.2 limited the use of the Shellfish License to hand harvest methods only, this license is available to all residents of North Carolina for a lower fee than the Standard Commercial Fishing License. Hand harvest has shown a slight increasing trend in landings for the past 10 years, although 2016 shows a slight decline from the previous years, likely a result of the Shellfish License no longer allowed to be used to mechanically harvest oysters and an increase cost for all commercial licenses in the last few years (Figure 3).

Mechanical Harvest Fishery Off Public Bottom

During the early 2009-2010 mechanical harvest oyster season, the Great Island Narrows area between Great Island and the mainland in Hyde County in Pamlico Sound experienced intensive oyster harvest (Figures 1, 2 and 3). Some of the operations were harvesting the 15-bushel limit, offloading, returning to the area with a new crew and harvesting another limit the same day. The harvest limit of 15-bushels per commercial fishing operation per day did not apply to vessels that replaced the crew since the new crew constituted a new commercial fishing operation according to standing division policy. Staff investigation of this intensive harvest indicated that substantial shell damage was occurring on the remaining oysters and the area was closed after six weeks of harvest. The oyster dredge fleet moved out into the open sound and continued to have good catches for the rest of the 2009-2010 mechanical harvest oyster season.

The 2010-2011 season began with a 2:00 pm time limit on dredging to stop the two-trips-per-day loophole but it probably had little impact on mechanical harvest since experienced dredgers could take their limit in a few hours and there appeared to be many new entrants into the fishery. The traditionally harvested oyster rocks in the deeper waters of western Pamlico Sound

STATE-MANAGED SPECIES – EASTERN OYSTER

contributed greatly to the increased landings in the 2009-2010 and 2010-2011 seasons but the Middle Ground area in 2010-2011 provided another unexpected source of significant oyster production similar to the Great Island Narrows in 2009 (Figures 2 and 3). Also, interest in taking advantage of expected high market demand caused by closure of oyster harvest areas in the Gulf of Mexico due to the Deepwater Horizon oil spill lengthened the season slightly with a November 1 mechanical harvest season opening in the fall of 2010.

The last significant production of oysters from a non-traditional harvest area was reported by local fishermen to have occurred more than 20 years prior to the 2010-2011 season or around the time of another large increase in mechanical harvest landings in 1987-1988 (Figure 2). That production came from Brant Island Shoal and like the Middle Ground is an area in western Pamlico Sound generally around 12 feet deep and characterized by hard sandy bottom. Dredge samples and sonar observations from the Middle Ground oyster producing area revealed that there were no typical oyster rock formations and the cultch material producing the oysters was typically large “fossil” clam shells. Nearby oyster rocks are found in areas around 18 feet deep and on mounds of oyster shell cultch. The oysters tended to be very large with most samples averaging more than the three-inch (76 mm) size limit and up to 80 percent of some samples legal for harvest. There were reports that some shucking houses complained the oysters were too large. These Middle Ground oysters also displayed an unusual shell characteristic with very long, thin umbos (part of the shell where the hinge attaches the two valves), not normally seen on Pamlico Sound oysters.

Hurricane Irene hit the North Carolina coast on August 27, 2011 and had major impacts on the mechanical harvest area for oysters. The oyster resources on the Middle Ground could not be located after the storm probably due to sedimentation or physical relocation caused by waves or currents. Many of the deeper water oyster resources located near Brant Island Shoal were also significantly damaged (Figure 4). Most of the damage was oyster mortality caused by detritus covering the oyster rocks. Oyster resources in the Neuse and Pamlico rivers did not appear to suffer much damage but also did not show any of the typical growth characteristics during the following fall and winter months. These factors had a pronounced effect on the mechanical harvest oyster season in 2011-2012 and the mechanical harvest area in western Pamlico Sound was closed on January 2, 2012. Mechanical harvest landings declined to near 2008-2009 levels (Figure 3). Regular sampling of oyster sizes to fulfill the requirements of Amendment 4 to the N.C. Oyster FMP has made it clear that oyster growth during the harvest season is essential to sustain acceptable harvest levels.

Prior to the 2012-2013 mechanical harvest season, an apparent, severe low dissolved oxygen event occurred in the Neuse River that caused virtually a 100 percent mortality of the oyster resources at 18 feet or greater depths. A few oyster rocks in shallower waters between Maw Point Shoal and Light House Shoal were spared as well as some division oyster habitat enhancement projects in other shallow areas (Figure 4). The Pamlico River area also had not recovered from the effects of Hurricane Irene at this time. The Neuse River area was available for mechanical harvest until the adjacent bays closed on December 21, 2012 although there was no harvest activity in the river during the time it was open. The Pamlico River area closed to mechanical harvest on February 1, 2013 based on failure to meet the 26-percent trigger although

STATE-MANAGED SPECIES – EASTERN OYSTER

effort was much reduced since early January. The 2012-2013 mechanical harvest oyster landings declined further.

There was little evidence of any recovery of the Neuse River oyster resources prior to the 2013-2014 season but the Pamlico River area appeared to be recovering and growth indicators were good during the season. The Northern Dare area in Pamlico Sound also supported some significant mechanical harvest activity throughout the season and when oyster harvests began to decline in the western sound in early February, 20 to 25 boats moved to Dare County to finish the season. The remaining productive areas in the Neuse River closed on February 28, 2014 and most of the harvesters left the Pamlico River area by mid-February. Mechanical harvest in Dare County continued until the season ended on March 31, 2014. The overall result was some increase in the oyster landings with over 62,733 bushels landed by mechanical harvesters in 2014 (Figure 3).

The 2014-2015 mechanical harvest season opened on November 10, 2014, all areas were above the percentage of legal-sized oysters during preseason sampling. Effort was still consistently low in the Neuse River due to limited amounts of oysters available for harvest and this area was closed on March 23, 2015. The Pamlico River area also showed promise for growth and maintaining the number of legal sized oysters to stay open, but fishing effort was much higher in the Pamlico River area with the fleet scattered from the mouth of the river to Brant Island (Figure 4). Pamlico River closed on March 9, 2015 and did not re-open for the rest of the season. At the beginning of the season, effort in the Northern Hyde area was mostly in Wysocking Bay while effort in the Northern Dare area was from Sandy Point to the Crab Hole. After Christmas, more effort shifted into the Crab Hole area off of Stumpy Point Bay due to Hyde County boats shifting to the Northern Dare area. Dealers reported that fishermen were bringing in their limits by mid-day. After the fleet shift to Northern Dare, sampling resulted in less than 26 percent legal-size oysters for two consecutive sampling trips in both the Northern Dare and Hyde areas which resulted in a closure of these areas on January 12, 2015. Sampling continued and it was decided to stop sampling Northern Hyde because of no improvement. Staff continued to sample Northern Dare and the area was re-opened on March 9, 2015 and closed by rule on March 31, 2015. The fleet encountered what was described as a “crust” covering much of the oyster rocks fished on opening day and took several days to break up this “crust”. Effort was high in the Northern Dare area for the re-opening with approximately 50 boats fishing on the first day and dropping off to around 20 boats. The 2014-2015 season peaked in December. Closures of the Northern Hyde and Dare areas resulted in declines in harvest in January and weather impacts increased these declines in February.

The 2015-2016 season all areas were above the percentage of legal-sized oysters during pre-season sampling in October. Water temperatures were quite warm throughout the season and not a lot of new growth was observed until January on the oysters. Some areas in Northern Hyde were covered in tunicates the previous year and little spat was seen in these locations during this season. Planting sites in the Northern Dare area samples showed a lot of dredge damage from the previous year and effort was low the entire season because the warm water temperatures kept most fishermen potting for crabs up until the pot closure period in January. The Neuse River area was limited in locations to harvest oysters. Effort was highest in the Pamlico River at the beginning of the 2015-2016 season. In the Neuse River effort was between 12 and 15 vessels

STATE-MANAGED SPECIES – EASTERN OYSTER

during the first three sampling events up until the bays were closed, and then the entire area was closed on February 25, 2016 because samples met the threshold for closure. Most of the effort before Christmas in the Northern Hyde area occurred in Wysocking Bay and after Christmas most of the effort shifted to a small area northwest of the light at Bluff Shoal.

The area that was dredged by most of the fleet in January 2016 was an old clam bed with little bottom relief. The oysters were large and showed good growth. By late January the new area was depleted and fishermen were seen working offshore Juniper Bay Point near the sanctuary, off Great Island, and Royal Shoal in the deeper areas of Pamlico Sound. By February effort had dropped and most samples were showing boxes (empty intact shells still hinged together, that likely died within the last six months) and increasing minor to substantial damage to the live shells. On February 28, 2016 the Northern Dare area was closed to mechanical harvest because oysters sampled in these areas were less than 26 percent legal-size oysters for two consecutive sampling trips. By mid-February many oyster fishermen working in Northern Hyde and the Pamlico River quit harvesting oysters because they could not reach their daily harvest limit and were gearing up for other fisheries (i.e. crab pots and shad fishing). Pamlico River and the Northern Hyde area remained opened to mechanical oyster harvest for the entire 2015-2016 season.

The 2016-2017 mechanical harvest season opened on November 14, 2016 with a 2:00 p.m. end time to help extend the season, samples from all areas except the Northern Dare area exceeded the 26 percent legal-sized threshold before the mechanical harvest season opened. Like the previous season, water temperatures were quite warm and little growth was observed in the oysters until January. Before the season opened, sampling required multiple tows in the Northern Dare area to reach the 100 oysters in a sample. In the Neuse River area four sites, not included in the samples, were all shells with no live oysters. Many boxes were found in both river areas during the pre-opening sampling and throughout the season. The Habitat and Enhancement Section have a continuous water quality monitoring station in one of the creeks at the mouth of the Neuse River that confirmed low dissolved oxygen levels earlier that summer over a prolonged period which may have had an impact on oysters in this area. Reports from long-time oyster harvesters also indicated that nothing but dead oysters were seen in the bays around the Neuse and Bay rivers, and that it looked bad overall for the 2016-2017 oyster harvest season.

Effort was concentrated in an old clam bed west of Bluff Shoal in the Northern Hyde area at the beginning of the 2016-2017 mechanical harvest season, which initially showed good numbers of legal-sized oysters with hardly any spat. Oyster harvesters continued to work in this area all season without much movement. Most of the mechanical commercial effort was in Crab Slough in the Northern Dare area. Within a few weeks of the season opening, only a few oyster harvesters were working in the Neuse River area, and most live oysters were found in shallow water (less than 20 feet deep). In mid-November, reports from Northern Hyde and the Pamlico River areas indicated only a few fishermen were harvesting oysters as well. Late in November and early December dealers were reporting that many fishermen were not bringing in their daily harvest limits and the oysters were not showing much growth in all areas, but the oysters were very fat inside. By late December it was noted during sampling the few oyster harvesters seen on the water were having to move around a lot to find oysters. In January, some dealers no longer had fishermen bringing in oysters to sell and some fishermen had switched to shrimping in the

STATE-MANAGED SPECIES – EASTERN OYSTER

ocean or small mesh gill netting in estuarine waters. January samples showed better growth on the oysters and spat on the cultch. Mechanical harvest was closed on January 16, 2017 in the Neuse River area and in the Northern Dare area on February 6, 2017 (Table 1; Figure 1) and remained closed until the season ended on March 31, 2017. The Pamlico River and Northern Hyde areas remained open for the entire 2016-2017 season, but only a few fishermen remained harvesting oysters in early February and by mid-February no effort was seen in the open areas while sampling. Sampling, even in the closed areas, continued through February, and one sampling event occurred in the Northern Hyde area in March before it was discontinued for the 2016-2017 season.

Hand Harvest Fishery Off Public Bottom

Hand harvest gear accounts for the majority of the landings and has been the dominant harvest gear for oysters in North Carolina since the 1960s. Hand harvest oyster landings are also less variable than landings from mechanical gears (Figure 3). These higher, more consistent landings come from Core Sound south to the state line. The hand harvest areas in the northern region of the state are exclusively subtidal reefs with depths of 2 to 6 feet in which hand tongs are used. Hand harvest gear has not been extensively used in the northern area since oyster dredging was allowed in 1887. In Amendment 2 to the N.C. Oyster FMP in 2008, the MFC adopted the strategy to promote a more habitat friendly fishery by increasing the hand harvest limits to match dredging limits in the Pamlico Sound bay areas. Amendment 2 put in place a 15 bushel per day hand/mechanical harvest limit per commercial fishing operation in Pamlico Sound mechanical harvest areas outside the bays, a 10 bushel per day hand/mechanical harvest limit per commercial fishing operation in the bays and in the Mechanical Methods Prohibited area along the Outer Banks of Pamlico Sound. This management option raised the limits of hand harvest to encourage less destructive harvest methods in those particular areas of bays and open waters.

These management measures for hand harvest in Pamlico Sound area will continue through Amendment 4 of the N.C. Oyster FMP adopted in February 2017, but only to holders of the Standard Commercial Fishing License after October 2017. Beginning in the 2017-2018 season, hand harvest limits will remain five bushels per person, not exceeding 10 bushels per commercial fishing operation from Core Sound south to the North Carolina-South Carolina border for holders of the Standard Commercial Fishing License. Harvesters holding a Shellfish License statewide will be limited to two bushels of oysters per person per day no more than four bushels per vessel beginning in October 2017 to maintain the selected management strategy adopted by the NCMFC in Amendment 4 of the N.C. Oyster FMP. Areas in the southern region from Carteret County south are closed to mechanical harvest of oysters.

Other factors affecting the hand harvest fishery are the loss of harvest area due to pollution closures. Many shellfish waters in North Carolina are permanently or conditionally closed due to bacterial contamination associated with urban development (Table 2). The greatest proportion of closed shellfish waters occur in the southern district (Onslow, Pender, New Hanover, and Brunswick counties) where over half of the waters are closed and can be attributed to small, narrow waterbodies and more developed watersheds. The area north of Core Sound with the higher hand harvest limits does not have the same problem with large percentages of the available harvest area closed by pollution so oyster harvest is not impacted.

STATE-MANAGED SPECIES – EASTERN OYSTER

Hand-harvest oyster landings have generally increased in recent years (Figure 3). Oyster harvest south of the Highway 58 Bridge generates significant landings even though the area only encompasses five percent of the total area which is open to shellfishing in the state. During the 2016-2017 open oyster harvest season off public bottom from Core Sound and areas south, there was some initial concern with the lack of oysters displaying any new growth (bright white shell edges) early in the season. However, as the season progressed, shell growth increased and there was consistent growth through the remainder of the open season. Harvesters were generally pleased with the quantity and quality of oysters available to harvest from New Hanover to Onslow Counties when compared to the previous harvest season. The oyster season was closed 15 days early in Brunswick County due to public comment and management's concerns of excess harvest pressure on an ever-decreasing area open to shellfishing. Brunswick County continues to be closed more often during the season because of temporary shellfish closures after rainfall events, compressing harvest into small areas and decreasing the amount of legal-sized oysters available to harvesters much quicker than in most other areas.

Permanent and Temporary Shellfish Closures

Microbial contamination from fecal matter is important to NCDMF because it affects the opening and closing of waters to shellfish harvest. Fecal coliform bacteria occur in the digestive tract of, and are excreted in the solid waste from, warm-blooded animals including humans, wildlife and domesticated livestock (Mallin 2009). Because consumption of shellfish containing high levels of fecal coliform bacteria and associated pathogens can cause serious illness in humans, shellfish growing waters must be closed to shellfish harvest when fecal coliform counts increase above the standard 14 MPN/100ml [NCMFC Rules 15A NCAC 18A Section .0900 Classification of Shellfish Waters], where MPN denotes "most probable number." The NCDMF closes waters where a high potential for bacterial contamination exists, such as around marinas and point source discharges. Shellfish harvest closures have continued to occur over time, which has led to a reduction in available shellfish harvest areas. Long term shellfish closures due to bacterial contamination remove available harvest area for shellfish and concentrate those activities on remaining resources compounding harvest related impacts on the oyster habitat in those areas.

Between 2007 and 2014, there were 1,427 additional acres of water permanently closed to shellfish harvesting in North Carolina, and between 2015 to early 2017, 3,000 additional acres were closed (Table 2). Recent bacterial closures have primarily affected the central and southern areas of the coast. In March 2017, more waters were permanently closed in the Lockwoods Folly River and Spring Creek that now have made almost all the river unavailable to shellfish harvest. In early 2017 an additional 1,240 acres were closed to shellfishing activities from Pamlico County and areas north. On February 4, 2015, approximately 314,710 acres were closed administratively in lower resource areas as a result of the inability to sample due to budget constraints. The areas closed to shellfish harvest because of the inability to meet federal sampling requirements caused by funding cuts were approximately 11,834 acres in the Neuse River, approximately 3,042 acres in the Pungo River, and approximately 299,107 acres in Albemarle Sound.

STATE-MANAGED SPECIES – EASTERN OYSTER

In addition to the areas that are permanently closed to shellfishing, other areas are temporarily closed during periods of high rainfall due to runoff. The rainfall closure threshold varies by growing area as detailed in each management plan, and can vary from 1 inch to 2.5 inches of rain in a 24-hour period. Closures last from several days to more than a month, and reopen when bacteriological water sample results show the area has returned to normal conditions. Large storms, such as hurricanes, result in harvest closures covering much larger areas, sometimes including all of North Carolina's estuarine waters. The conditionally approved areas are concentrated in the Core-Bogue, New-White Oak, and Southern Estuaries management units. Within these watersheds, permanent closures are most common in the upper reaches of tidal creeks and rivers, with conditionally approved areas occurring downstream of those areas or in the upper portions of less degraded creeks. As temporary closures have increased in frequency and duration, they have become an issue of great concern to the public, particularly in the southern area of the coast.

Temporary closures in 2016 were a problem for shellfish harvesters, as portions of the coast received between 15 and 40 percent more rainfall than average. These closures impacted shellfish harvesting areas throughout North Carolina, but three of the more popular harvest areas, Lockwoods Folly River, Stump Sound, and Newport River, were some of the most heavily impacted. Portions of the Newport River area were closed to harvest for 63 percent of the harvest season, while portions of the Lockwoods Folly River area were closed for 51 percent of the season, and portions of Stump Sound for 43 percent of the season.

Private Culture

Statutory authority to lease bottomlands for shellfish cultivation can be traced back to a statute adopted in 1909. Today some shellfish leases are held by commercial fishermen to supplement their income from public harvest areas. Other shellfish leases are held by individuals and corporations looking to augment other sources of income; to be engaged in a sustainable business opportunity; or to maintain an attachment to cultural maritime heritage and way of life. Since 2012 administrative and process changes have been made to allow for better customer service, communication and ongoing support of the North Carolina Shellfish Lease and Franchise Program. Process operations and customer support were reviewed; actions were undertaken and implementation steps were completed to improve process operations and to provide a higher level of customer service.

The NCDMF administers the shellfish lease program whereby state residents may apply to lease estuarine bottom and water columns for the commercial production of shellfish. The NCDMF does not differentiate between clam, oyster, bay scallop, and mussel leases; therefore, allowing shellfish growers to grow out multiple species simultaneously or as their efforts and individual management strategy allows. For the period of 2003-2013, roughly 40 percent of all private culture operations harvested only oysters (NCDMF 2017).

Since 1994 there has been an overall increase in oyster harvest from private culture operations. Oyster harvest from private culture operations in the period from 1994 to 2013 account for 12 percent of all oyster landings (NCDMF 2017). Due to increase interest in private culture of oysters and lower landings off public bottom, private culture harvest accounted for 44 percent of

STATE-MANAGED SPECIES – EASTERN OYSTER

the total oyster landings in 2016 (Figure 2). As of 2016, the lease program had 288 leases and 46 applications during the year. Currently shellfish leases take up about 1,844.82 acres of bottom (M. Graven; Lease Program Coordinator, NCDMF; April 2017).

Recreational Landings

Recreational landings for oysters in North Carolina are unknown because there are no license requirements to take shellfish for personal consumption and therefore no way to fully determine the user group to collect their harvest information. Since 2011, the division has collected effort and catch data from the recreational oyster harvesters by surveying those individuals that indicate participation when purchasing a recreational fish license. This survey does not include recreational oyster harvesters that do not purchase a recreational fish license. Effort continues to produce state wide estimates of recreational oyster harvest.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Currently, the only data available for the stock in all areas are the commercial landings and associated effort from the Trip Ticket Program. No fishery dependent monitoring programs occur for oysters.

Fishery-Independent Monitoring

There are two independent programs for oysters. One is an indicator for habitat disturbance and damage of the commercial dredge fishery on public bottom to determine closure of the season for habitat protection of oyster rocks (Program 627) The second program. is a long-term spatfall sampling program conducted by the Habitat and Enhancement section to estimate recruitment of spat (Program 610).

Public Bottom Mechanical Harvest Area Oyster Sampling

Supplement A to Amendment 2 established the trigger for closing areas to mechanical harvest to protect the resource and habitat, which was approved to continue under Amendment 4 of the Oyster FMP. The management trigger was established and defined as when the sampling indicates the number of legal-sized (three-inch) oysters in the area has declined to 26 percent of the live oysters sampled. The management areas are divided geographically into four areas; the Neuse River Area, Pamlico River Area, Northern Hyde Area, and Northern Dare Area (Figure 1). Sampling targets areas and oyster rocks being worked by commercial oystermen, directly before the opening of and throughout the mechanical harvest oyster season. The sampling sites are selected based on the presence/absence of commercial oystermen working in the area. Only areas where commercial oystermen are working are sampled to determine localized depletion and address habitat protection. From each sample, the first 100 live oysters, including spat and any boxes, are collected for workup. Each oyster, up to a maximum of 100, is measured to the nearest mm and inspected for any damage. Shell damage is denoted as none, minor, or substantial for further evaluation.

STATE-MANAGED SPECIES – EASTERN OYSTER

Sampling began on September 23, 2009 with preseason oyster sampling, in four management areas, using mechanical harvesting methods. Sampling has consistently continued with a target of 10 sites per management area, throughout the four management areas. All sampling is conducted using NCDMF vessels and standard oyster dredges with comparable construction to those used by commercial oystermen. Samples are collected at least bi-monthly in each management area before, during, and after the open mechanical oyster harvest season. More intensive sampling is conducted if samples are near the trigger percentage. Sampling continues after an area is closed to assess the possibility of reopening. Sampling is discontinued when it is apparent that reopening is not likely to occur. Mean oyster shell height (commonly referred to as length) is calculated for each 100-oyster sample. The number of legal-sized (≥ 76 mm; ≥ 3 inches) and undersized (< 76 mm; < 3 inches) oysters is determined for each sample. The total legal-sized oysters for all the samples taken in a management area on a sampling trip is divided by the total of all oysters sampled on that trip to calculate the percentage used to assess compliance with the harvest closure trigger. Oyster sizes are also sorted into five-mm size bins and the size distribution for the area is presented as a line graph. Box/gaper size distribution is sorted and displayed similarly. Sampling results are reported to interested dealers/fishermen and staff after each sampling event.

This sampling is not intended for use as a species abundance index, but instead to reflect the conditions of the habitat during the open oyster mechanical harvest season to determine closure of an area as a protection measure. For this update, only the 2016-2017 open mechanical harvest season data will be provided with a brief overview of the season.

Samples from all areas except the Northern Dare area exceeded the 26 percent legal-sized threshold before the 2016-2017 mechanical harvest season opened. Table 1 shows the percentages of legal-sized oysters taken by area throughout the 2016-2017 mechanical harvest season and the number of commercial oyster vessels operating in the area while sampling occurred in parentheses. Effort was down this harvest season in all areas, and by January most fishermen shifted to other fisheries. Like the 2015-2016 season, water temperatures were quite warm and little growth was observed in the oysters until January. Many boxes (empty oysters still hinged together, that likely died within the last six months) were found in most areas throughout the season, and quite abundant in the Neuse River area. Mechanical harvest was closed on January 16, 2017 in the Neuse River area and in the Northern Dare area on February 6, 2017 (Table 1; Figure 14) and remained closed until the season ended on March 31, 2017. The Pamlico River and Northern Hyde areas remained open for the entire 2016-2017 season, but only a few fishermen remained harvesting oysters in early February and by mid-February little to no effort was seen in the open areas while sampling.

Spatfall Evaluation

Division staff conduct spatfall sampling annually (Program 610), on cultch planting sites from the previous three years, during January but samples may be collected through April, if required. Subtidal sites are sampled by towing a standard oyster dredge over the planting site until, at a minimum, 30 pieces of cultch are collected. Normally a 75-pound, 36-inch toothed bar dredge is used; however, various other dredges may be used. On rare occasions, patent tongs and hand

STATE-MANAGED SPECIES – EASTERN OYSTER

tongs may be used to obtain planting samples. Intertidal sites are sampled by hand at low tide in all applicable intertidal areas of the Southern District and hand tongs are used in the more northerly subtidal areas of Stump Sound and New River. Three tong grabs per location are usually taken to obtain the minimum amounts of cultch required. Gear type and any other valuable gear parameters are recorded. Prior to 2005, data was not collected south of New River.

Thirty pieces of cultch are randomly selected from each sample and the type of cultch (oyster, calico scallop, surf clam, marl, or sea scallop) is noted. The total number of spat on each piece of cultch is enumerated, with each spat being measured to nearest millimeter shell length. The average number of spat per piece of cultch is calculated by summing the number of spat per cultch piece, divided by the total number of cultch pieces sampled. Annual Juvenile Abundance Index (JAI) is calculated as the average number of spat per site and then averaged across all sites within that year. The 10-year average is calculated by averaging the annual JAI over the last 10 years.

The Juvenile Abundance Index has been somewhat variable from year to year in the early years in the time series, but overall showing a declining trend for the past 10 years (Table 3; Figure 5). The 2016 and 2017 indices were the lowest and below the average (2.37aAnnual average number of spat across all sampling sites) in the 10-year time series (Table 3).

MANAGEMENT STRATEGY

There are no management triggers or methods to track stock abundance, fishing mortality, or recruitment between benchmark reviews from the current FMP.

Amendment 4 was adopted in February 2017 with rule changes in effect on May 1, 2017. The selected management strategies of the NCMFC in Amendment 4 for oysters taken from public bottom include:

- the continuation of the monitoring system to determine when to close mechanical oyster harvest in an area
- aligning the maximum daily harvest limit for oysters with current management
- continuing the six-week open mechanical harvest in the bays, but close the bays to mechanical harvest for two weeks after Thanksgiving and then re-open two weeks before Christmas for the remainder of the six-week open mechanical harvest in the bays
- a reduction of the culling tolerance from 10 percent to five percent for the possession of sublegal oysters
- a reduction of the daily harvest limit for Shellfish License holders to two bushels per person not to exceed four bushels per vessel

For private culture of oysters, the selected management strategy in Amendment 4 include:

- adding convictions for theft of shellfish from leases or franchises to the list of convictions that may result in revocation of fishing licenses to implement stronger deterrents to shellfish theft and intentional aquaculture gear damage
- clarifying how production and marketing rates are calculated for shellfish leases and franchises to meet minimum production requirements

STATE-MANAGED SPECIES – EASTERN OYSTER

- expanding the maximum proposed lease size to 10 acres in all areas
- specifying criteria that allow a single extension period for shellfish leases of no more than two years per contract period to meet production and marketing requirements in the case of unforeseen circumstances, and reorganize the rules for improved clarity.

Amendment 4 also included the expansion of oyster enhancement activities.

See Table 4 for the selected management recommendations and implementation status in Amendment 4 of the FMP adopted by the NCMFC in February 2017.

2016 Legislative Short Session

During the 2016 legislative short session, both non-recurring and recurring funds were part of the budget to support oyster sanctuaries (non-recurring), oyster rehabilitation or cultch planting (non-recurring), and positions within NCDMF to provide services to accelerate shellfish industry growth (recurring funds).

Session Law 2016-94, section 14.11: Promote the Shellfish Industry

Session law 2016-94 section 14.11 made several changes to General Statutes 113-202, 113-202.1, and 113-202.2 that are part of the shellfish lease and franchise program. The lease rental due date was modified [G.S. 113-202 (j)], clarifications were made for water column and bottom lease transfers [G.S. 113-202.1(a)], the time frame for water column leases to perpetual franchises was changed from five to 10 years [G.S. 113-202.2(d)], and there were changes to the terms for transfers of water column leases to perpetual franchises [G.S. 113-202.2(f)]. Changes were also made to the time frame for demonstration or research aquaculture development projects from two to five year [G.S. 113-202.2(i)]. And a study on shellfish aquaculture is to be conducted by the University of North Carolina's Chief Sustainability office. The study is to include a stakeholder group with representatives from the commercial and recreational oyster harvesting industries as well as staff from the NCDMF and members of the NCMFC, nature conservation groups, and experts in the fields of marine biology and marine ecology. A report is expected from this study with recommendations and suggested legislation needed to implement the recommendations to the Fiscal Research Division, Environmental Review Commission, and the Joint Legislative Oversight Committee on Agriculture and Natural Resources by December 31, 2018.

2015 Legislative Long Session

Session Law 2015 – 241, section 14.9: Senator Jean Preston Oyster Sanctuary Network

Session Law 2015-241, Section 14.9 required the NCDMF to develop a 10-year plan to enhance shellfish habitat within the Albemarle and Pamlico sounds and their tributaries to benefit fisheries, water quality, and the economy. In this 10-year plan, the Oyster Sanctuary Program and the Cultch Planting Program will continue the development of a network of oyster sanctuaries and cultch planting sites within the Pamlico Sound and its tributaries. The 10-year plan calls for NCDMF to design two new sampling programs which will help guide the future

STATE-MANAGED SPECIES – EASTERN OYSTER

oyster rehabilitation projects. These future sites will also be constructed in a way that will provide complex fish habitat to promote hook and line fishing while minimizing the impact to commercial trawling. Through the use of sampling programs and alternative materials, the NCDMF aims to construct oyster sanctuaries and cultch planting sites in a manner so the highest benefit-cost ratio is achieved.

A joint Public Private Partnership was initiated in late 2016 between the NCDMF and the North Carolina Coastal Federation to develop a 40-acre oyster sanctuary near Swan Island near West Bay in eastern Carteret County. The division purchased and stockpiled materials and obtained necessary permits for the project. The Coastal Federation contracted the deployment of the material. Deployment started in May 2017 and will continue into the summer. This project leveraged approximately one million dollars in state funding and will result in a doubling of funding for this sanctuary over a two-year period.

A comprehensive sampling program has been developed to assess and sample oyster sanctuary sites. A Subtidal Estuarine Reef Sampling Program (Program 941) was developed for estuarine artificial reef and oyster sanctuary sampling. This program looks at different material types in three salinity regimes. Additionally, meter square oyster sampling is conducted on these sites. The existing spatfall monitoring program (Program 610) will be modified to include more quantitative data on spatfall in the future as time and staffing permits.

Session Law 2015-241, sections 14.10D and 14.8: Shellfish Aquaculture and Core Sound Shellfish Aquaculture Leasing

Session Law 2015-241, Section 14.10D, requires the NCDMF to develop recommendations covering nine topics for shellfish aquaculture. Section 14.8 requires the NCDMF to create a proposal to open shellfish cultivation leasing certain areas of Core Sound that are currently subject to a moratorium

The division provided a report which addresses these topics ranging from shellfish aquaculture to oyster restoration. Identifies existing bottlenecks, deficiencies and inefficiencies, and recommends ways to improve existing programs. The recommendations on new ways to develop the shellfish industry will benefit the state shellfish aquaculture industry and the overall shellfish resource. Some of the recommendations in this study are also included in the Senator Jean Preston Marine Oyster Sanctuary Program Plan, which was mandated by Session Law 2015-241, Section 14.9. That law required the division to develop a 10-year plan that includes recommendations for oyster sanctuary construction, cultch planting, funding and any other resources needed.

To develop this plan, division staff met with shellfish and aquaculture experts from North Carolina and Virginia, shellfish growers, non-governmental organizations, and internal division shellfish experts. This included meeting with the existing steering committee of stakeholders that oversees the implementation of the N.C. Oyster Restoration and Protection Plan: Blueprint for Action that covers 2015 to 2020 (N.C. Coastal Federation 2015 <https://ncoysters.org/>). Cumulatively, the recommendations listed in this report create a holistic approach to shellfish aquaculture and resource enhancement by linking research, permitting, outreach and extension

STATE-MANAGED SPECIES – EASTERN OYSTER

and support services of several state agencies with private shellfish aquaculture organizations and interests as well as to non-governmental organizations.

The success of aquaculture operations goes beyond permitting and site selection functions that have traditionally been the role of the division. Achieving and sustaining a successful shellfish aquaculture industry will depend on use of sound scientific principles, solid business planning, marketing, training and assistance from other groups.

Section 14.8 of Session Law 2015-241 requires the NCDMF to create a proposal to open shellfish cultivation leasing to certain areas of Core Sound that are currently subject to a moratorium. Division staff met with the Carteret County Fisheries Association, which represents commercial fishing interests, the president of the N.C. Shellfish Growers Association, and aquaculture experts from the National Oceanic and Atmospheric Administration. The report provides a conservative, methodical approach to re-opening limited areas of Core Sound to shellfish leasing (N.C. Coastal Federation 2015). A proposal was developed to open portions of western Core Sound to shellfish leasing in a controlled manner with oversight from the NCMFC through the Shellfish and Crustacean Advisory Committee. The eastern side of Core Sound was not considered in the proposal because of high densities of submerged aquatic vegetation, it is part of the Cape Lookout National Seashore, has an existing pound net fishery, and other commercial and recreational uses that make this area unsuitable for considering shellfish cultivation. An action plan is also provided in the report to allow limited shellfish leases in Core Sound.

The Shellfish Aquaculture Recommendations report along with other interests and support resulted in the North Carolina General Assembly providing dedicated funding of \$149,000 (re-occurring) including permanent Biologist I and a Technician II positions. No changes were made in the Core Sound moratorium statute. NCDMF is currently participating with the University of North Carolina Collaboratory to identify requirements to develop a statewide shellfish aquaculture plan.

RESEARCH NEEDS

Table 4 provides the NCMFC selected management strategies from Amendment 4 adopted in February 2017. The specific research recommendations from Amendment 4, with its priority ranking are provided below. The prioritization of each research recommendation is designated either a HIGH, MEDIUM, or LOW standing. A low ranking does not infer a lack of importance but is either already being addressed by others or provides limited information for aiding in management decisions. A high ranking indicates there is a substantial need, which may be time sensitive in nature, to provide information to help with management decisions.

Amendment 4

Many environmental considerations are applied throughout the Coastal Habitat Protection Plan (CHPP) and are not part of this list but are still considered very important to oysters. Specifically, the proposed implementation actions on sedimentation within the CHPP are considered a high priority.

STATE-MANAGED SPECIES – EASTERN OYSTER

Proper management of the oyster resource cannot occur until some of these research needs are met, the research recommendations include:

- Support all proposed implementation actions under the priority habitat issue on sedimentation in the CHPP – HIGH (Ongoing through the CHPP)
- Improve the reliability for estimating recreational shellfish harvest – HIGH (Ongoing)
- Survey commercial shellfish license holders without a record of landings to estimate oyster harvest from this group – HIGH (Needed)
- Develop regional juvenile and adult abundance indices (fisheries-independent) – HIGH (Needed)
- Complete socioeconomic surveys of recreational oyster harvesters – MEDIUM (Needed)
- Continue to complete socioeconomic surveys of commercial oyster fishermen – LOW (Needed)
- Determine alternative substrates for reef development and monitoring of intertidal and subtidal reefs (cost-benefit analysis for reefs and cultch planting) – HIGH (Ongoing)
- Identify number and size of sanctuaries needed – LOW (Ongoing)
- Identification of larval settlement cues which influence recruitment to restored reefs (i.e. sound, light, current, etc.) – LOW (Ongoing)
- Support collaborative research to more efficiently track bacterial sources for land-based protection and restoration efforts - MEDIUM (Ongoing)
- Quantify the impact of current fishing practices on oyster habitat suitability in North Carolina – HIGH (Needed)
- Quantify the relationship between water quality parameters and the cumulative effect of shoreline development units (e.g., docks, bulkhead sections) - MEDIUM (Needed)
- Develop peer reviewed, standardized monitoring metrics and methodologies for oyster restoration and stock status assessments – MEDIUM (Needed)
- Further studies on the effects of dredge weight and size on habitat disturbance and oyster catches – LOW (Needed)
- Develop a program to monitor oyster reef height, area and condition – HIGH (Ongoing)
- Estimate oyster mortality associated with relay - LOW (Needed)
- Estimate longevity and yield of oysters on cultch planting sites - HIGH (Needed)
- Develop methods to monitor abundance of the oyster population – HIGH (In discussion)

FISHERY MANAGEMENT PLAN RECOMMENDATION

Recommend maintain the current timing of the Benchmark Review. Amendment 4 of the N.C. Oyster FMP was adopted by the NCMFC in February 2017 with rule changes in effect May 1, 2017.

STATE-MANAGED SPECIES – EASTERN OYSTER

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STATE-MANAGED SPECIES – EASTERN OYSTER

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STATE-MANAGED SPECIES – EASTERN OYSTER

TABLES

Table 1. Percentage of legal-sized oysters by area for the 2016-2017 season in the mechanical fishery. Number of boats seen while out sampling is in parentheses.

*Neuse River closed on Jan. 16, 2017 (Proclamation SF-1-2017)

+Northern Dare County closed on Feb. 6, 2017 (Proclamation SF-2-2017)

Neuse River*		Pamlico River		Northern Hyde County		Northern Dare County+	
Date	Percent	Date	Percent	Date	Percent	Date	Percent
	Pre-season		Pre-season		Pre-season		Pre-season
10/18/16	33.6	10/20/16	38.0	10/18/16	41.6	10/17/16	19.7
11/28/16	25.4 (6)	12/2/16	29.7 (11)	11/28/16	53.0 (20)	12/1/16	24.2 (5)
12/8/16	29.0 (3)	1/4/17	28.1 (8)	12/13/16	56.7 (10)	12/8/16	26.3 (8)
12/22/16	25.8 (2)	1/17/17	26.0 (8)	1/4/17	49.1 (4)	1/5/17	20.4 (3)
1/10/17	23.5 (0)	2/15/17	29.5 (2)	1/17/17	47.6 (5)	1/10/17	26.1 (4)
1/25/17*	Closed 17.0	2/28/17	29.1 (0)	2/6/17	36.5 (0)	1/25/17	21.8 (4)
2/14/17*	Closed 22.8			2/22/17	43.1 (0)	2/1/17	15.3 (4)
2/27/17*	Closed 19.7			3/9/17	35.1 (0)	2/21/17*	Closed 11.1

Table 2. Status of shellfish waters in acreage from 2006-2017 From NCDMF Shellfish Sanitation & Recreational Water Quality Section.

Year	Open	Closed	Approved	Conditionally Approved Open	Conditionally Approved Closed	Prohibited
2006	1,366,933	365,885				
2007*	1,777,523	441,448	1,734,339	43,184	12,512	428,936
2008	1,777,473	441,527	1,734,192	43,281	12,788	428,739
2009	1,777,777	441,276	1,734,246	43,531	12,552	428,724
2010	1,777,992	440,966	1,734,938	43,054	12,552	428,414
2011	1,777,992	440,966	1,734,938	43,054	12,552	428,414
2012	1,777,534	441,498	1,732,902	44,632	11,834	429,664
2013	1,777,349	441,684	1,733,067	44,282	11,832	429,852
2014	1,776,967	442,102	1,733,118	43,849	11,739	430,363
2015**	1,462,222	756,908	1,418,373	43,849	11,739	745,169
2016	1,461,745	757,605	1,416,960	44,784	12,008	745,597
2017	1,459,134	759,968	1,414,709	44,425	12,209	747,759

*In 2007 the NC Division of Environmental Health – Shellfish Sanitation Section started calculating acreage from GIS, whereas prior figures were hand-tallied by planimeter on NOAA Charts. Data will be slightly higher than previous data calculated by hand beginning in 2007.

**314,710 acres administratively closed on 2/4/15 due to budget cuts and office closures

STATE-MANAGED SPECIES – EASTERN OYSTER

Table 3. The annual average number of oyster spat across all sampling sites, 2007-2017 (NCDMF Habitat and Enhancement Section).

Year	Number of sites sampled	Annual average number of spat across all sampling sites	Standard error
2007	132	1.89	0.13
2008	107	2.38	0.16
2009	111	3.15	0.19
2010	112	2.77	0.20
2011	99	2.10	0.22
2012	89	3.04	0.31
2013	82	1.90	0.19
2014	76	2.92	0.25
2015	92	1.86	0.19
2016	92	1.75	0.18
2017	92	1.80	0.27

Table 4. Summary of the NCMFC management strategies and their implementation status for Amendment 4 of the N.C. Oyster FMP adopted February 2017.

Management Strategy	Implementation Status
OYSTER MANAGEMENT	
Maintain the cost of the Shellfish License, establish a daily limit of two bushels of oysters per person with a maximum of four bushels of oysters per vessel off public bottom with the Shellfish License.	Existing proclamation authority
Increase efforts to plant and monitor cultch material.	Ongoing
Implement a five percent cull tolerance for oysters	Rule change to 15A NCAC 03K .0202 in effect on May 1, 2017
Pursue elimination of the Shellfish License for oysters only and require all oyster harvesters to have a Standard or Retired Commercial Fishing License with a shellfish endorsement to harvest commercially.	Amend G. S. 113-169.2
Allow Shellfish License holders to be eligible to acquire a Standard Commercial Fishing License after they show a history of sale of shellfish. Continue to allow commercial harvest of all other shellfish as currently allowed.	No action required; Process already in place
Status quo (Maintain the shallow bays (less than 6 feet) as defined in 15A NCAC 03R .0108)	No action required
Recommend a six-week opening timeframe for deep bays to begin on the Monday of the week prior to Thanksgiving week through the Friday after Thanksgiving. Reopen two weeks before Christmas for the remainder of the six-week season.	Existing proclamation authority
Status quo (Maintain the 15-bushel hand/mechanical harvest limit in Pamlico Sound mechanical harvest areas outside the bays, 10-bushel hand/mechanical harvest limit in the bays and in the Mechanical Methods Prohibited area along the Outer Banks of Pamlico Sound)	Existing proclamation authority
Adopt the provisions of Supplement A – a flexible harvest limit up to 20 bushels, a trigger of 26 percent legal-sized oysters for closing an area to mechanical harvest and set the upper harvest limit of 20 bushels in rule (rule change required).	Existing proclamation authority and rule change to 15A NCAC 03K .0201 on May 1, 2017

STATE-MANAGED SPECIES – EASTERN OYSTER

Management Strategy	Implementation Status
Attempt to develop and ground-truth a fishery dependent metric of effort to better inform management decisions in the future	Additive to NCDMF monitoring
PRIVATE CULTURE	
Support modification of G.S. 113-208 and G.S. 113-269 to add minimum fines for violations on shellfish leases and franchises. With minimum fines set at \$500 for the first violation and \$1,000 for the second violation	Amend G.S. 113-208 and G.S. 113-269
Support modification of G.S. 113-269 to include protection to all shellfish leases and franchises, not just those with water column amendments	Amend G.S. 113-269
Modify Rule 15A NCAC 03O .0114, regardless whether statute changes occur, so that a first conviction under G.S. 113-208 or G.S. 113-269 the Fisheries Director shall revoke all licenses issued to the licensee	Rule change to 15A NCAC 03O .0114 in effect on May 1, 2017
Status quo (Adhere to Regional Conditions of U.S. Army Corps of Engineers Nationwide Permit 48 with no adverse effect to submerged aquatic vegetation from shellfish leases and following measure identified in the interim)	No action required
Continue the moratorium of shellfish leases in Brunswick County	No action required
Establish a rule to support extensions for where “Acts of God” prevent lease holder from making production, with a two-year extension and only one extension allowed per term	Rule change to 15A NCAC 03O .0201 in effect on May 1, 2017
Allow leases returned to the state to remain delineated for a period of one year to allow the pre-existing leased bottom to be re-issued to other shellfish growers	Amend G.S. 113-202
Improve public notice of proposed lease applications on the physical lease, at fish houses, and/or through electronic notices	Ongoing
Allow a maximum of 10 acres in both mechanical methods prohibited areas and mechanical methods allowed areas	Rule change 15A NCAC 03O .0201(a)(3) in effect on May 1, 2017

STATE-MANAGED SPECIES – EASTERN OYSTER

FIGURES

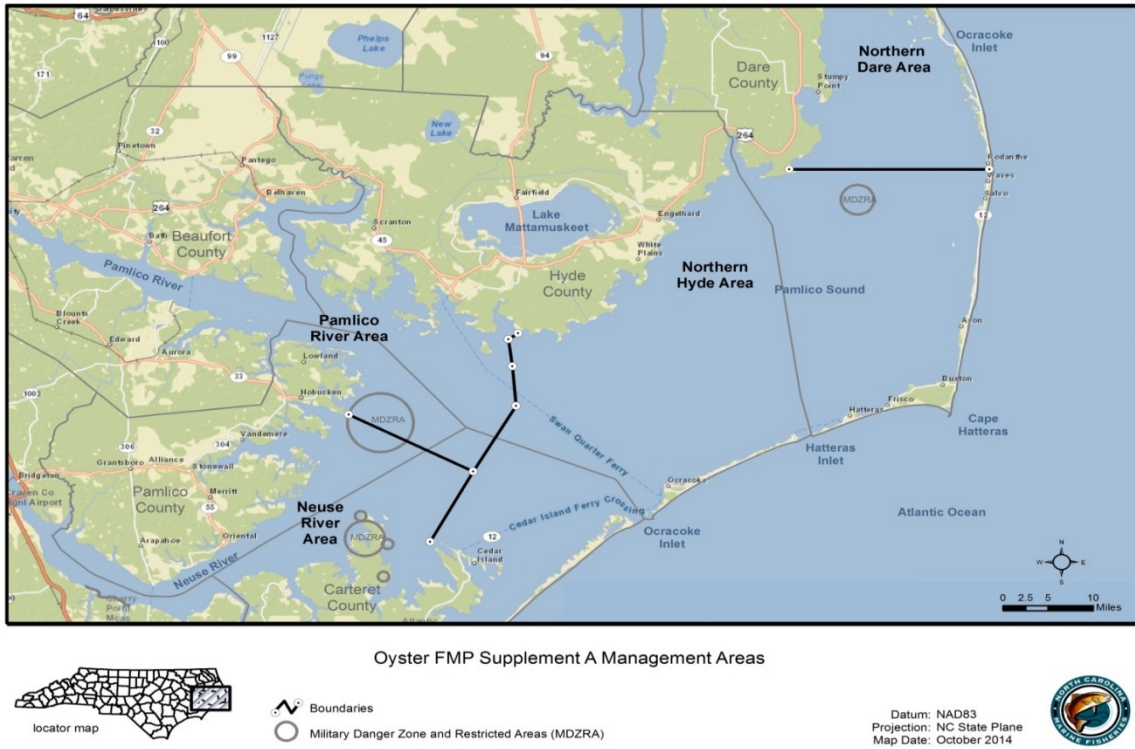


Figure 1. Mechanical harvest management areas from Amendment 4 of the Oyster Fishery Management Plan.

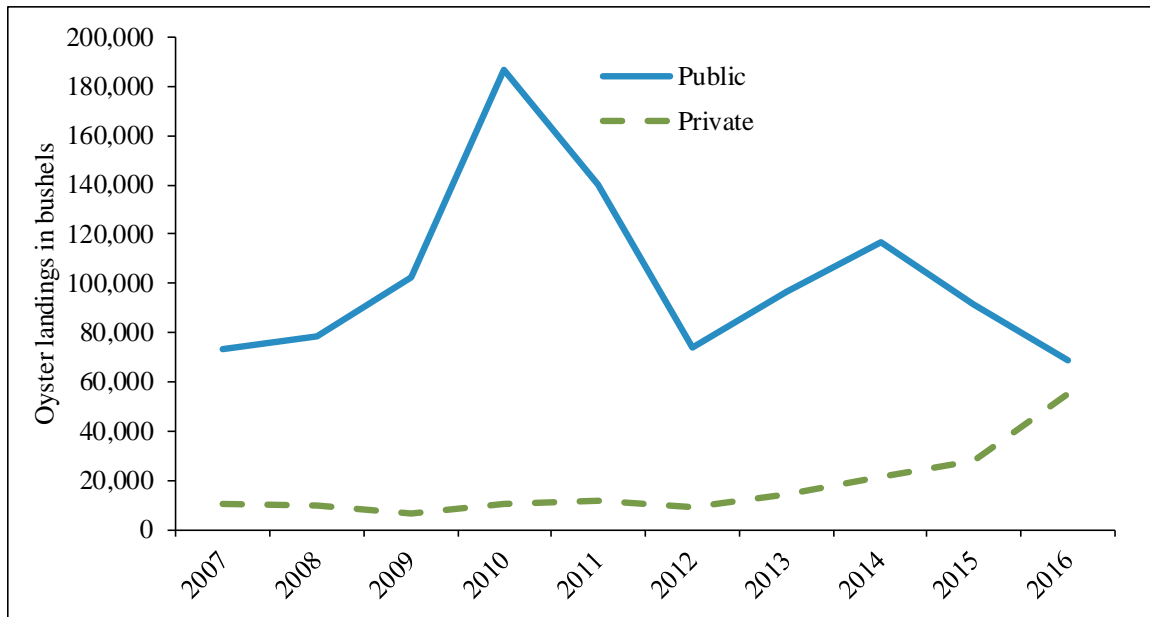


Figure 2. Annual commercial oyster landings (bushels) from private and public bottom in North Carolina, 2007-2016 (NCDMF Trip Ticket Program).

STATE-MANAGED SPECIES – EASTERN OYSTER

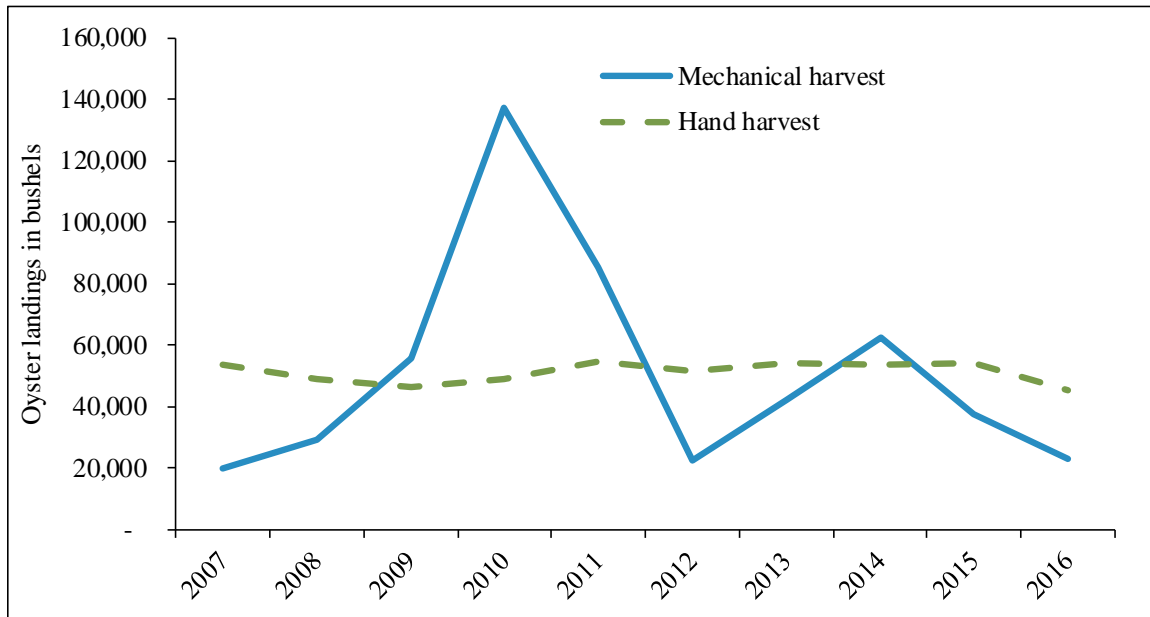


Figure 3. Annual commercial oyster landings (bushels) from public bottom in the mechanical and hand harvest oyster fisheries, 2007-2016 (NCDMF Trip Ticket Program).

STATE-MANAGED SPECIES – EASTERN OYSTER

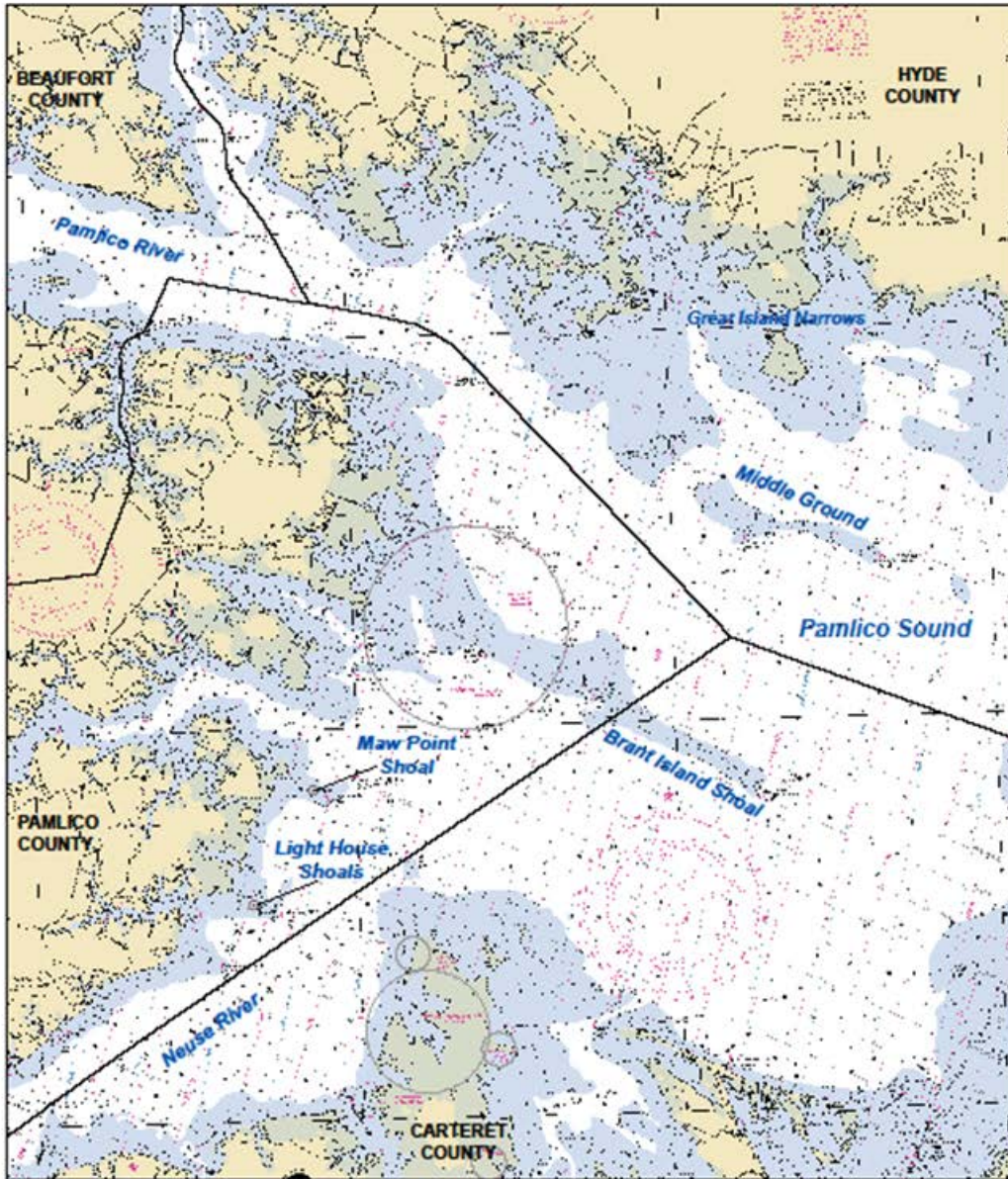


Figure 4. Map of areas referenced in the commercial landings section NCDMF Geographical Information System database).

STATE-MANAGED SPECIES – EASTERN OYSTER

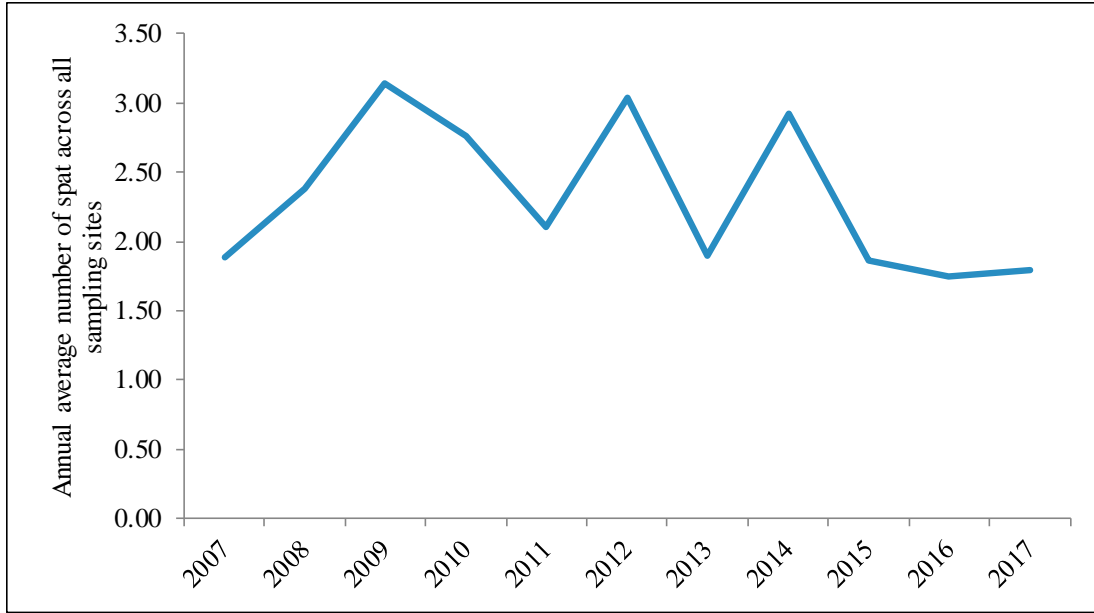


Figure 5. The annual average number of oyster spat across all sampling sites, 2007-2017 (NCDMF Habitat and Enhancement Section).

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

FISHERY MANAGEMENT PLAN UPDATE ESTUARINE STRIPED BASS AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	January 1994 May 2004
Amendments:	Amendment 1 – May 2013
Revisions:	November 2014
Supplements:	None
Information Updates:	None
Schedule Changes:	August 2016
Next Benchmark Review:	July 2017

Estuarine striped bass (*Morone saxatilis*) in North Carolina are currently managed under Amendment 1 to the North Carolina Estuarine Striped Bass Fishery Management Plan (FMP) and its subsequent revision (NCDMF 2014). It is a joint plan between the North Carolina Marine Fisheries Commission (NCMFC) and the North Carolina Wildlife Resources Commission (NCWRC). Amendment 1, adopted in 2013, lays out separate management strategies for the Albemarle/Roanoke (A/R) stock and the Central and Southern stocks in the Tar/Pamlico, Neuse, and Cape Fear rivers. Management programs in Amendment 1 utilize daily possession limits, open and closed harvest seasons, gill net mesh size and yardage restrictions, seasonal attendance requirements, barbless hook requirements in some areas, minimum size limits, and slot limits to maintain a sustainable harvest and reduce regulatory discard mortality in all sectors. Amendment 1 also maintains the stocking regime in the Central and Southern systems and the harvest moratorium on striped bass in the Cape Fear River and its tributaries (NCDMF 2013). Striped bass fisheries in the Atlantic Ocean of North Carolina are managed under the Atlantic States Marine Fisheries Commission's (ASMFC) Amendment 6 to the Interstate FMP for Atlantic Striped Bass and subsequent addenda.

In response to the results of the 2013 benchmark A/R striped bass stock assessment that indicated fishing mortality was above its target, the NCMFC approved a Revision to Amendment 1 in November 2014 (NCDMF 2014). Management programs for the A/R in the November 2014 Revision utilize total allowable landings (TAL) instead of total allowable catch (TAC). The term TAC does not accurately describe the existing management strategy, because the term "catch" refers to landings and discards. Since its inception the quota used to maintain striped bass harvest

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

in the A/R and the Central and Southern systems at sustainable levels is for landings only, not landings and discards. Discards are accounted for in the model, but are not part of the TAC. The revision reduced the TAL for the A/R stock from 550,000 pounds to 275,000 pounds, to be split evenly between the commercial and recreational sectors. Stock assessment projections indicated a TAL of 275,000 pounds would maintain fishing mortality and spawning stock at their respective targets and provide a sustainable harvest. The Central and Southern stocks continue to be managed under a 25,000 pounds commercial TAL, daily possession limits and a closed summer season to control recreational harvest, and a total harvest moratorium in the Cape Fear River and its tributaries.

The North Carolina Estuarine Striped Bass FMP approved in May 2004 was the first FMP developed under the criteria and standards of the 1997 Fisheries Reform Act (NCDMF 2004). The plan focused on identifying water flow, water quality, and habitat issues throughout the state, reducing discard mortality in the commercial anchored gill net fisheries, continued stocking of striped bass in the Central and Southern areas of the state, and developing creel surveys in the Tar/Pamlico, Neuse, and Cape Fear rivers to estimate recreational harvest in those systems.

The NCMFC and the NCWRC implemented a Memorandum of Agreement in 1990 to address management of striped bass in the Albemarle Sound and Roanoke River. The original Estuarine Striped Bass FMP was approved by the NCMFC in 1994 and was targeted at the continued recovery of the A/R stock, which at the time was at historically low levels of abundance and was experiencing chronic spawning failures (Laney et. al. 1993). The comprehensive plan for the first time addressed the management of all estuarine stocks of striped bass in the state. The plan also satisfied the recommendation, contained in the Report to Congress for the North Carolina Striped Bass Study (U.S. Fish and Wildlife Service 1992) that such a plan be prepared.

Management Unit

There are two geographic management units and four striped bass stocks included in Amendment 1 to the North Carolina Estuarine Striped Bass FMP. The northern management unit is comprised of two harvest management areas; the Albemarle Sound Management Area (ASMA) and the Roanoke River Management Area (RRMA). The ASMA includes the Albemarle Sound and all its coastal, joint and inland water tributaries, (except for the Roanoke, Middle, Eastmost and Cashie rivers), Currituck, Roanoke and Croatan sounds and all their joint and inland water tributaries, including Oregon Inlet, north of a line from Roanoke Marshes Point across to the north point of Eagle Nest Bay in Dare county. The RRMA includes the Roanoke River and its joint and inland water tributaries, including Middle, Eastmost and Cashie rivers, up to the Roanoke Rapids Dam. The striped bass stock in these two harvest management areas is referred to as the A/R stock, and its spawning grounds in the Roanoke River in the vicinity of Weldon, NC. Management of recreational and commercial striped bass regulations within the ASMA is the responsibility of the NCMFC. Within the RRMA commercial regulations are the responsibility of the NCMFC while recreational regulations are the responsibility of the NCWRC. The A/R stock is also included in the management unit of Amendment 6 to the ASMFC Interstate FMP for Atlantic Striped Bass.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

The southern geographic management unit is the Central Southern Management Area (CSMA) and includes all internal coastal, joint and contiguous inland waters of North Carolina south of the ASMA to the South Carolina state line. There are spawning stocks in each of the major river systems within the CSMA; the Tar/Pamlico, the Neuse, and the Cape Fear. These stocks are collectively referred to as the CSMA stocks. Spawning grounds are not clearly defined in these systems as access to spawning areas is influenced by river flows as well as impediments to migration. Management of striped bass within the CSMA is the sole responsibility of the NCMFC and the NCWRC, and is not subject to compliance with the ASMFC Interstate FMP for Atlantic Striped Bass.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Goals and Objectives

The goals of Amendment 1 to the North Carolina Estuarine Striped Bass FMP are to achieve sustainable harvest through science based decision-making processes that conserve adequate spawning stock, provide and maintain a broad age structure, and protect the integrity of critical habitats. To achieve these goals, the following objectives must be met:

1. Identify and describe population attributes, including age structure, necessary to achieve sustainable harvest.
2. Restore, improve, and protect striped bass habitat and environmental quality consistent with the Coastal Habitat Protection Plan (CHPP) to increase growth, survival and reproduction.
3. Manage the fishery in a manner that considers biological, social, and economic factors.
4. Initiate, enhance, and/or continue programs to collect and analyze biological, social, economic, fishery, habitat, and environmental data needed to effectively monitor and manage the fishery.
5. Initiate, enhance, and/or continue information and education programs to elevate public awareness of the causes and nature of issues in the striped bass stocks, habitat, and fisheries, and explain management programs.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

6. Develop management measures, including regulations that consider the needs of all user groups and provide sustainable harvest.
7. Promote practices that minimize bycatch and discard mortality in recreational and commercial fisheries.

STATUS OF THE STOCK

Stock Status

A/R Stock

The A/R striped bass stock status is currently listed as “concern”. Although the 2016 A/R striped bass stock assessment update indicated the resource is not overfished or experiencing overfishing. Fishing mortality is well below the threshold and the estimate of female SSB is above its respective threshold. Terminal year (2014) estimates, especially the estimate of SSB, should be interpreted with caution as they are uncertain and associated with a bias as illustrated by the retrospective analysis. While the bias is not consistent over time, it is present and will influence terminal year estimates.

CSMA Stocks

The lack of adequate data for CSMA stocks prevented a quantifiable stock determination in the 2013 Amendment 1 to the Estuarine Striped Bass Fishery Management Plan; therefore, the stock status is currently listed as “concern.” The need for continued conservation management efforts are supported by the truncated size and age distributions, low overall abundance, and the absence of older fish in the spawning ground surveys (NCDMF 2013, Appendix 14.7).

Stock Assessment

A/R Stock

The most recent A/R benchmark stock assessment (data through 2012) utilized the ASAP3 statistical catch-at-age model. This model was peer reviewed and approved for management use by an outside panel of experts and the ASMFC Atlantic Striped Bass Management Board. The model was updated in 2016 with data through 2014. The model incorporated all commercial and recreational harvest and discard data, as well as abundance data from fishery independent surveys conducted by North Carolina Division of Marine Fisheries (NCDMF) and NCWRC staff.

Results from the assessment update indicated the stock is not overfished or experiencing overfishing relative to its biological reference points (Table 1, Figures 1 and 2). Female spawning stock biomass is above the peak from 2003, and is estimated at 2,024,583 pounds, above the threshold of 772,588 pounds. This value is greater than the SSB threshold; therefore, the stock is not considered overfished. Caution should be used, however, when evaluating the estimate of SSB and F in the last year of the assessment. The estimated SSB value in 2014 is the largest value in the entire time series and is likely an overestimate, based on past years of retrospective bias exhibited by the model. Subsequent assessments, incorporating additional years of data and possibly a revised stock-recruit relationship, may reduce the magnitude of this

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

peak. (Flowers, J., et al. 2016). Albemarle/Roanoke striped bass experienced a period of unusually strong recruitment (number of age-1 fish entering the population) from 1994-2001 followed by a period of lower recruitment from 2002-2013 and higher recruitment again in 2014 and 2015 (Figure 1). Total stock abundance reached its peak in the late 1990s and has declined gradually since. Additionally, fishing mortality is estimated at 0.06, below the target of 0.33 (Figure 2).

CSMA Stocks

The index-based method of catch curve analysis was used to assess the status of striped bass populations in the CSMA (NCDMF 2013, Appendix 14.7). Exploitation and mortality were estimated for the Tar/Pamlico and Neuse river stocks using catch-per-unit-effort (CPUE) from the NCWRC electrofishing spawning grounds survey and the NCDMF Program 915 independent gill net survey. The large confidence intervals and lack of precision in the catch curve Z estimates (total mortality rate) made them unsuitable for making a stock status determination (NCDMF 2013). For this reason, catch curve results (especially annual estimates of mortality) were supplemented with additional quantitative information (such as trends in mean CPUE).

Improvements in the age structure of the CSMA striped bass stocks are expected from the regulatory restrictions implemented under the 2004 FMP and from the protective measures for endangered species implemented in May 2010 (NCDMF 2010) and further codified in Incidental Take Permits for sea turtles and Atlantic sturgeon from the National Oceanic and Atmospheric Administration.

STATUS OF THE FISHERY

Annual spawning success of anadromous fish and fish that spawn in or use estuaries for nursery habitat, is largely dependent upon environmental conditions, both natural and manmade. Even when female spawning stock biomass is very high, very poor reproductive success can still occur due to unfavorable environmental conditions. This fact is important to keep in mind when discussing trends in landings data and stock abundance. For species that have long term juvenile abundance surveys, this phenomenon is evident when we observe a year with tremendous spawning success (termed a “strong year class”) followed by a year when practically no eggs survive to the juvenile stage (a “weak year class”). This cycle of spawning success and failure results in annual harvests that increase and decrease depending on the abundance of the year classes available to the fishery.

Current Regulations

ASMA

Harvest in the commercial sector is limited by an annual TAL of 137,500 pounds (see the November 2014 Revision of Amendment 1 to the North Carolina Estuarine Striped Bass FMP for a thorough discussion of how the current TAL was determined). There is also an 18-inch minimum total length size limit. The commercial fishery is prosecuted as a non-directed bycatch fishery, with most landings occurring in large mesh (\geq 5-inch stretched mesh) floating gill nets during the spring American shad fishery. Pound nets and flounder nets account for the remainder of the harvest. Daily trip limits are set by proclamation. Daily reporting of the number and

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

pounds of striped bass landed from all licensed striped bass dealers ensure the TAL is not exceeded. There is a fall harvest season from October 1 through December 31 and a spring harvest season from January 1 through April 30. The harvest season is closed from May 1 through September 30 each year. The seasons may be closed early by proclamation if the TAL is reached. There is mandatory attendance on all small mesh (< 5-inch stretched mesh) gill nets during the summer closed season to reduce discard mortality in that fishery. There are areas within the ASMA that are closed to all gill netting to further reduce undersize discards and to protect females as they enter the mouth of the Roanoke River during their spring spawning migration.

Harvest in the recreational sector is limited by an annual TAL of 68,750 pounds. The recreational sector also has an 18-inch total length minimum size limit and a two fish per person daily possession limit. The harvest seasons are the same as the commercial sector. Harvest is estimated via a creel survey designed for striped bass in the ASMA. The daily possession limit may be changed and/or seasons closed early by proclamation to ensure the TAL is not exceeded.

Check with the NCDMF for the most recent proclamation on striped bass harvest limits including trip limits and bycatch requirements.

RRMA

Commercial harvest in the RRMA is prohibited. The RRMA recreational sector also has an annual TAL of 68,750 pounds. The harvest season is open from March 1 through April 30 each year. There is an 18-inch total length minimum size limit and a no possession slot where fish between 18 and 27 inches total length may not be possessed. There is a two fish per person daily possession limit and only one of those fish may be greater than 27 inches total length. Only a single barbless hook may be used in inland waters of the RRMA upstream of the U.S. Highway 258 Bridge from April 1 – June 30.

CSMA

Both commercial and recreational fishermen are subject to an 18-inch total length minimum size limit for striped bass within the CSMA. As a protective measure in joint and inland CSMA waters, it is unlawful for recreational fishermen to possess striped bass between 22 and 27 inches total length. Recreational fishermen are subject to a two fish per person per day creel limit. Commercial fishermen are subject to 10 fish per person per day limit with a maximum of two limits per commercial operation. Recreational harvest season for striped bass within the CSMA is October 1 through April 30. The commercial season opens by proclamation and may occur between January 1 and April 30, and is closed by proclamation once the annual 25,000 pound TAL is reached or on April 30, whichever occurs first. After the closure of the commercial harvest season through December 31, commercial fishermen are required to use a three-foot tie down in gill nets with a stretch mesh length ≥ 5 inches in internal coastal fishing waters west of the 76 28.0000' W longitude line. They must also maintain a minimum distance from shore (DFS) of 50 yards for these nets upstream of the existing DFS line (see proclamation M-3-2016 for area descriptions). There is a harvest moratorium for all recreational and commercial fisheries in the Cape Fear River and its tributaries.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Commercial Landings

ASMA

Commercial landings in the ASMA have been controlled by an annual TAL since 1991 (Table 2). Due to gill net mesh regulations and minimum size limits in place since 1993, most harvest consists of fish 4 to 6 years of age. From 1990 through 1997 the TAL was set at 98,000 pounds because the A/R stock was at historical low levels of abundance. The stock was declared recovered in 1997 and the TAL was gradually increased as stock abundance increased. The TAL reached its maximum level of 275,000 pounds in 2003 as the stock reached record levels of abundance.

Through 2004 the TAL was reached easily. As stock abundance started to decline, commercial landings no longer reached the annual TAL, even with increases in the number of harvest days and daily possession limits. From 2005 through 2009 landings steadily declined and averaged about 150,000 pounds, even though gill net trips remained steady during that period (Figure 3). Gill net trips in this instance are all anchored gill net trips occurring in the ASMA as reported through the North Carolina Trip Ticket Program. Because of several caveats, including this is not a directed fishery, the trip data cannot be used to calculate any type of catch per unit of effort, but are shown to provide a general idea about the trends in anchored gill net effort in the ASMA.

The decline in landings during 2005-2009 was due to poor year classes produced from 2001 to 2004. An increase in landings in 2010 to over 200,000 pounds was due to the strong 2005-year class. In 2013, 2014 and 2015 landings were reduced in part because of a very weak 2009-year class and a shortened American shad season resulting from triggers being met in the American Shad Sustainable Fishery Plan. In 2016 landings were affected from a poor 2013-year class and a shortened American shad commercial season.

CSMA

Commercial landings in the CSMA have been controlled by an annual TAL of 25,000 pounds since 1994. Over the past 10 years, landings have closely followed the annual TAL, except for 2008 when less than half of the TAL was landed. The majority of landings have been split between the Pamlico and Pungo rivers and the Neuse and Bay rivers, with the remainder coming from the Pamlico Sound (Figure 4). Since 2004 there has only been a spring harvest season, recently opening March 1 each year and closing when the TAL is reached, usually near the end of March. Unlike the fishery in the ASMA, this is a directed fishery for striped bass primarily using anchored gill nets.

Recreational Landings

ASMA

The recreational sector's landings in the ASMA are dominated by fish age 3 to 5 due in part to a statewide rule that prohibits possession of river herring cut bait or whole river herring over six inches in length while engaged in fishing activities, the migratory nature of larger, older fish, and general angling techniques in the ASMA. Very few anglers use the large size artificial lures or natural bait required to catch striped bass over 28 inches, so very few fish over nine or 10 years

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

old are observed in the creel survey. Plus, these older fish make up a relatively small portion of the total overall stock abundance.

Landings in the ASMA have been controlled by a TAL since 1991 (Table 2). Starting in 1998 the TAL was split evenly between the commercial and recreational sectors. The recreational TAL increased incrementally from 29,400 pounds in 1997 to 137,500 pounds in 2003. The recreational sector reached its TAL consistently until 2002, when landings started declining. Recreational landings peaked in 2001 at 118,506 pounds. (Figure 5). The harvest season increased from four days a week to seven in the fall of 2005 and the daily recreational possession limit increased from two to three fish in the fall of 2006, but landings continued to decline. Several poor year classes produced since 2001 have accounted for the decline in stock abundance and recreational harvest since 2006. The recreational limit went back down to two fish per person per day in January 2016. Harvest during the past 10 years has averaged 33,730 pounds (10,631 fish) in the ASMA, well below the TAL of 68,750 pounds. Releases are usually greater than harvest and are dominated by fish less than the 18-inch minimum length limit. Releases during the last 10 years have averaged 25,323 fish (Table 3).

RRMA

The recreational sector's landings in the RRMA are dominated by fish age 3 to 5 due to a no possession rule of fish between 22 and 27 inches total length in the RRMA, a statewide rule that prohibits possession of river herring cut bait or whole river herring over six inches in length while engaged in fishing activities, and general angling techniques in the RRMA. Very few anglers use the large size artificial lures or natural bait required to catch striped bass over 28 inches, so very few fish over nine or 10 years old are observed in the creel survey. Plus, these older fish make up a relatively small portion of the total overall stock abundance. Harvest during the past 10 years averaged 58,003 pounds (18,656 fish) in the RRMA (Table 3). Many more striped bass are caught and released by recreational anglers each year than are harvested, especially in the RRMA where concentrations of fish on the spawning grounds can be dense. Annual releases over the past 10 years in the RRMA have averaged 107,337 fish (Table 3).

Landings in the RRMA followed the TAL closely through 2002. From 2003 through 2016 landings averaged 64,389 pounds, with a few noticeable low years (2003, 2008, 2013 and 2014; Figure 6). The total number of fish caught per angler during the spring fishery in the RRMA can be large; catches of 100 fish per day are not uncommon. But angler catch rate can be impacted by spring water flows. The hydropower company operating the dams on the Roanoke River, along with the U.S. Army Corps of Engineers and biologists with the USFWS and NCWRC, coordinate releases to best mimic natural flow conditions during the spring spawn. However, droughts or heavy rainfall may still result in very low, i.e. 2,000-3,000 cubic feet per second (cfs) or very high, (20,000 cfs) flood stage flow conditions in some years. During these low or high flow years, angler success can be greatly diminished.

CSMA

Recreational landings have fluctuated since 2004 and have ranged from a low in 2008 and 2009 averaging 3,026 pounds to highs of 22,959 pounds in 2004 and 25,661 pounds most recently in 2016 (Table 3). In recent years both the number of trips and the hours spent targeting striped bass within the CSMA have increased. Since 2011 harvest in the Tar/Pamlico and Neuse has been

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

similar, ranging from about 4,000 pounds to 9,000 pounds, however in 2016 there was a sharp increase in the recreational harvest (Figure 7). Harvest on the Pungo River has remained consistent at a relatively low level compared to fluctuations experienced by the Tar/Pamlico and Neuse rivers. Legal sized striped bass discards have increased over the past five years, as well as fish released that are within the slot limit, with the exception of 2015 (Table 3). In 2016, in addition to harvesting the highest number of striped bass in over 10 years, there was a significant jump in the number of undersized fish discarded. There is also a significant catch-and-release fishery during the summer in the middle reaches of the Tar/Pamlico and Neuse rivers. Releases during the last 10 years have averaged 28,850 fish (Table 3). On February 16, 2016, NCWRC Commission voted to modify the exception to the general statewide regulation for striped bass in inland waters of the Neuse, Pungo, and Tar/Pamlico rivers by increasing the minimum size limit from 18 inches to 26 inches. The daily creel limit (two fish per person per day) and harvest season (October 1 – April 30) was not changed. This change was scheduled to go into effect in August 2017, however in March 2017, 10 letters of objection were received requesting legislative review of the rule, so the rule will have a delayed effective date pending legislative review in the 2018 short session (Spring 2018).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

A/R Stock

The length, weight, sex, and age of the commercial harvest of striped bass has been consistently monitored through sampling at fish houses conducted by the division since 1982. For the last several decades anchored gill nets have accounted for >90 percent of the harvest in the ASMA. Pound nets account for most of the remaining landings with minor catches coming from fyke nets, hoop nets, and pots. The mean total length from 2007 to 2016 was 22 inches (Table 4).

The recreational harvest of striped bass in the ASMA and RRMA has been consistently monitored by the NCDMF since 1990 and the NCWRC since 1988 respectively. The mean total length from 2007 to 2016 was 20 inches total length for the ASMA and 19 inches total length for the RRMA (Tables 5 and 6). Aging data from the dependent and independent surveys are presented in Table 7.

CSMA Stocks

Monitoring of the commercial fishery in the CSMA follows the same methodology as in the ASMA. The NCDMF started collecting recreational striped bass data in the major rivers of the CSMA in 2005. There has been a harvest moratorium in the Cape Fear River since 2008. Length data from the commercial harvest in the Pamlico Sound and tributaries shows that striped bass in the Neuse and Bay rivers are slightly larger than fish harvested in the Pamlico and Pungo rivers (Table 8). Data collected from the CSMA recreational striped bass creel survey sampled on average 150 striped bass per year, with an average maximum total length of 29 inches (Table 9).

Fishery-Independent Monitoring

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

A/R Stock

A young-of-year (age-0) A/R striped bass juvenile abundance index (JAI) was initiated by Dr. William Hassler of North Carolina State University in 1955. The NCDMF took over this critical long-term survey in 1987 at Dr. Hassler's retirement. Sampling occurs at seven fixed stations in the western Albemarle Sound from July through mid-October. Sampling gear is an 18-foot semi-balloon trawl towed for 15 minutes. Catch per unit of effort is the number of striped bass captured per tow. The JAI provided by the survey is usually a reliable indicator of relative abundance and future harvest potential. Data from the survey reveal the highly variable inter-annual spawning success of striped bass. The long time-series of data also clearly shows the extended period of spawning failure that occurred when the stock was at historical levels of low abundance during the 1980s. Starting in 1993 the stock began producing successful spawns once again, due to improved water quality, agreements about a water flow regime on the Roanoke River during the spawning season, favorable environmental conditions during the spawning season, and severe management restrictions that allowed stock abundance to increase. Within an eight-year period spanning 1993-2000, the stock produced the four highest JAI values in the entire 46-year time series. The average JAI during 1993-2000 was 24.04, over three times higher than the average of the JAI prior to the stock crashing (1955-1977 JAI = 7.9; Figure 8). However, from 2001 to 2010 the JAI was below average for most years, above average for only one year (2010), and several years including some back to back (2003 and 2004), which were considered spawning failures. This cycle starting in 1993 led to overall stock abundance increasing steadily through the mid-2000s to all-time highs, followed by a period of stock decline. From 2010 to 2016 the stock has seen improved annual spawning success, with above average JAI values in 2011, 2014, and 2015, with only one year (2013) below the spawning failure threshold (Figure 8).

A fall/winter fishery independent gill net survey has been conducted by the NCDMF throughout the Albemarle and Croatan sounds since the fall of 1990. The survey utilizes a stratified random sampling design, employing mesh sizes from 2 ½-inch to 10-inch stretch mesh to characterize the resident and overwintering portion of the A/R stock. The survey is conducted from November through February. Catch per unit of effort is measured as the abundance of fish per 40-yard net soaked for 24 hours.

A spring survey employs the same methodology as the fall/winter survey but is conducted in the western Albemarle Sound only, in the vicinity of the mouth of the Roanoke River. The goal of the survey is to characterize the spawning portion of the A/R stock. The survey is conducted from March 1 through the end of May. Data from the surveys are used in the A/R stock assessment as an independent measure of stock abundance.

The independent gill net surveys do a good job of tracking relative abundance, but the trend in total abundance is often masked by the highly variable and often very large number of two- and three-year-old fish captured in the survey, so trends in total abundance are often less informative than trends in 4 to 6-year-old abundance. The trend in abundance of 4 to 6 year olds show the stock increasing in abundance through the 1990s, to a high in 1999 of about 90 fish per 100 net days for the spring survey and 72 fish in the fall/winter survey. The 4 to 6-year-old abundance has fluctuated since 2000, but has been on a general downward trend with abundance for both surveys at about 20 fish per 100 net days in 2014 (Figure 9). One weakness of the gill net

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

surveys is they collect very few older fish, and under-represent the expansion of fish in the 9+ age group that has occurred since 2000. They also don't capture the decline in abundance of age 9+ fish that has occurred since the period of poor spawning success from 2001 to 2010.

An electrofishing spawning ground survey has been conducted by the NCWRC since the spring of 1990. The survey goals are the same as the spring gill net survey but takes place on the Roanoke River in the vicinity of Weldon, the location of the fall line and historical center of spawning activity for A/R striped bass. The survey uses a stratified random sampling design. Catch per unit of effort is measured as the number of fish captured per hour of electrofishing. The survey is used in the A/R stock assessment as an independent measure of stock abundance.

The trend in total abundance from the electrofishing survey is similar to the trends of age 4 to 6 fish in the gill net surveys, increasing from low levels of abundance in the early 1990s to a peak in the early 2000s of 380 fish per hour, then decreasing since to a low in 2013 of 150 fish per hour (Figure 10). Both surveys exhibit a few years with high inter-annual variability, but this is common with fisheries surveys in which environmental conditions affect relative abundance in the survey area and the catch efficiency of the gear. The electrofishing survey does a better job at tracking the abundance of the age 9+ group, and clearly shows the emergence of the 1993 cohort into this age group in 2002. The 9+ group has been on a downward trend since the 2006 peak of 14 fish per hour, with the lowest catch in 2014 of just greater than one fish per hour (Figure 11). The strong year classes produced from 1993-2000 supported the increased abundance of fish in the 9+ age group, but since the below average spawning and several years of spawning failure during 2001-201, the abundance of the 9+ age group is declining. The oldest fish seen recently in the population is 17 years old, indicating that fishing mortality has decreased significantly since the implementation of minimum size limits and a TAL in 1990. When the survey started in 1990 fish older than seven were rarely observed in the survey.

Taken together, all the independent surveys track A/R stock dynamics well, and indicate the stock is healthy and female spawning stock biomass is adequate to produce large year classes; most recently in 2011, 2014 and 2015.

CSMA Stocks

A fishery independent gill net survey in the Central and Southern portion of the state was initiated by the NCDMF in May of 2001 in Pamlico Sound. This survey was expanded to the Pamlico, Pungo, and Neuse rivers in 2003 and expanded to the Cape Fear and New rivers in 2008. Data from the Fishery-Independent Gill Net Survey (Program 915) on the Pamlico, Pungo, and Neuse rivers demonstrated most striped bass were captured in the upper and middle portions of the rivers. Striped bass CPUE data also shows that catches were higher in the Pamlico/Pungo, and Neuse rivers when compared to the Cape Fear River (Table 10). Striped bass in the Pamlico/Pungo, and Neuse rivers ranged from 0.9 to 2.15 fish per sample, whereas the Cape Fear River ranged from 0 to 0.14 fish per sample during the reporting period (Table 10).

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

MANAGEMENT STRATEGY

A/R Stock

Estuarine striped bass in North Carolina are managed under Amendment 1 to the North Carolina Estuarine Striped Bass FMP and subsequent revisions. Striped bass fisheries in the Atlantic Ocean of North Carolina are managed under ASMFC's Amendment 6 to the Interstate FMP for Atlantic Striped Bass and subsequent addenda. The A/R stock is managed using biological reference points for spawning stock biomass and fishing mortality that are aimed at maintaining a sustainable harvest and adequate spawning stock biomass. Stock status is determined through a formal, peer reviewed stock assessment process that evaluates annual estimates of fishing mortality and biomass against their target and threshold values. An annual harvest quota for the A/R stock is calculated to keep these metrics below their targets. Juvenile abundance data generated from the survey is used in the A/R stock assessment as an independent measure of stock abundance. The index is also used as a trigger. If the JAI is below 75 percent of all other values for three consecutive years, the ASMFC Striped Bass Technical Committee will make a recommendation to the ASMFC Striped Bass Management Board about possible causes and if management action is needed.

CSMA Stocks

The need for continued conservation management efforts time are supported by the constrained size and age distributions, low abundance, and the absence of older fish in all stocks. Since the 2004 FMP there has been little change in the size and age distribution with few age-6 and older fish observed in any system, however age-6 and older CPUE in 2014 was the highest since the sample record began, and continued an increasing trend since 2008 (Rachels and Ricks 2015). Management strategies (see Table 11) in place to constrain harvest in an effort to allow for rebuilding of the stocks include a total harvest moratorium in the Cape Fear River, an annual commercial TAL of 25,000 pounds, daily creel limits, a closed summertime harvest season, a protective slot limit for the recreational fisheries, a three-foot tie down requirement for gill nets ≥ 5 inches stretch mesh in internal coastal fishing waters west of the 76 28.0000' W longitude line, and a minimum distance from shore (DFS) of 50-yards for these nets upstream of the existing DFS line (see proclamation M-3-2016 for area descriptions). Annual stockings in all CSMA systems are designed to augment the populations during this period of low abundance until which time successful natural reproduction in these stocks occurs.

RESEARCH NEEDS

Several research needs were identified and explored in Amendment 1 to the North Carolina Estuarine Striped Bass FMP. The bulleted items listed below outlines the specific issue, the priority ranking, and the implementation status on the recommendations:

- Determine percent contribution of stocked fish on the spawning grounds -HIGH (Ongoing through NCWRC genetics study)
- Acquire life history information: maturity, fecundity, size and weight at age, egg and larval survival. Ongoing through CRFL funded projects. See Knight (2015) for recent publication on maturation and fecundity in the Neuse and Tar/Pamlico rivers -HIGH

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

- Conduct a mark-recapture study utilizing conventional tags and telemetry approaches -HIGH (Ongoing through CRFL funded projects)
- Determine if suitable striped bass spawning conditions exist in the Tar/Pamlico, Neuse, and Cape Fear Rivers – MEDIUM (No Action)
- Conduct egg abundance and egg viability studies – MEDIUM (In 2016, NCWRC initiated an anadromous ichthyoplankton survey designed to investigate egg and larval fish abundance and egg viability)
- Determine extent of spawning grounds – LOW (Ongoing through CRFL funded grant acoustic tagging grant)
- Improve discard estimates and discard biological characteristics from commercial fisheries – MEDIUM (Ongoing through statewide observer coverage. See Rock et al. (2016) for recent publication on improving discard estimates through NCDMF creel survey and expanded observer program)
- Obtain biological characteristics such as length, weight, age, and sex of recreational harvest – MEDIUM (Ongoing through creel surveys but could be expanded)
- Obtain biological characteristics such as length, weight, age, and sex of commercial harvest - MEDIUM (Ongoing but sampling could be increased)
- Improve discard estimates and discard biological characteristics from recreational fisheries – LOW (Ongoing through creel survey)
- Conduct delayed mortality studies for recreational and commercial gear – LOW (Ongoing for recreational fisheries)
- Conduct independent surveys that adequately capture all life stages of striped bass - HIGH (No Action)
- Continue tagging striped bass to evaluate the possible contribution to the Atlantic Migratory stock and provide data to be used in stock assessment efforts. Develop means to better assess the tag recapture and reporting rate for use in tag-based stock assessments – HIGH (Ongoing through CRFL funded projects)
- Conduct a short-term study to determine vulnerability-at-length for survey gears – LOW (No Action)

Additional research needs were identified in Amendment 1 to the North Carolina Estuarine Striped Bass FMP, however there were no priority rankings assigned. The bulleted items listed below outlines the specific research need and the implementation status:

- Continued support and development of SHAs in NC. (Ongoing, SHAs in regions 1-3 have been designated)
- Continued protection of SHAs by the cooperating agencies once they have been designated (Ongoing)
- Work with WRC, DWQ, and others to implement management measures that will enhance water quality in areas used by striped bass (Ongoing)
- Work with American Rivers and other partners to accelerate dam removal in priority areas (Ongoing)
- Continue to protect NC coastal wetlands through the permit review process (Ongoing)

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

- Quantify the density and distribution of striped bass eggs, fry, and juveniles in coastal rivers to estimate potential losses to entrainment and impingement. Ongoing in the Roanoke River through ECU (Still needed in the CSMA)
- Determine if contaminants are present in striped bass habitats and identify those that are potentially detrimental to various life history stages (Ongoing through Division of Water Quality but could be expanded)
- Evaluate the effects of existing and future water withdrawals on water quality and quantity and fisheries habitat in coastal watersheds (No Action)
- Identify and designate anadromous fish nursery areas and how early juvenile striped bass move and are distributed in NC estuarine waters (No Action)
- Identify minimum flow requirements in the Tar/Pamlico, Neuse, and Cape Fear rivers necessary for successful spawning, egg development, and larval transport to nursery grounds (No Action)
- Evaluate the impacts/effects of reverse osmosis plants on receiving waters and aquatic resources. Short term studies conducted but there is a need for long term studies
- Verify condition of identified SHAs used by striped bass (No Action)
- Investigate abundance and spawning contribution of striped bass in the North Carolina and Virginia portions of the Blackwater, Nottoway and Meherrin rivers (Some sampling is by VADGIF and a CRFL grant is being completed that evaluated the potential spawning contribution on the Chowan and Meherrin rivers)
- Investigate striped bass use in the North Carolina portions of the Waccamaw River during the appropriate season (No Action)
- Continue to investigate the potential for passage of striped bass above Roanoke Rapids Dam (Ongoing)
- Support fish passage at Buckhorn Dam and Lock and Dam No.2 and No.3 and investigate anadromous fish utilization of the rock ladder at Lock and Dam No. 1 (Ongoing)
- Investigate the feasibility of fish passage at and improved water flows from Rocky Mount Mill Dam and Tar River Reservoir Dam (Ongoing)
- Support the removal of Milburnie Dam in Raleigh (Ongoing)
- Support fish passage above the Yadkin chain of dams in North Carolina (Ongoing)
- Data on the density and distribution of striped bass eggs, fry, and juveniles in coastal rivers are needed so that potential losses to entrainment and impingement can be estimated (CSMA No Action)
- Identify effective engineering solutions to prevent entrainment and impingement of striped bass eggs, fry, and juveniles (Ongoing)
- NCDMF and NCWRC should work with DWQ and other agencies to determine and establish more stringent water quality standards in Anadromous Fish Spawning Areas (No Action)
- Apply for ITP for impacted fisheries. Completed, ITP's obtained for the estuarine gill net fishery.
- Continue gear development research to minimize species interactions (Ongoing)
- Implementation of outreach programs to inform state agencies, the public, and the commercial and recreational fishing industries about issues relating to protected species and fishery management (Ongoing)
- Methodology tested to accurately capture Atlantic Ocean striped bass harvest during summer months (Ongoing through catch card survey but compliance is uncertain)

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

- Increase surveys of stocked systems to determine percent contribution of wild versus stocked fish (Ongoing through NCWRC and NCDMF genetics survey)
- Determine if fish produced from system-specific parentage will increase stocking contribution to spawning populations (Ongoing through NCWRC and NCDMF genetics survey)
- Determine factors impacting survivability of stocked fish in each system (No Action)
- More at-sea observations made for the gill net fishery to more accurately assess the discards from this fishery (Ongoing through NCDMF Observer Program)
- Explore improvements to NCDMF programs (Trip Ticket, Fish House sampling, fisherman surveys or logbooks) in order to acquire spatially and temporally accurate gill net gear parameters (No Action)
- Investigate the impacts of delayed mortality on striped bass captured in gill nets (No Action)
- Clarify relationships between salinity, DO, temperature and catch and release mortality rates in the ASMA and CSMA (No Action)
- Year-round creel survey in the ASMA (No Action)
- Expand tagging programs to include high reward tagging (Ongoing through CRFL funded grant)
- Conduct new analysis of relationship between JAI in Albemarle Sound and flows in Roanoke River (No Action)

FISHERY MANAGEMENT PLAN RECOMMENDATION

On June 22, 2016 NCDMF staff met with NCWRC staff to discuss a broad range of topics pertaining to striped bass management in the CSMA. Discussion focused on results from genetic research started in 2011 that indicates the striped bass spawning stocks in the Tar/Pamlico, Neuse, and Cape Fear rivers are comprised of nearly 100 percent hatchery stocked fish, indicating there is extremely limited natural reproduction and survival occurring in the CSMA. After careful consideration of this new information, reviewing the time frame for the anticipated completion of several ongoing striped bass research projects, and review of the NCMFC's fishery management plan schedule, NCDMF and NCWRC staff jointly developed a recommended approach to address the issue of high hatchery contribution and apparent lack of natural spawning success of striped bass in the CSMA. It was the recommendation of NCDMF and NCWRC staffs that the NCMFC, during their August 2016 business meeting, adjust the Fishery Management Review Schedule so the review of Amendment 1 to the North Carolina Estuarine Striped Bass Fishery Management Plan is initiated in July 2017 instead of July 2018. NCDMF and NCWRC staffs will continue to collaboratively prepare for the review ahead of the July 2017 review period. The NCMFC approved this schedule change at its August 2016 meeting.

The NCDMF and NCWRC staffs recommended a full review of the FMP as the best way to address the potentially numerous changes in management goals and strategies that could arise due to the recent revelations of near 100 percent hatchery contribution and apparent lack of natural spawning success of striped bass in the Tar/Pamlico, Neuse, and Cape Fear rivers. To be fully prepared to initiate the FMP and CSMA stock assessment, there are several actions that NCDMF and NCWRC staffs will be working on together in the interim. These include:

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

- Hold regular meetings of the NCDMF/NCWRC CSMA Workgroup to discuss potential stock assessment model options, consider revisions to FMP goals and objectives, re-evaluate stocking objectives and strategies, and other activities mutually agreed upon to lessen the time needed for FMP development.
- Process all NCWRC and NCDMF data so that CSMA data through calendar year 2016 will be available for the assessments and prepare data for models.
- Collaborate with academia to identify and implement research projects that will determine the causes of the lack of natural reproduction of striped bass in the CSMA.

On January 20, 2017, NCDMF and NCWRC staffs met to continue to work in preparation for the review of the state plan beginning in July 2017. On February 23, 2017, a meeting was held to continue the FMP process and agenda items included reviewing the draft goals and objectives and a presentation that described the stock assessment process. It was decided at the meeting to proceed with appointing staff to the Estuarine Striped Bass FMP Plan Development Team. The team has been appointed and had its first stock assessment workshop, the planning workshop, on March 20, 2017. Issue paper assignments were made and the next meeting, the data workshop, has been scheduled for July 18 and 19, 2017.

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STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

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STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

TABLES

Table 1. Albemarle/Roanoke striped bass spawning stock biomass and fishing mortality targets and thresholds.
 Source: Stock Status of Albemarle Sound-Roanoke River Striped Bass, 2016.

Reference Point	Fishing Mortality (F)	Spawning Stock Biomass (SSB lb.)	Total Allowable Landings lb. (TAL)
Target	0.33	965,735	305,762
Threshold	0.41	772,588	325,905
Estimate from 2016 A/R stock assessment	0.06	2,024,583	N/A

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Table 2. Striped bass commercial and recreational harvest and discards in pounds from the ASMA/RRMA, NC, 1982-2016.

Year	Harvest (lb)				Total Harvest	TAL	Discard (lb)				Total Discards	Combined Harvest and Discards	
	ASMA Comm.	ASMA Rec.	RRMA Comm.	RRMA Rec.			ASMA Comm.	ASMA Rec.	RRMA Comm.	RRMA Rec.			
1982	228,004	24,098	17,369	23,693	293,164	No estimates for shaded years					293,164		
1983	228,742	27,320	8,861	26,861	291,784	No estimates for shaded years					291,784		
1984	475,641	17,181	1,703	16,892	511,417	No estimates for shaded years					511,417		
1985	269,671	6,603	6,200	6,492	288,966	No estimates for shaded years					288,966		
1986	172,683	18,755	50	18,440	209,928	No estimates for shaded years					209,928		
1987	228,861	37,621	0 [#]	36,989	303,471	No estimates for shaded years					303,471		
1988	108,791	52,434	0	74,639	235,864	No estimates for shaded years					235,864		
1989	97,061	26,857	0	32,107	156,025	No estimates for shaded years					156,025		
1990	103,757	36,976	0	42,204	182,937	No estimates for shaded years					182,937		
1991	108,460	30,021	0	72,529	211,010	156,800	No estimates for shaded years		17,048	17,048	228,058		
1992	100,544	51,167	0	36,016	187,727	156,800	No estimates for shaded years		4,370	4,370	192,097		
1993	109,475	54,835	0	45,146	209,456	156,800	No estimates for shaded years		11,546	11,546	221,002		
1994	102,201	39,704	0	28,084	169,989	156,800	151,810	No estimates for shaded years		12,613	164,423	334,412	
1995	89,502	30,564	0	28,884	148,950	156,800	348,255	No estimates for shaded years		14,539	362,794	511,744	
1996	89,624	29,185	0	28,173	146,982	156,800	200,429	No estimates for shaded years		36,634	237,063	384,045	
1997	95,671	26,724	0	28,929	151,324	156,800	120,840	No estimates for shaded years		55,863	176,703	328,027	
1998	122,454	64,885	0	73,527	260,866	250,860	135,855	No estimates for shaded years		21,149	157,004	417,870	
1999	155,176	60,897	0	72,966	289,039	275,946	139,043	No estimates for shaded years		31,513	170,556	459,595	
2000	218,888	116,163	0	119,584	454,635	450,000	137,996	11,951	No estimates for shaded years		33,810	183,757	638,392
2001	220,227	118,533	0	112,825	451,585	450,000	92,047	10,540	No estimates for shaded years		29,284	131,871	583,456
2002	222,834	92,649	0	112,698	428,181	450,000	128,664	7,710	No estimates for shaded years		10,897	147,271	575,452
2003	266,555	51,794	0	39,170	357,519	550,000	162,115	5,278	No estimates for shaded years		8,598	175,991	533,510
2004	273,666	98,403	0	120,697	492,766	550,000	89,832	9,244	No estimates for shaded years		62,523	161,599	654,365
2005	232,645	63,477	0	107,530	403,652	550,000	45,393	3,360	No estimates for shaded years		34,313	83,066	486,718
2006	156,314	35,985	0	84,523	276,822	550,000	54,529	1,453	No estimates for shaded years		13,799	69,781	346,603
2007	173,509	26,633	0	64,986	265,128	550,000	43,475	1,914	No estimates for shaded years		11,330	56,719	321,847
2008	74,926	31,628	0	32,725	139,279	550,000	108,176	4,969	No estimates for shaded years		37,624	150,769	290,048
2009	96,134	37,313	0	69,581	203,028	550,000	32,494	5,452	No estimates for shaded years		29,523	67,469	270,497
2010	199,829	11,460	0	72,037	283,326	550,000	44,838	3,318	No estimates for shaded years		25,263	73,419	356,745
2011	134,538	42,536	0	71,561	248,635	550,000	52,741	2,870	No estimates for shaded years		29,409	85,020	333,655
2012	115,605	71,456	0	88,271	275,332	550,000	34,253	3,995	No estimates for shaded years		10,251	48,499	323,831
2013	68,338	14,897	0	25,197	108,432	550,000	29,006	3,453	No estimates for shaded years		15,675	48,134	156,566
2014	71,372	16,867	0	33,717	121,956	550,000	5,010	1,365	No estimates for shaded years		32,843	39,218	161,174
2015	113,475	77,888	0	60,288	251,651	275,000	14,982	3,458	No estimates for shaded years		14,552	32,992	267,805
2016	123,111	14,486	0	65,218	202,815	275,000	22,990	978	No estimates for shaded years		10,108	34,076	236,891

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Table 3. Recreational striped bass effort, harvest and discards from the ASMA, RRMA, and CSMA, 2007-2016.

Management Area	Year	Striped Bass Fishing Angler Trips	Striped Bass Effort Angler Hours	Number Harvested	Pounds Harvested	Striped Bass Discard (#over-creel)	Striped Bass Discard (#under-sized)	Striped Bass Discard (#legal-sized)	Striped Bass Discard (# slot-sized)	Total Discards
ASMA	2007	9,629	61,679	7,143	26,633	1,148	12,259	192	N/A	13,599
	2008	11,793	72,673	10,048	31,628	391	36,324	260	N/A	36,975
	2009	11,326	72,021	12,069	37,313	20	38,683	1,860	N/A	40,563
	2010	9,660	66,893	3,504	11,470	569	15,398	233	N/A	16,200
	2011	13,114	85,325	13,341	42,536	317	20,114	1,141	N/A	21,572
	2012	14,490	102,787	22,345	71,456	1,024	19,977	3,970	N/A	24,971
	2013	7,053	50,643	4,299	14,897	31	16,034	316	N/A	16,381
	2014	7,264	40,478	5,529	16,867	18	22,558	510	N/A	23,086
	2015	11,132	75,009	23,240	70,008	1,573	45,559	2,402	N/A	49,534
	2016	7,023	42,276	4,794	14,486	252	8,822	1,278	N/A	10,352
Total		102,484	669,784	106,312	337,294	5,343	235,728	12,162		253,233
RRMA	2007	31,816	151,128	19,305	62,492					52,501
	2008	27,026	128,372	10,541	32,725					189,638
	2009*	25,405	120,675	23,248	69,581					135,964
	2010	29,458	156,776	22,445	72,037					123,910
	2011	30,018	137,986	22,102	71,561					107,693
	2012	29,032	119,917	28,847	88,539					63,018
	2013	21,785	112,814	7,718	25,197					74,221
	2014	18,932	97,798	11,058	33,717					165,539
	2015	25,034	123,648	20,031	58,962					108,240
	2016	27,123	140,423	21,260	65,218					52,644
Total		265,630	1,289,537	186,555	580,029	0	0	0	0	1,073,369
CSMA	2007	10,974	37,088	3,600	10,795	147	21,673	1,707	0	23,527
	2008	6,621	21,296	842	2,990	2,838	11,719	3,316	91	17,964
	2009	5,642	20,695	896	3,062	7	4,472	1,768	719	6,966
	2010	6,558	16,060	1,758	5,536	28	5,201	2,402	361	7,992
	2011	12,608	33,353	2,727	9,475	9	16,661	5,397	2,128	24,195
	2012	18,340	71,899	3,871	15,198	351	26,250	13,614	2,986	43,201
	2013	20,143	86,090	5,452	20,076	438	19,329	10,368	2,324	32,459
	2014	15,657	69,616	3,302	13,354	765	18,885	7,175	1,622	28,447
	2015	18,443	80,590	3,904	14,152	40	22,896	8,193	825	31,954
	2016	23,850	110,165	6,797	25,661	203	56,957	10,747	3,890	71,797
Total		138,392	546,032	33,120	120,243	4,794	204,045	64,615	14,956	288,409

*Estimates of discards not available for the post-harvest season period.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Table 4. Striped bass length data from commercial landings from the ASMA, NC, 2007-2016.

Year	Mean Total Length (inches)	Minimum Total Length (inches)	Maximum Total Length (inches)	Total Number Measured
2007	24	17	48	623
2008	22	18	47	553
2009	21	18	42	813
2010	21	17	48	940
2011	21	18	39	1,004
2012	22	18	39	643
2013	22	18	45	563
2014	23	18	43	483
2015	22	18	43	733
2016	22	18	43	595

Table 5. Striped bass length data from recreational landings from the ASMA, NC, 2007-2016.

Year	Mean Total Length (inches)	Minimum Total Length (inches)	Maximum Total Length (inches)	Total Number Measured
2007	21	15	39	415
2008	20	18	30	632
2009	20	18	42	549
2010	20	17	28	337
2011	20	18	34	979
2012	20	18	36	1,059
2013	20	18	32	527
2014	19	18	28	802
2015	20	17	30	1,523
2016	21	18	28	423

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Table 6. Striped bass length data from recreational landings from the RRMA, NC, 2007-2016.

Year	Mean Total Length (inches)	Minimum Total Length (inches)	Maximum Total Length (inches)	Total Number Measured
2007	20	18	39	709
2008	19	17	35	667
2009	19	17	32	1,049
2010	20	18	28	954
2011	20	18	31	679
2012	20	17	28	688
2013	20	17	27	512
2014	19	17	30	559
2015	19	16	27	1,340
2016	20	17	29	1,133

Table 7. Striped bass age data from dependent (commercial) and independent (independent gill net survey) surveys from the ASMA, NC, 2007-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	2	1	14	1,228
2008	3	1	16	1,191
2009	4	1	14	1,040
2010	5	1	17	885
2011	5	1	11	1,429
2012	2	1	14	802
2013	5	1	13	921
2014	4	2	11	728
2015	4	1	11	713
2016	5	2	12	555

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Table 8. Striped bass length data (total length) from commercial landings from the CSMA, NC, 2000-2016. All lengths and numbers (N) of fish sampled are for striped bass, no length data are presented for hybrid striped bass other than the percent sampled.

Year	Pamlico and Pungo Rivers					Neuse and Bay Rivers				
	Total Length (inches)				% Hybrid Striped Bass in Samples	Total Length (inches)				% Hybrid Striped Bass in Samples
	Mean	Min	Max	N		Mean	Min	Max	N	
2000	23	20	35	126	1.6	25	22	31	5	0.0
2001	23	21	26	116	8.7	25	23	31	12	0.0
2002	24	19	39	96	31.4	25	19	29	31	0.0
2003	23	18	37	173	39.9	24	19	37	19	5.0
2004	24	20	42	131	34.2	25	19	37	74	1.3
2005	23	20	37	127	9.3	24	20	36	70	1.4
2006	22	18	37	119	17.4	24	19	36	144	0.7
2007	22	19	33	112	4.3	22	19	27	63	4.5
2008	22	18	43	84	4.5	23	19	44	39	0.0
2009	22	19	31	99	1.0	22	18	31	85	2.3
2010	22	19	26	194	4.4	23	19	32	263	4.0
2011	23	18	27	284	2.4	23	19	42	195	0.0
2012	24	15	30	254	9.6	24	19	29	96	1.0
2013	25	18	40	225	12.8	25	18	39	301	3.2
2014	22	18	39	52	89.7	24	20	38	56	47.7
2015	24	19	40	97	75.4	24	19	44	97	21.8
2016	24	17	29	257	29.2	23	19	28	78	14.3

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Table 9. Striped bass length data from recreational landings from the CSMA, NC, 2004-2016.

Year	Mean Total Length (inches)	Minimum Total Length (inches)	Maximum Total Length (inches)	Total Number Measured
2004	22	17	32	430
2005	22	18	32	318
2006	22	18	30	132
2007	22	17	30	129
2008	21	18	26	50
2009	21	17	24	95
2010	21	18	26	74
2011	21	18	28	140
2012	21	18	28	153
2013	20	17	28	169
2014	21	18	30	115
2015	21	16	27	106
2016	20	18	33	144

Table 10. Annual weighted CPUE of striped bass (number of individuals per sample), total number of striped bass collected, and the number of gill net samples (N) in the Pamlico, Pungo, and Neuse rivers, 2005-2016. The Percent Standard Error (PSE) represents a measure of precision. *In 2005, fewer stations were sampled due to high gasoline prices. + The Cape Fear and New Rivers Fisheries Independent Assessment Survey sampling program began in 2008.

Year	Pamlico and Pungo Rivers				Neuse River				Cape Fear and New Rivers ⁺			
	CPUE	No. of Striped Bass	N*	PSE	CPUE	No. of Striped Bass	N*	PSE	CPUE	No. of Striped Bass	N*	PSE
2005	2.66	396	152*	14	1.37	200	152	23				
2006	2.38	371	160	17	1.74	268	160	17				
2007	1.57	241	160	22	1.16	177	160	19				
2008	1.61	249	160	21	1.25	193	161	23	0.04	3	84	100
2009	1.18	182	160	16	0.9	142	160	26	0.03	3	119	67
2010	2.11	329	160	17	2.02	311	160	23	0.01	1	120	100
2011	2.15	328	160	20	2.14	325	160	18	0.04	4	120	50
2012	0.94	143	160	20	0.84	127	160	20	0.03	3	120	67
2013	1.41	215	160	18	0.98	149	160	24	0.02	2	120	50
2014	1.43	217	160	16	1.82	273	160	20	0	0	120	-
2015	1.14	173	160	18	1.65	251	160	18	0.14	15	120	36
2016	1.18	178	160	14	1.18	178	160	14	0.11	12	120	45

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Table 11. Management action taken as a result of Amendment 1 to the North Carolina Estuarine Striped Bass FMP.

Management Strategy	Implementation Status
<p>RECREATIONAL STRIPED BASS HARVEST CLOSURE (Oregon Inlet Area/Atlantic Ocean) Status Quo – Allow the fishery to continue with catch card survey (May – Oct).</p>	No additional regulatory action required
<p>STRIPED BASS STOCKING (Coastal Rivers) Status quo and research needs – Goal of 100,000 Phase II striped bass stocked annually per CSMA system (Tar-Pamlico, Neuse, and Cape Fear) with 3,000 stocked fish tagged annually in each system.</p>	No additional regulatory action required
<p>USE of SINGLE BARBLESS HOOKS (during Striped Bass Closed Season) Status quo (don't require barbless hooks) and continue to educate anglers on ethical angling practices, with the additional recommendation to include mortality statistics associated with various handling techniques when possible.</p>	Increase angler education about proper angling and handling techniques to reduce discard mortality
<p>ALBEMARLE SOUND MANAGEMENT AREA (Southern Boundary Line Adjustment) Support the necessary rule changes to create a new boundary point.</p>	Rule change: 15A NCAC 03J .0209; 03R .0112; and 03R .0201
<p>CASHIE RIVER (Change in Joint and Coastal Waters Boundary Line) Support the necessary rule changes to create a new boundary point.</p>	Rule change 15A NCAC 03Q .0202
<p>DISCARD MORTALITY (CSMA Commercial Gill Net Sets) Status Quo – continue the gill net requirement for tie downs and restricting gill net from within 50 yards of shore proclamation.</p>	No additional regulatory action required
<p>HOOK and LINE as COMMERCIAL GEAR in ESTUARINE STRIPED BASS FISHERIES Status Quo (don't allow hook and line as commercial gear) and support the necessary rule changes for adaptive management.</p>	Rule change 15A NCAC 03M .0201 and 03M .0202 ¹

¹ These rule changes will not initiate hook and line harvest of striped bass, only make it possible to do so in the future should unforeseen gill net regulations due to endangered species interactions make adaptive management necessary.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Management Strategy	Implementation Status
CENTRAL SOUTHERN MANAGEMENT AREA STRIPED BASS MANAGEMENT MEASURES	
Status Quo with the addition of instituting a pound for pound payback provision for the commercial harvest TAC ² .	No additional regulatory action required
Status Quo for CSMA management measures maintain the following:	
CSMA Recreational Harvest (Coastal, Joint, and Inland waters)	
Unified season Oct 1 – Apr 30	
2 fish daily creel limit	
18 in TL minimum size limit	
Protective slot (no harvest) 22 – 27 in TL (joint and inland waters only)	
Harvest moratorium for Cape Fear River and its tributaries	
CSMA Commercial Harvest (Coastal and Joint waters)	
TAC ² of 25,000 lb. and commercial fishery, excluding Pamlico Sound, is not a bycatch fishery	
18 in TL minimum size limit	
10 fish or less trip limit	
Spring season only, anytime between Jan 1 – Apr 30	
Gill net mesh size restrictions and yardage limits	
18 in TL minimum size limit	
Discards – maintain existing gill net tie-down and distance from shoreline (DFS) measures implemented by proclamation.	
Harvest moratorium for Cape Fear River and its tributaries	

² The term Total Allowable Catch does not accurately describe the existing management strategy, because the term “catch” refers to landings and discards. Since its inception the quota used to maintain striped bass harvest in the ASMA, RRMA, and CSMA at sustainable levels is for landings only, not landings and discards.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Management Strategy	Implementation Status
Status Quo with the current management measures in the ASMA and RRMA.	No additional regulatory action required

Status Quo for ASMA and RRMA management measures maintain the following:

Biological Reference Points

$F_{\text{Target}} = 0.25$

$F_{\text{Threshold}} = 0.29$

A/R stock has been managed with a Total Allowable Catch (TAC²) since 1990

Maintain current TAC² of 550,000 lb.

The TAC² will continue to be split evenly between commercial and recreational sectors

ASMA commercial TAC² = 275,000 lb.

ASMA recreational TAC² = 137,500 lb.

RRMA recreational TAC² = 137,500 lb.

ASMA Commercial Harvest (TAC² = 275,000 lb.)

18 in TL minimum size limit (ASMFC compliance requirement)

Continue to operate as a bycatch fishery

Spring season, anytime between Jan 1 – Apr 30

Fall Season, anytime between Oct 1 – Dec 31

Daily trip limits for striped bass

Maintain gill net mesh size and yardage restrictions

Maintain seasonal and area closures

Maintain attendance requirements for small mesh nets (mid – May through late November)

ASMA Recreational Harvest (TAC² = 137,500 lb.)

18 in TL minimum size limit

Daily creel limit (can be adjusted as necessary to keep harvest below the TAC²)

Open 7 days a week all season (can be adjusted as necessary to keep harvest below the TAC²)

Spring season, anytime between Jan 1 – Apr 30

Fall season, anytime between Oct 1 – Dec 31

RRMA Recreational Harvest (TAC² = 137,500 lb.)

18 in TL minimum size limit

Protective slot (no harvest): 22-27 in TL

² The term Total Allowable Catch does not accurately describe the existing management strategy, because the term “catch” refers to landings and discards. Since its inception the quota used to maintain striped bass harvest in the ASMA, RRMA, and CSMA at sustainable levels is for landings only, not landings and discards.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

Management Strategy	Implementation Status
<p>2 fish daily creel, only one of which can be greater than 27 in TL</p> <p>Harvest season in entire river opens on March 1 and closes on April 30 by rule since 2008</p> <p>Single barbless hook regulation from April 1 – June 30 in Inland waters above the US 258 Bridge</p> <p>Management of TACs² for ASMA and RRMA</p> <p>Short-term Overages: if the harvest point estimate exceeds the total TAC² by 10% in a single year, overage is deducted from the next year and restrictive measures implemented in the responsible fishery(ies)</p> <p>Long-term Overages: five-year running average of harvest point estimate exceeds the five-year running average of the total TAC² harvest by 2%, the responsible fishery exceeding the harvest limit will be reduced by the amount of the overage for the next five years. Should the target F be exceeded, then restrictive measures will be imposed to reduce F to the target level</p>	
<p>PROCLAMATION AUTHORITY For the ASMA, RRMA, and CSMA STRIPED BASS STOCKS:</p> <p>It should also be noted that under the provisions of this FMP the NCDMF Director and the NCWRC Chief of Inland Fisheries will maintain the ability to establish seasons, authorize or restrict fishing methods and gear, limit quantities taken or possessed, and restrict fishing areas as deemed necessary to maintain a sustainable harvest.</p>	<p>No additional regulatory action required</p>

² The term Total Allowable Catch does not accurately describe the existing management strategy, because the term “catch” refers to landings and discards. Since its inception the quota used to maintain striped bass harvest in the ASMA, RRMA, and CSMA at sustainable levels is for landings only, not landings and discards.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

FIGURES

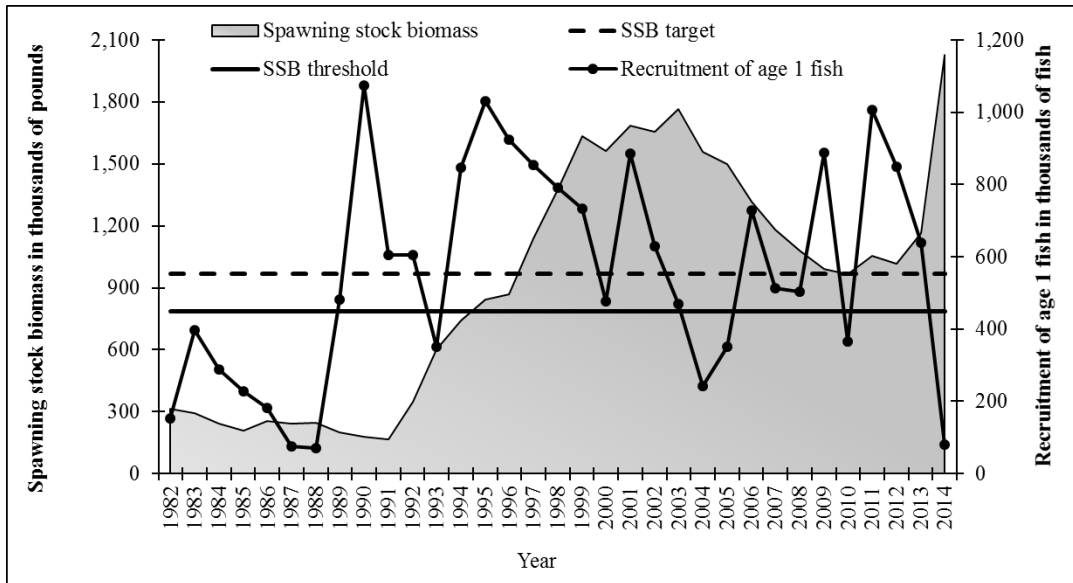


Figure 1. Albemarle/Roanoke striped bass female spawning stock biomass and recruitment (abundance of age-1), 1982-2014. Source: Stock Status Update of Albemarle Sound-Roanoke River Striped Bass, 2016.

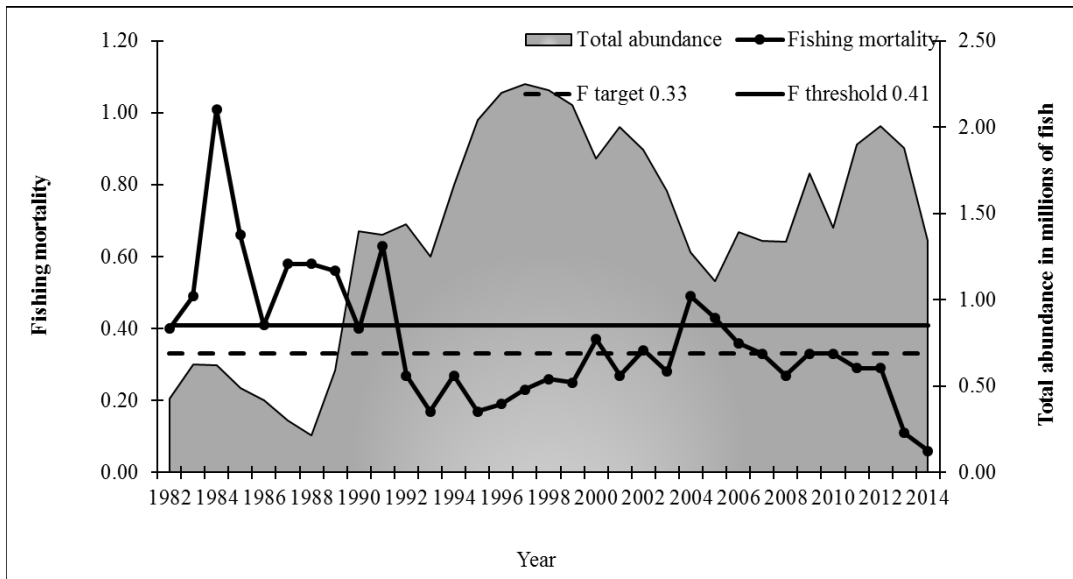


Figure 2. Albemarle/Roanoke striped bass total stock abundance and fishing mortality, 1982-2014. Source: Stock Status Update of Albemarle Sound-Roanoke River Striped Bass, 2016.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

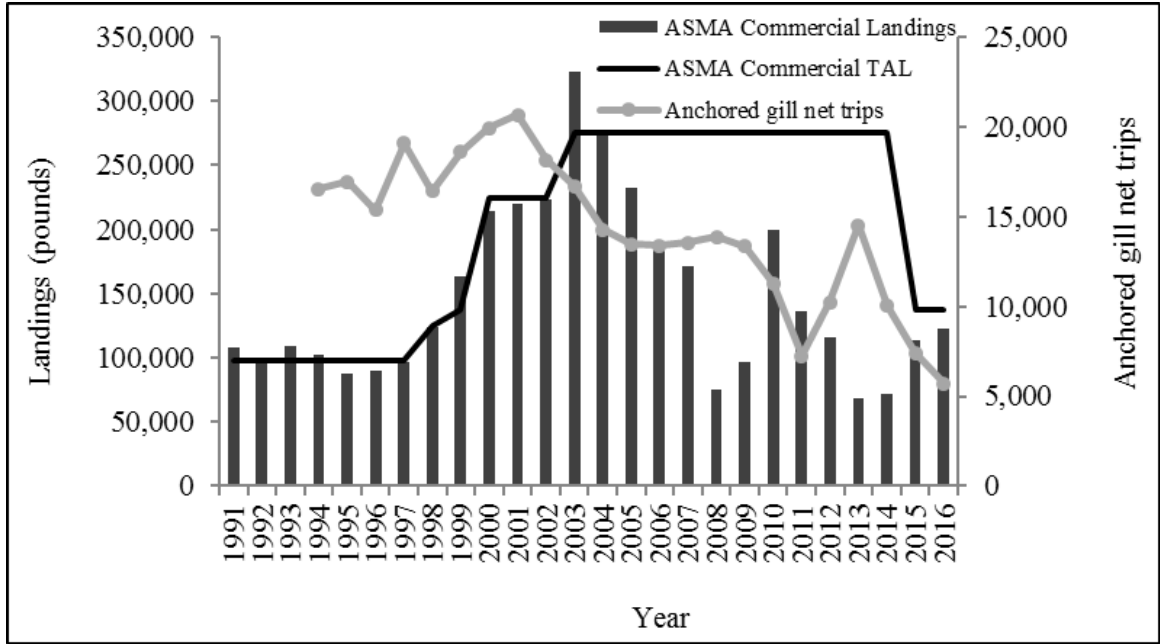


Figure 3. Commercial striped bass landings, TAL, and anchored gill net trips in the ASMA, NC, 1991-2014.

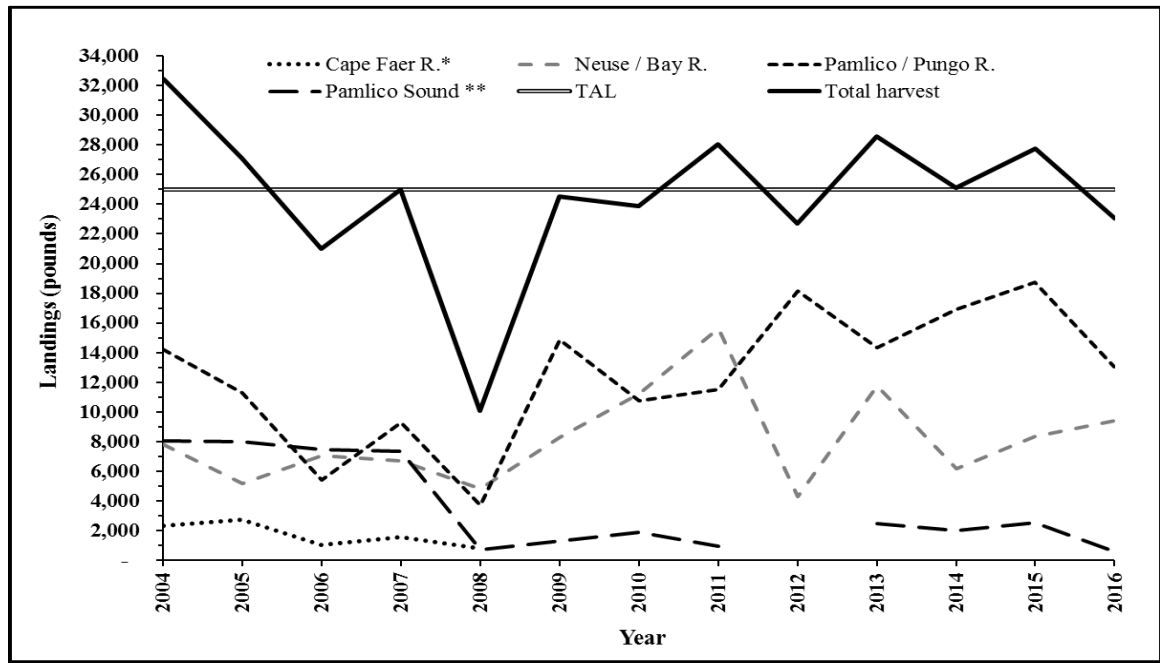


Figure 4. Commercial striped bass landings by system, and the TAL in the CSMA, NC, 2004-2016. *There has been a moratorium on harvest in the Cape Fear River since 2009. **Landings data for the Pamlico Sound in 2012 are confidential.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

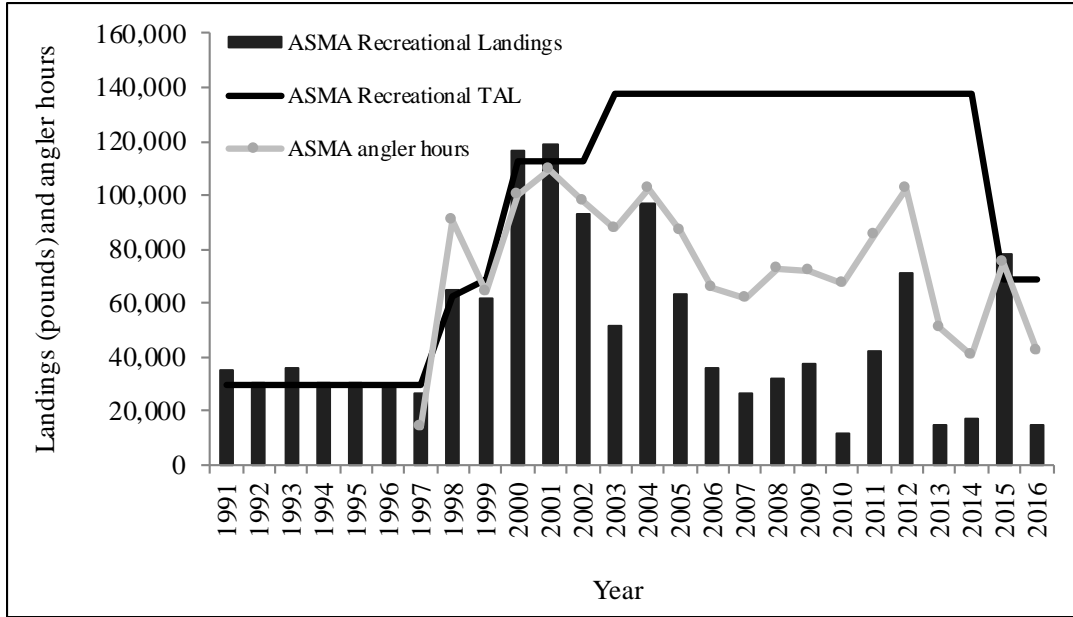


Figure 5. Recreational striped bass landings, TAL, and angler hours in the ASMA, NC, 1991-2016.

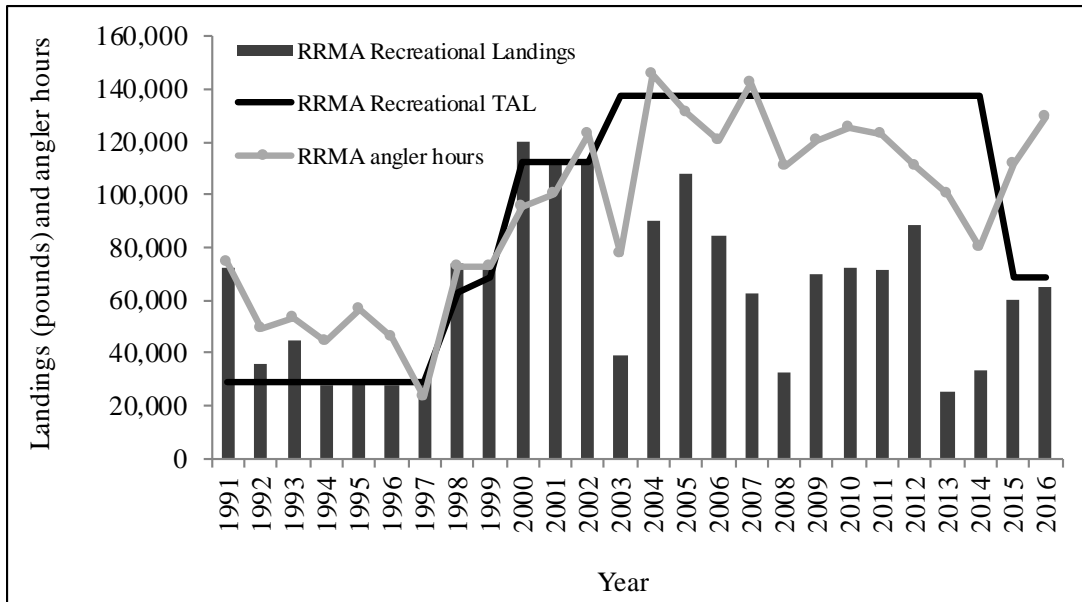


Figure 6. Recreational striped bass landings, TAL, and angler hours in the RRMA, NC, 1991-2016.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

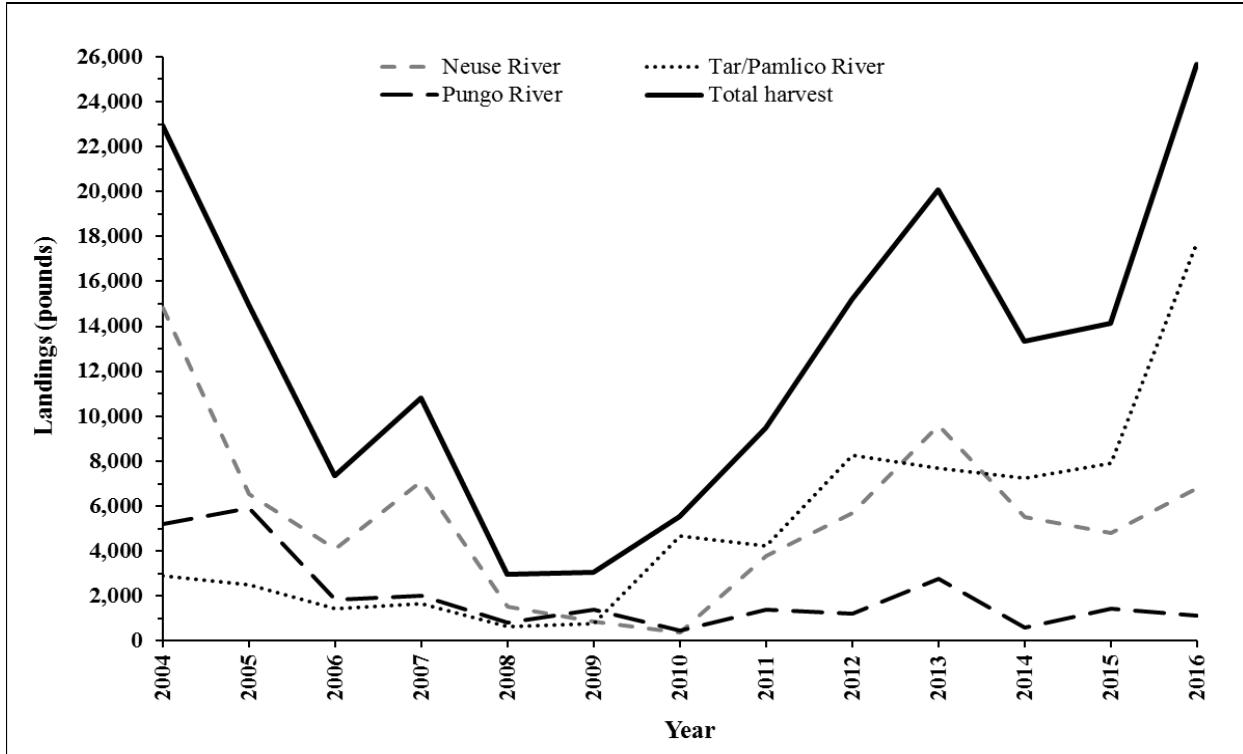


Figure 7. Recreational striped bass landings broken out by major river system in the CSMA, NC, 2004-2016.

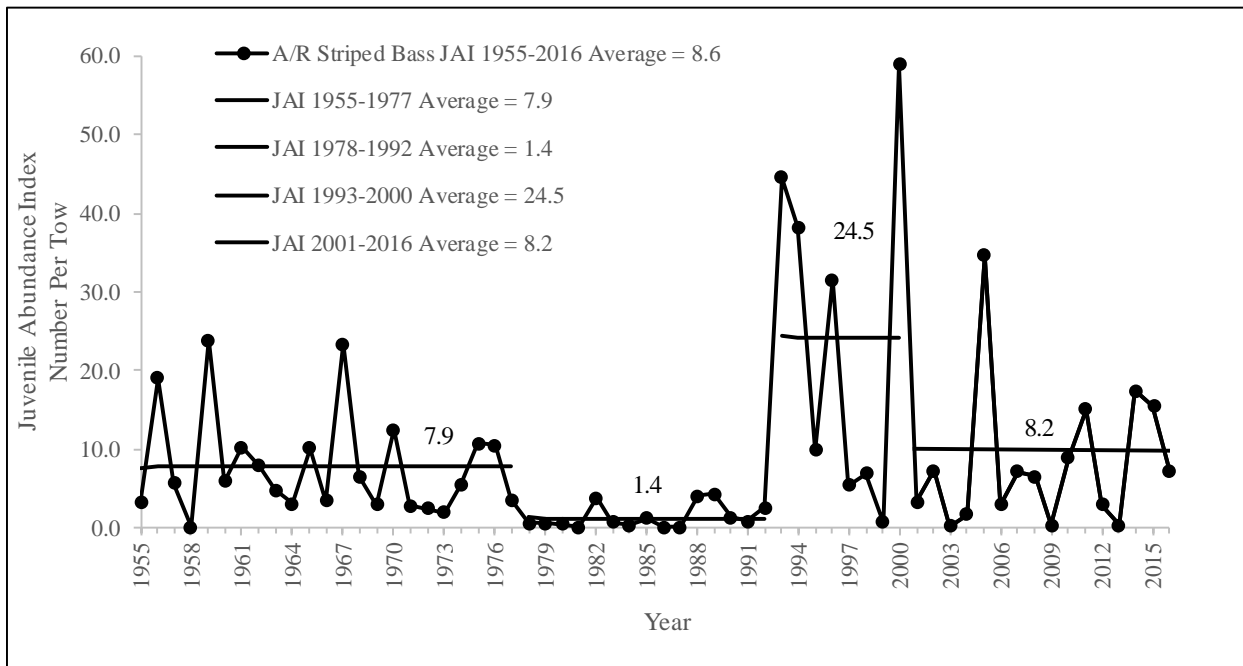


Figure 8. Juvenile abundance index (JAI) of Albemarle/Roanoke striped bass from the NCDMF juvenile trawl survey, western Albemarle Sound, NC, 1955-2016.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

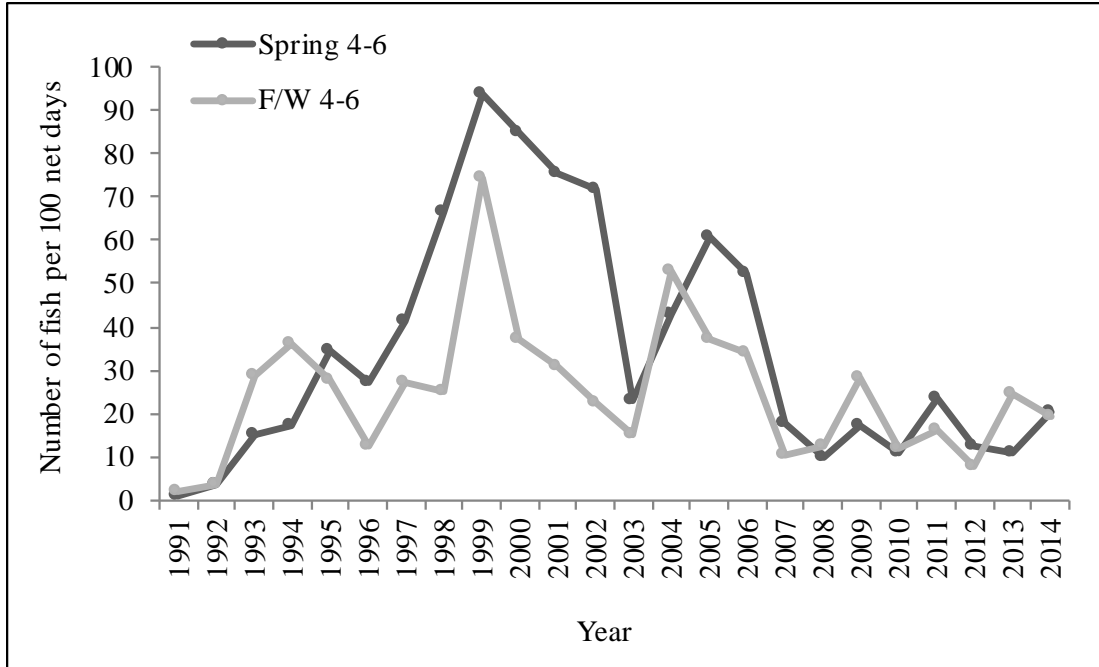


Figure 9. Relative abundance of age 4-6 Albemarle/Roanoke striped bass from the NCDMF fall/winter and spring independent gill net surveys, Albemarle Sound area, NC, 1991-2014. Source: Stock Status Update of Albemarle Sound-Roanoke River Striped Bass, 2016.

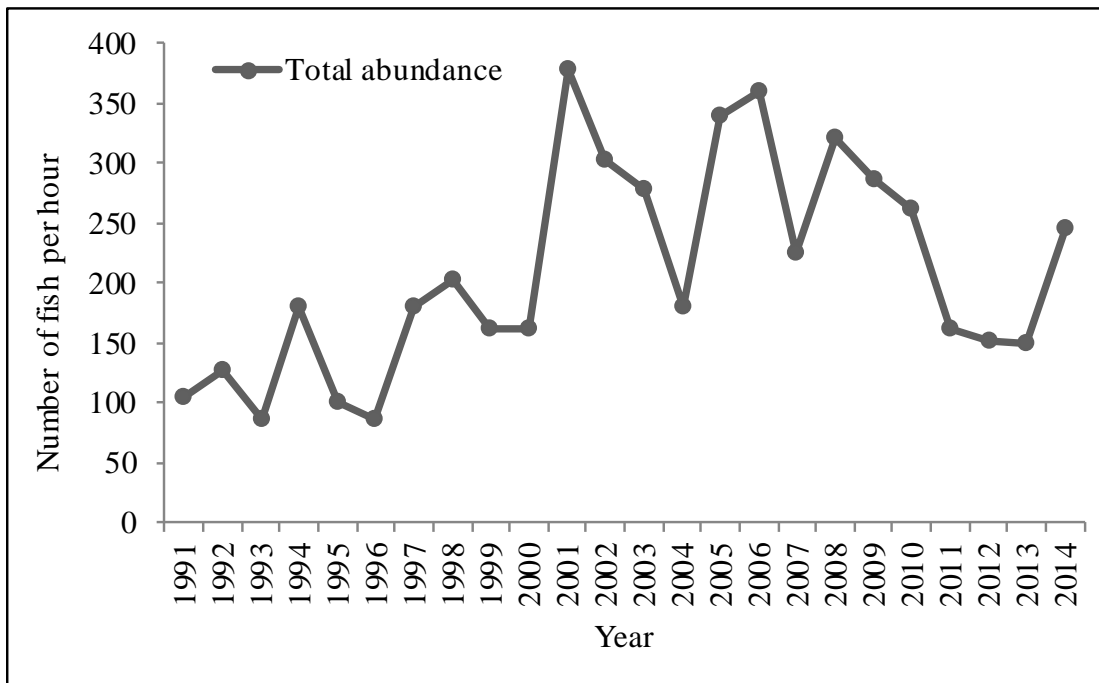


Figure 10. Relative abundance of Albemarle/Roanoke striped bass from the NCWRC spawning grounds electrofishing survey, Roanoke River at Weldon, NC, 1991-2014. Source: Stock Status Update of Albemarle Sound-Roanoke River Striped Bass, 2016.

STATE-MANAGED SPECIES – ESTUARINE STRIPED BASS

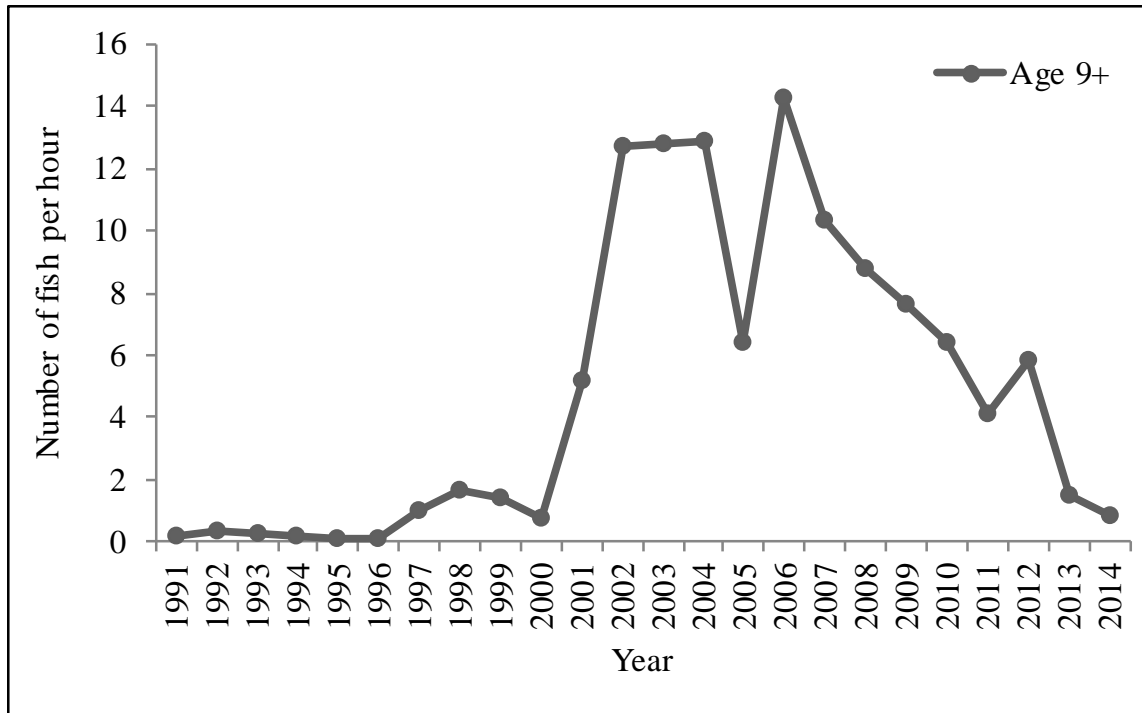


Figure 11. Relative abundance of age 9+ Albemarle/Roanoke striped bass from the NCWRC spawning grounds electrofishing survey, Roanoke River at Weldon, NC, 1991-2014. Source: Stock Status Update of Albemarle Sound-Roanoke River Striped Bass, 2016.

STATE-MANAGED SPECIES – HARD CLAM

**FISHERY MANAGEMENT PLAN UPDATE
HARD CLAM
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	August 2001
Amendments:	Amendment 1 – June 2008 Amendment 2 – February 2017
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	2022

The 2001 N.C. Hard Clam Fishery Management Plan (FMP) recommendations included adding a new mechanical clam harvest area in Pamlico Sound and rotating openings in this area with northern Core Sound, decreasing the daily harvest limit for mechanical harvest in Core Sound, changing some of the lease requirements, increasing relay of clams, and increasing funding for Shellfish Sanitation (NCDMF 2001).

The N.C. Hard Clam FMP Amendment 1, adopted in 2008 recommended the hard clam fishery from public bottom continue harvesting at current daily limits, eliminating the mechanical clam harvest rotation in Pamlico Sound, instituting a resting period in the northern Core Sound mechanical clam harvest area, and developing sampling programs to collect information necessary for the completion of a hard clam stock assessment (NCDMF 2008). Amendment 1 also endorsed several changes to the shellfish lease program to increase the accountability of the leaseholders and to improve public acceptance of the program.

The N.C. Hard Clam FMP Amendment 2, adopted by the N.C. Marine Fisheries Commission (NCMFC) in February 2017 recommended maintaining status quo on recreational harvest limits, eliminating mechanical harvest in Pamlico Sound by rule, instituting shading requirements for harvesters from April 1 to September 30, implementing modifications to shellfish lease provisions, and adding to convictions of theft on shellfish leases and franchises to the types of violations that could result in license suspension or revocation.

STATE-MANAGED SPECIES – HARD CLAM

Management Unit

All hard clams (*Mercenaria mercenaria*) occurring within North Carolina coastal waters.

Goal and Objectives

The goal of N.C. Hard Clam FMP is to manage hard clam stocks in a manner that achieves sustainable harvest and protects its ecological value. To achieve this goal, it is recommended that the following objectives be met:

1. Protect the hard clam stock from overfishing, while maintaining levels of harvest at sustained production, providing sufficient opportunity for both recreational and commercial hard clamming, and aquaculture.
2. Identify, develop, and promote research to improve the understanding of hard clam biology, ecology, population dynamics, and aquaculture practices.
3. Initiate, enhance, and continue studies to collect and analyze economic, social, and fisheries data needed to effectively monitor and manage the hard clam fishery.
4. Identify, develop and promote efficient hard clam harvesting practices while protecting habitat.
5. Promote the protection, restoration, and enhancement of habitats and water quality so that the production of hard clams is optimized.
6. Consider the socioeconomic concerns of all hard clam resource user groups, including market factors.
7. Promote public awareness regarding the status and management of the North Carolina hard clam stock.

STATUS OF THE STOCK

Stock Status

The status of the hard clam stock in North Carolina has been considered unknown due to the paucity of data available to assess the population, therefore benchmark reference values could not be determined for the stock (NCDMF 2017). Amendment 2 of the FMP recommends the status continue to be defined as unknown due to the continued lack of data needed to conduct a reliable assessment of the stock.

The statutory obligation to manage hard clams according to sustainable harvest cannot be met until the appropriate data are collected. While landings records reflect population abundance to some extent, the relationship is confounded by changes in harvest effort and efficiency.

STATE-MANAGED SPECIES – HARD CLAM

Stock Assessment

Data limitations prevent North Carolina Division of Marine Fisheries (NCDMF) from conducting a hard clam stock assessment and calculating sustainable harvest. Currently, the only data available for the stock in most areas are the commercial landings and associated effort. For this reason, the current assessment focused on trends in catch rates in the commercial hard clam fishery from 1994 through 2013 (NCDMF 2017). These catch rates should not be considered an unbiased representation of trends in population size, as fisheries-dependent data are often not proportional to population size due to a number of caveats and should be interpreted with caution if the interest is relative changes in the population.

The North Carolina commercial hard clam fishery is subject to trip limits, which could bias catch rates (Mike Wilberg, University of Maryland Center for Environmental Science, personal communication; John Walter, National Oceanic and Atmospheric Administration Fisheries, personal communication); that is, the trip limits can affect the amount of catch that is observed per unit effort, preventing the true value of the variable from being observed. A censored regression approach was applied to calculate an unbiased index of relative abundance using data collected from a fishery with trip limits. Preliminary analysis found that for years in which greater than or equal to 50 percent of transactions equaled or exceeded the trip limit in a particular water body, the censored regression produced nonsensical results. For this reason, such years were removed from those water bodies where this occurred. (Note: this was only an issue for mechanical harvest data)

Data were obtained from the North Carolina Trip Ticket Program for 1994 through 2013. The censored response variable (catch per unit effort—the number of clams per transaction) was fit within a Generalized Additive Models for Location Scale and Shape framework using the ‘*gamlss.cens*’ (Stasinopoulos et al. 2014) and ‘*survival*’ (Therneau 2014) packages in R (R Core Team 2014). Catch rates were estimated for both hand harvest and mechanical harvest in each of the major water bodies from which hard clams are harvested, and where sufficient data were available (see previous paragraph). Hand harvest occurs year-round and is summarized by calendar year. The majority of mechanical harvest occurs from December through March with some harvest occasionally allowed during other times of the year in specific areas; therefore, mechanical harvest is summarized by fishing year (December through March). Only landings from public bottom were examined because planting of seed clams, grow-out availability, and market demand often artificially drives landings from private leases. Fisheries-dependent catch rates were expressed as numbers harvested per transaction. Catch rates were consistently higher for mechanical harvest than for hand harvest.

The Mann-Kendall test was performed to evaluate trends in the annual percentages. The Mann-Kendall test is a non-parametric test for monotonic trend in time-ordered data and allows for missing values (Gilbert 1987). The test was applied to the percentage of trip limits for hand harvest and mechanical harvest by area. Trends were considered statistically significant at $\alpha = 0.05$.

Based on the Mann-Kendall test, there were significant increasing trends over time detected in eight areas for hand harvest: Bogue Sound, Core Sound, Inland Waterway, New River, Newport

STATE-MANAGED SPECIES – HARD CLAM

River, North River/Back Sound, Shallotte River, and White Oak River. A significant decreasing trend was found in the hand harvest catch rates in Pamlico Sound. The remaining water bodies showed no trend in hand harvest catch rates over time. The Inland Waterway, New River, Newport River, North River/Back Sound, and Stump Sound demonstrated significantly increasing trends in mechanical harvest catch rates over time. No trends were detected in Bogue Sound, Core Sound, or White Oak River catch rates for mechanical harvest.

Trends observed in fishery-dependent indices must be interpreted with strong caveats. In order for a fisheries-dependent index to be proportional to abundance, fishing effort must be random with respect to the distribution of the population and catchability must be constant over space and time. Other factors affecting the proportionality of fishery-dependent indices to stock size include changes in fishing power, gear selectivity, gear saturation and handling time, fishery regulations, gear configuration, fishermen skill, market prices, discarding, vulnerability and availability to the gear, distribution of fishing activity, seasonal and spatial patterns of stock distribution, change in stock abundance, and environmental variables. Many agencies, such as the NCDMF, do not require fishermen to report records of positive effort with zero catch; lack of these “zero catch” records in the calculation of indices can introduce further bias.

STATUS OF THE FISHERY

Current Regulations

Hard clams cannot be taken from any public or private bottom in areas designated as prohibited (polluted) by proclamation except for special instances for: Shellfish Management Areas (NCMFC Rule 15A NCAC 03K .0103), with a permit for planting shellfish from prohibited areas (NCMFC Rule 15A NCAC 03K .0104), and for the depuration of shellfish (NCMFC Rule 15A NCAC 03K .0107). Hard clams cannot be taken between the hours of sunset and sunrise of any day. Beginning in April 2014, time and temperature control measures were initiated for hard clams to prevent post-harvest growth of naturally-occurring bacteria that can cause serious illness in humans.

Public Bottom

The minimum size limit for hard clams is one-inch thickness (shell width). Daily commercial harvest limits on public bottom are no more than 6,250 hard clams (25 bags at 250 clams per bag) per fishing operation in any coastal fishing waters regardless of the harvest methods employed. Size, daily harvest limits, and season and area limitations do not apply in some situations on public bottom for: 1) temporary openings made on the recommendation of shellfish sanitation; and 2) maintenance dredging operations, where waste of the hard clam resource is apparent due to these activities and Shellfish Sanitation deem the area safe from public health risks.

The daily hand harvest limit on public bottom is 6,250 hard clams and the fishery is open year-round. Rakes no more than 12 inches in width or weighing no more than six pounds can be used to take hard clams in any live oyster bed, in any established bed submerged aquatic vegetation or in and established bed of salt water cordgrass.

STATE-MANAGED SPECIES – HARD CLAM

The public mechanical hard clam harvest season can occur from December 1 through March 31, and is opened by proclamation to only very specific locations. The mechanical harvest season usually begins the second Monday in December and extends through the week of March 31st. Harvest is allowed only from 7:30 a.m. to 4:00 p.m. on Monday through Friday until before the Christmas holiday and then Monday through Wednesday after December 25th for the remainder of the open harvest season.

Internal waters that can open to public mechanical hard clam harvest can only be in areas in Core and Bogue sounds, Newport, North, White Oak and New rivers and the Intracoastal Waterway north of "BC" Marker at Topsail Beach which have been opened at any time from January, 1979, through September, 1988. Public hard clam mechanical daily harvest limits vary by waterbody. In some instances mechanical harvest areas are rotated (alternately open and close) with other areas (Table 1). The White Oak River, New River, and the Intracoastal Waterway of Onslow and Pender counties (Marker 65 to the BC Marker at Banks Channel) are fished mainly with escalator dredges and are rotated on a yearly basis with maximum daily limits of 6,250 hard clams (25 bags at 250 hard clams per bag) per operation. The mechanical harvest area from Marker 72A to the New River Inlet is opened annually with a maximum daily harvest limit of 6,250 hard clams. The maximum daily harvest of 3,750 hard clams is allowed in North River, Newport River, and Bogue Sound (Table 1). Since 2008, upon adoption of Amendment 1 to the Hard Clam FMP, Core Sound has been divided into two areas and the northern area is open every other year while the southern portion is opened annually. Each area in Core Sound has a daily harvest limit of 5,000 hard clams per operation.

Recreational harvest limits from public bottom are 100 hard clams per person per day and no more than 200 hard clams per vessel. Hard clams can only be taken by hand for recreational purposes.

Private Bottom

Leases and franchises in internal waters must adhere to the minimum one-inch thick size limit for the sale of hard clams for consumption. There is no daily maximum harvest limit applied to the taking of hard clams from private bottom in internal waters. Public bottom must meet certain criteria in order to be deemed suitable for leasing for shellfish cultivation and there are specific planting, production, and marketing standards for compliance to maintain a shellfish lease or franchise. Also, there are management practices that must be adhered to while the lease is in operation, such as: marking poles and signs, spacing or markers, and removal of markers when the lease is discontinued.

Possession and sale of hard clams by a hatchery or aquaculture operation, and purchase and possession of hard clams from a hatchery or aquaculture operation are exempt from the daily harvest limit and minimum size restrictions. The possession, sale, purchase and transport of such hard clams must be in compliance with the Aquaculture Operation Permit. Leases that use the water column must also meet certain standards as outlined in G.S. 113-202.1 in order to be deemed suitable for leasing and aquaculture purposes.

STATE-MANAGED SPECIES – HARD CLAM

There is a specific application process to obtain a lease and a public comment process that is required before a shellfish lease is granted, allowing any member of the public to protest the issuance of a lease. Owners of shellfish leases and franchises must provide annual production reports to the NCDMF. Failure to furnish production reports can constitute grounds for termination. Cancellation proceedings will begin for failure to meet production requirements and interfering with public trust rights. Corrective action and appeal information is given prior to lease termination. A lease may be transferred to a new individual before the contract terms ends, however there are specific requirements to do so.

Commercial Landings

Hard clam harvest has fluctuated historically, often in response to changes in demand, improved harvesting, and increases in polluted shellfish area closures. Since 2007 it is known that about 90 percent (2007-2016 combined estimates) (NCDMF 2017) of the total commercial hard clam harvest come from public bottom in North Carolina. It is assumed that trends in hard clam landings from both sources (private and public bottom) combined can be attributed to changes in hard clam landings from public bottom since they make up the largest component to the overall harvest. Adverse weather conditions (i.e., hurricanes, heavy rain events) can impact the annual landings. One of the greatest impacts to clam harvest occurred in 1987-1988 due to red tide. The red tide was a dinoflagellate bloom that caused the closure of over 361,000 acres of public bottoms to shellfish harvest from November 1987 to May 1988. These closures affected 98 percent of the clam harvesting areas, and had its greatest impact on the clam fishermen. The dinoflagellate responsible for the red tide, *Karenia brevis*, produced a neurotoxin, which was concentrated in shellfish, making them unfit for consumption. Ten tropical cyclones (hurricanes and tropical storms) have made landfall in North Carolina since 1996 (<http://www.nc-climate.ncsu.edu>). Freshwater runoff after storm events often increase shellfish harvest area closures and causes a reduction in hard clam harvest effort for short term periods. Hard clams are a live product that have to go to market relatively quickly after harvest. Competition with hard clams grown in private culture from other states is also a known contributor to reduced market demand for wild harvested hard clams since a more consistent product can be provided from private grow out facilities.

Annual average hard clam landings from 2007-2016 was 19.1 million clams (Figure 1). Annual landings in 2011 were the lowest on record since 1975 at 15.1 million clams. There has been a slight uptick in hard clam landings since the low in 2011, but still are at one-fourth of their peak in the 1980s. Hard clams are a live product and must to go to market and sold relatively quickly after harvest because of a short shelf life. Competition with hard clams grown in private culture from other states is also a known contributor to reduced market demand for hard clams in the wild since a more consistent product can be provided from private growers.

Hand Harvest Fishery Off Public Bottom

Hand harvest from public areas is a year-round fishery and has average landings of 14.7 million clams a year (2007-2013) (Figure 2; NCDMF 2017). Most hand harvest for clams occurs in the spring and summer when warm water is conducive to wading. Annual public hand harvest for

STATE-MANAGED SPECIES – HARD CLAM

hard clams has remained fairly constant overall, with some yearly fluctuations from 2007 to 2016 (Figure 2; NCDMF 2017).

Mechanical Harvest Fishery Off Public Bottom

Hard clam landings from public harvest, using mechanical methods, has average landings of 2.5 million clams each fishing year (2006-2007 to 2015-2016) (Figure 2). The mechanical clam harvest season usually has the highest landings at the beginning of the fishing season in December and declines as the season progresses. Landings outside of the usual mechanical clam harvest season are from temporary openings for the maintenance of channels and temporary openings in Core Creek when bacteriological levels are at acceptable levels to harvest clams. Hard clam landings and trips fluctuate from fishing year to fishing year and appear to be greatly influenced by harvest from the New River mechanical harvest area. Since 1994, when the public mechanical harvest area of New River is open, 48 to 97 percent of the total mechanical harvest landings are from this area (NCDMF 2017).

Private Culture

The NCDMF administers the shellfish lease program whereby state residents may apply to lease estuarine bottom and water columns for the commercial production of shellfish. The NCDMF does not differentiate between clam, oyster, bay scallop, and mussel leases; therefore allowing shellfish growers to grow out multiple species simultaneously or as their efforts and individual management strategy allows. For the period of 2007-2013, roughly 35 percent of all private culture operations harvested only clams (NCDMF 2017).

Private enterprise has provided over 10 percent of the total commercial hard clam harvest in North Carolina between 2007 and 2016 (Figure 3). The annual average hard clam landings from 2007 to 2017 from private production were 1.9 million clams.

Recreational Landings

The recreational harvest of hard clams in North Carolina does not require a fishing license, and due to this the total amount of recreational landings cannot be estimated and remains unknown. However, a mailout survey has been used since 2010 to estimate harvest from Coastal Recreational Fishing License holders. This population of recreational harvesters makes up an unknown proportion of total recreational harvest, but still provides insight into catch rates, harvest trends, and scale of harvest. In 2010 surveys were only mailed out November and December, so harvest and effort estimates are very low (Table 2). Effort has been consistent in all full years of the survey (2011-2016). Harvest and catch rate have seen minimal fluctuations, except for 2016, which was well below average for both. This is most likely due to large rainfall events in July and August which caused widespread shellfish closures.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

STATE-MANAGED SPECIES – HARD CLAM

Currently, the only data available for the stock in all areas are the commercial landings and associated effort from the Trip Ticket Program. Sampling of commercial catches of hard clams has been ongoing in the Southern District, Morehead City Office since 1998. Additional sampling of other areas followed later as funding became available for expansion. Hard clam catches are sampled at the dealers year round when available. Trip ticket information is also obtained of the total catch in the trip. Information on the location(s) of the catch also is obtained in as much detail as possible (e.g. water body, nearest landmark, marker number, etc.). Questions to the fisherman include: What gear or gears were used, gear parameters, (i.e. length of teeth, width of escalator, headrope length), how many minutes fished with each gear, location and depth of water fished. Additional questions include whether the catch came from public bottom or leased bottom, and if catch originated from a NCDMF Shellfish Rehabilitation area. Biological information on landed catch of hard clams is collected, including: shell length (mm) and shell width (depth) (in millimeters) by market grade.

A total of 51,405 hard clams were measured from 2007 to 2016 at fish houses (Table 3). Mean shell length (in millimeters) has ranged from 60 mm (2.4 inches) to 69 mm (2.7 inches) in that timeframe with a minimum shell length of 27 mm (1.1 inch) to a maximum shell length of 120 mm (4.7 inches) for clams measured at the fish house (Table 3).

Fishery-Independent Monitoring

A fisheries-independent monitoring program (Program 640) is currently underway in Core Sound to provide baseline data on hard clam abundance and gather environmental information. In the future, it may be possible to expand this sampling into other areas to evaluate the entire population. Thirty randomly selected stations are sampled each year within three strata. The three designated strata were: Shellfish Mapping Strata (ST), Known Fishing Areas (FA), and Closed Shellfish Areas (CA). Sampling is performed at each station location within each stratum using small patent tongs on a 25-ft flat bottom boat. The patent tongs have an opening of 0.51 square meters. Samples are by station and three samples at each station are taken.

All hard clams are measured for thickness and length to the nearest millimeter using calipers. Environmental data collected includes depth (in meters), surface and bottom salinity (parts per thousand), surface and bottom temperature (degrees Celsius), surface and bottom dissolved oxygen (milligrams per liter), secchi depth (meter), weather and wind elements, water level, distance from shore, and altered state. Sediment type is qualitatively described.

Very few hard clams are caught in this program due to the nature of the gear and random stratified sampling design. The Catch per Unit Effort (CPUE) or number of clams per station has ranged annually from 0.39 to 1.27 clams per station from 2007 to 2016 (Table 4). No trend is apparent from this sampling, but it is considered a short time series with only 10 years in development (Figure 4).

MANAGEMENT STRATEGY

There are no management triggers or methods to track stock abundance, fishing mortality, or recruitment between benchmark reviews from the current FMP. Landings and effort have

STATE-MANAGED SPECIES – HARD CLAM

decreased over time. There are no data to track the recreational fishery.

Amendment 2 was adopted in February 2017 with rule changes in effect May 1, 2017. The selected management strategies of the Marine Fisheries Commission from Amendment 2 for hard clams taken from public bottom included:

- removing the Pamlico Sound mechanical clam harvest areas in rule no longer in use
- taking latitude/longitude coordinates of the poles marking the open mechanical clam harvest area in New River

For private culture of hard clams, the preferred management options in draft Amendment 2 included:

- adding convictions for theft of shellfish from leases or franchises to the list of convictions that may result in revocation of fishing licenses to implement stronger deterrents to shellfish theft and intentional aquaculture gear damage
- clarifying how production and marketing rates are calculated for shellfish leases and franchises to meet minimum production requirements
- expanding the maximum proposed lease size to 10 acres in all areas
- specifying criteria that allow a single extension period for shellfish leases of no more than two years per contract period to meet production and marketing requirements in the case of unforeseen circumstances, and reorganize the rules for improved clarity.

Amendment 2 also recommended implementing shading requirements for clams on a vessel, during transport to a dealer, or storage on a dock from June through September.

See Table 5 for Marine Fisheries Commission selected management options under Amendment 2.

RESEARCH NEEDS

See Table 5 for current management strategies and implementation status of each under Amendment 2.

The specific research recommendations from Amendment 2, with its priority ranking are provided below. The prioritization of each research recommendation is designated either a HIGH, MEDIUM, or LOW standing. A low ranking does not infer a lack of importance but is either already being addressed by others or provides limited information for aiding in management decisions. A high ranking indicates there is a substantial need, which may be time sensitive in nature, to provide information to help with management decisions. Proper management of the hard clam resource cannot occur until some of these research needs are met, the research recommendations include:

- Support all proposed implementation actions under the priority habitat issue on sedimentation in the CHPP – HIGH (Ongoing)
- Improve the reliability for estimating recreational shellfish harvest – HIGH (Incomplete)
- Survey commercial shellfish license holders without a record of landings to estimate hard clam harvest from this group – MEDIUM (Incomplete)

STATE-MANAGED SPECIES – HARD CLAM

- Determine the consequences to hard clams from impacts to habitat due to harvest practices – LOW (Incomplete)
- Develop regional juvenile and adult abundance indices – HIGH (Incomplete)
- Complete socioeconomic surveys of recreational clam harvesters – MEDIUM (Incomplete)
- Continue to complete socioeconomic surveys of commercial clam fishermen – LOW (Incomplete)
- Support collaborative research to more efficiently track bacterial sources for land-based protection and restoration efforts – MEDIUM (Ongoing)
- Quantify the relationship between water quality parameters and the cumulative effect of shoreline development units - MEDIUM (Incomplete)
- Investigate impacts of clam trawls and escalator dredges on sandy bottom environments – LOW (Incomplete)
- Investigate the effects of mechanical harvest on clam recruitment and clam mortality in the mechanical harvest areas – MEDIUM (Incomplete)

FISHERY MANAGEMENT PLAN RECOMMENDATION

Recommend maintain the current timing of the Benchmark Review. Amendment 2 of the N.C. Hard Clam FMP was adopted by the NCMFC in February 2017 with rule changes in effect on May 1, 2017.

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STATE-MANAGED SPECIES – HARD CLAM

TABLES

Table 1. Current daily mechanical hard clam harvest limits by water body. Season can only be opened from December 1 through March 31 by proclamation.

Waterbody	Daily harvest limit (number of clams)	Additional information
Northern Core Sound	5,000	Rotates one year open and one year closed opposite the open/close rotation of the New River
Southern Core Sound	5,000	Limit reduced from 6,250 in 2001. Open annually
North River	3,750	Open annually
Newport River	3,750	Open annually
Bogue Sound	3,750	Open annually
White Oak River	6,250	Rotates one year open and one year closed opposite the open/close rotation of the New River
New River	6,250	Rotates one year open and one year closed opposite the open/close rotation of the White Oak River and the ICW in the Onslow/Pender counties areas
New River Inlet	6,250	Open annually from Marker 72A to the New River Inlet
ICW Onslow/Pender counties area	6,250	Intracoastal Waterway (maintained marked channel only) from Marker #65, south of Sallier's Bay, to Marker #49 at Morris Landing. All public bottoms within and 100 feet on either side of the Intracoastal Waterway from Marker #49 at Morris Landing to the "BC" Marker at Banks Channel. Open every other year when the New River is closed.

STATE-MANAGED SPECIES – HARD CLAM

Table 2. Estimated number of trips, number of clams harvested, and catch rate (clams per trip) per year of Coastal Recreational Fishing License holders, 2010-2016

Year	Number Trips	Clam Harvest	Catch Rate
2010	528	8731	18.4
2011	6350	127597	22.9
2012	6726	146151	27.3
2013	8644	191842	26.2
2014	6325	162656	28.8
2015	7637	166419	27.4
2016	8456	84199	12.3

Table 3. Observed annual mean, minimum and maximum shell length (mm) of hard clams measured from commercial catches at the dealer, 2007 – 2016.

Year	Mean Shell Length	Min Shell Length	Max Shell Length	Total Number measured
2007	66	41	111	1,406
2008	69	41	120	1,383
2009	64	39	112	1,862
2010	63	39	104	5,358
2011	64	38	111	10,670
2012	62	40	109	5,851
2013	63	40	108	4,750
2014	60	27	115	7,447
2015	60	34	111	6,218
2016	60	30	105	6,460
10 year average	63	27	120	51,405

STATE-MANAGED SPECIES – HARD CLAM

Table 4. Independent hard clam sampling (Program 640) annual estimates of catch per unit effort (CPUE=Number of clams per station) and their standard deviations, 2007 to 2016 for Core Sound.

Year	Total number of stations	Number of stations with zero catch	Number of clams	CPUE (Number of clams/station)	Standard deviation
2007	30	22	20	0.67	1.54
2008	31	24	12	0.39	0.80
2009	30	15	38	1.27	1.82
2010	30	19	22	0.73	1.36
2011	30	26	14	0.47	2.03
2012	30	17	21	0.70	1.21
2013	30	25	16	0.53	1.53
2014	30	24	21	0.70	1.78
2015	30	22	15	0.50	0.50
2016	30	22	16	0.53	0.23

Table 5. Summary of the Marine Fisheries Commission selected management strategies from Amendment 2 of the N.C. Hard Clam Fishery Management Plan.

Management strategies	Implementation status
MANAGEMENT OF PUBLIC BOTTOM	
1. Status quo (Continue the daily harvest limit for recreational purposes at 100 clams per person per day not to exceed 200 per clams per vessel per day)	No action required
2. Status quo (Maintain management of the mechanical clam harvest in existing areas from Core Sound south to Topsail Sound, including modifications to the mechanical clam harvest lines to exclude areas where oyster habitat and SAV habitat exist based on all available information)	No action required
3. Remove the Pamlico Sound mechanical clam harvest areas in rule no longer in use	Rule change to 15A NCAC 03K .0302 in effect May 1, 2017
4. Take latitude/longitude coordinates of the poles marking the open mechanical clam harvest area boundary in the New River, still with the flexibility to move a line to avoid critical habitats	Completed in 2015
5. Allow mechanical clam harvesters to have access to the bottom before maintenance dredging occurs	No action required
6. Status quo (Maintain current definitions and enforcement of hand harvest methods)	No action required
7. Allow Shellfish License holders to be eligible to acquire a Standard Commercial Fishing License after they show a history of sale of shellfish. Continue to allow commercial	No action required

STATE-MANAGED SPECIES – HARD CLAM

Management strategies	Implementation status
harvest of all other shellfish (clams included) as currently allowed	
PRIVATE CULTURE	
1. Support modification of G.S. 113-208 and G.S. 113-269 to add minimum fines for violations on shellfish leases and franchises. With minimum fines set at \$500 for the first violation and \$1,000 for the second violation	Amend G.S. 113-208 and G.S. 113-269
2. Support modification of G.S. 113-269 to include protection to all shellfish leases and franchises, not just those with water column amendments	Amend G.S. 113-269
3. Modify Rule 15A NCAC 03O .0114, regardless whether statute changes occur, so that a first conviction under G.S. 113-208 or G.S. 113-269 the Fisheries Director shall revoke all licenses issued to the licensee	Rule change to 15A NCAC 03O .0114 in effect May 1, 2017
4. Status quo (Adhere to Regional Conditions of USACE NWP48 with no adverse effect to SAV from shellfish leases and following measure identified in the interim)	No action required
5. Continue the moratorium of shellfish leases in Brunswick County	No action required
6. Establish a rule to support extensions for where “Acts of God” prevent lease holder from making production, with a two year extension and only one extension allowed per term	Rule change 15A NCAC 03O .0201 in effect on May 1, 2017
7. Allow leases returned to the state to remain delineated for a period of one year to allow the pre-existing leased bottom to be re-issued to other shellfish growers	Amend G.S. 113-202
8. Improve public notice of proposed lease applications on the physical lease, at fish houses, and/or through electronic notices	Ongoing
9. Allow a maximum of ten acres in both mechanical methods prohibited areas and mechanical methods allowed areas	Rule change 15A NCAC 03O .0201(a)(3) in effect on May 1, 2017
ENVIRONMENT AND PUBLIC HEALTH	
1. Implement shading requirements for clams on a vessel, during transport to a dealer, or storage on a dock during June through September. These requirements would be implemented as a public health protection measure under 15A NCAC 03K .0110 by proclamation annually.	Existing proclamation authority, implemented beginning April 1, 2017

STATE-MANAGED SPECIES – HARD CLAM

FIGURES

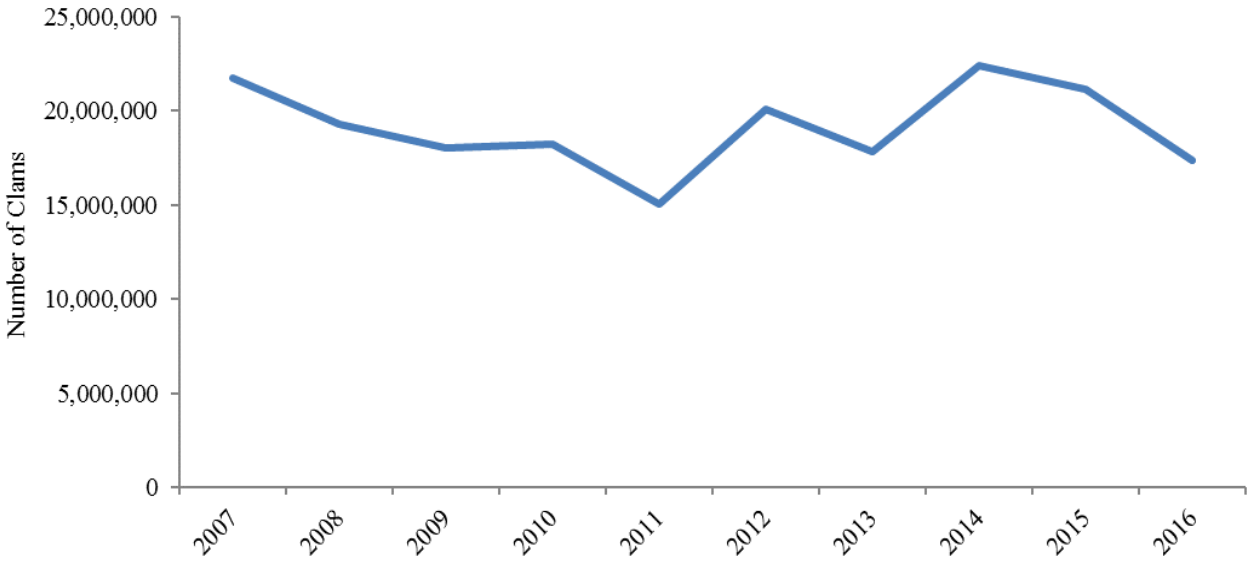


Figure 1. Annual hard clam landings (millions of clams) from private and public bottom in North Carolina, 2007 - 2016.

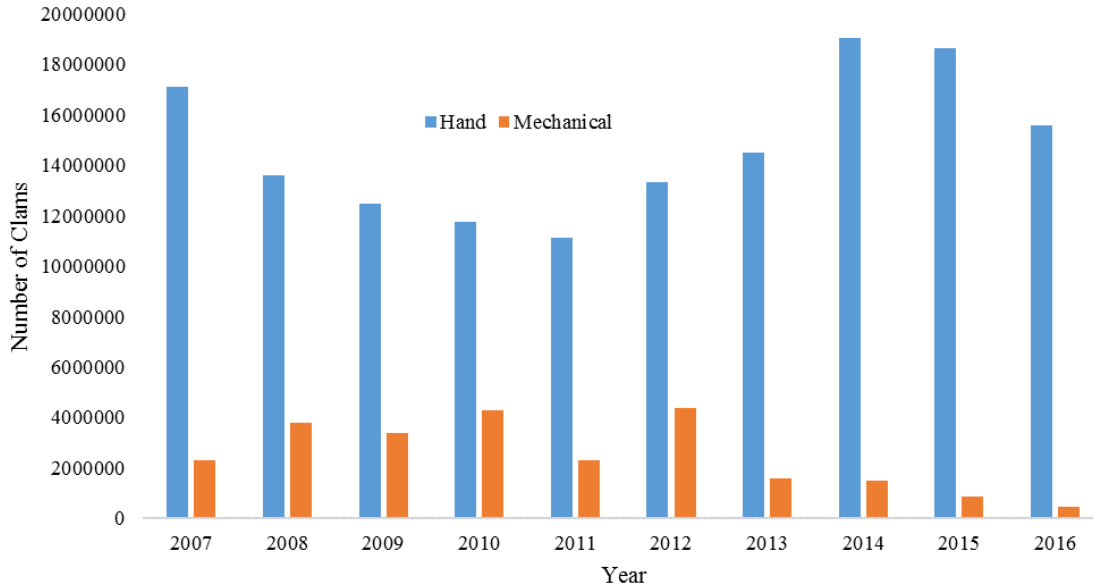


Figure 2. Annual hard clam landings (Number of clams) from hand and mechanical harvest off of public bottom, 2007 - 2016.

STATE-MANAGED SPECIES – HARD CLAM

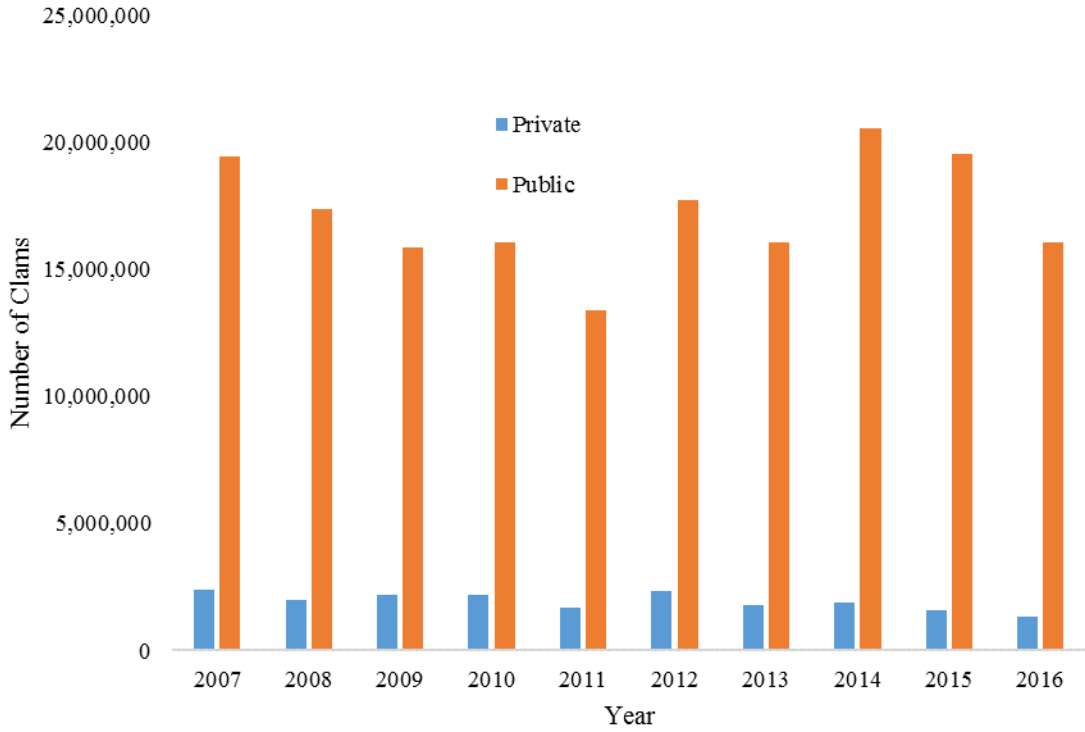


Figure 3. Annual hard clam landings (Number of clams) from private and public bottom, 2007 - 2016.

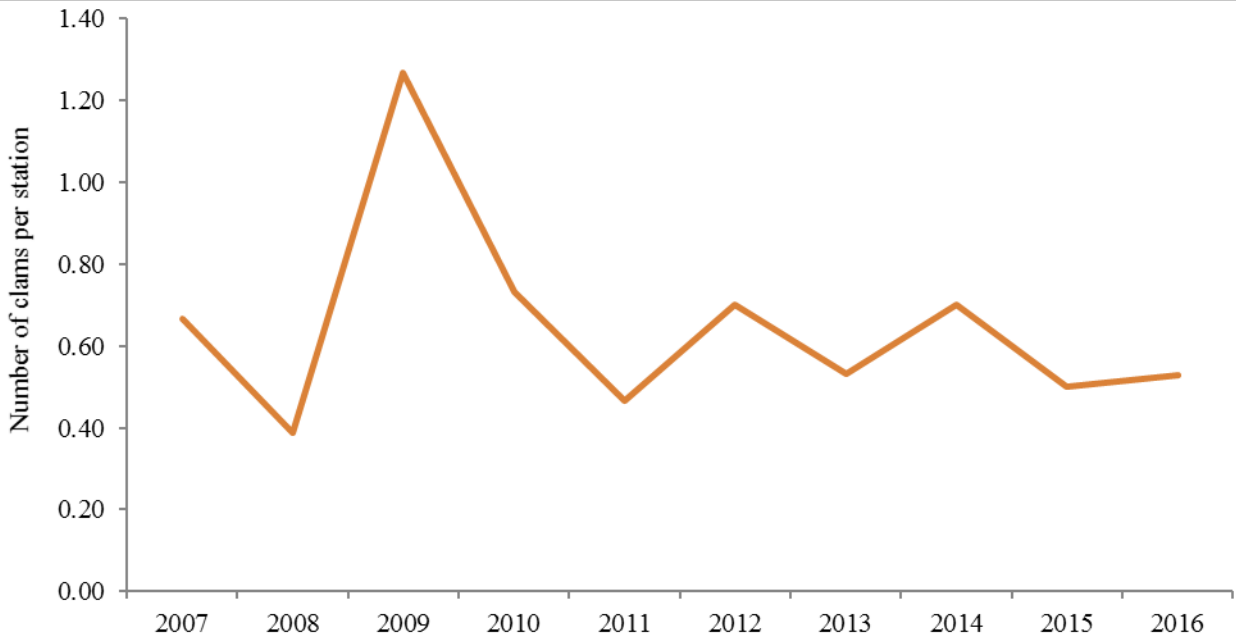


Figure 4. Annual catch per unit effort (Number of clams per stations) of hard clams in Core Sound from the independent sampling program 640, 2007 - 2016.

STATE-MANAGED SPECIES – KINGFISHES

**FISHERY MANAGEMENT PLAN UPDATE
KINGFISHES
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	November 2007
Amendments:	None
Revisions:	None
Supplements:	None
Information Updates:	November 2015
Schedule Changes:	None
Next Benchmark Review:	July 2020

The original 2007 Kingfish Fishery Management Plan (FMP) developed management strategies that ensure a long-term sustainable harvest for recreational and commercial fisheries of North Carolina. The plan established the use of trend analysis and management triggers to monitor the viability of the stock. The N.C. Marine Fisheries Commission (NCMFC) also approved a rule which included proclamation authority for the North Carolina Division of Marine Fisheries (NCDMF) director the flexibility to impose restrictions on season, areas, quantity, gear, or size of kingfish (NCMFC Rule 15A NCAC 03J .0202), if needed. An Information Update was completed for the Kingfish FMP in November of 2015. The best available data and techniques used for the trend analysis and management triggers were refined and modified to better assess population trends as part of this FMP Information Update.

Management Unit

The North Carolina Kingfish FMP includes the three species of kingfishes (southern, Gulf, and northern) in all coastal fishing waters of North Carolina. Southern kingfish is designated as the indicator species for this assemblage. The management unit identified in this plan does not encompass the entire unit stock range for any of the three species of kingfishes inhabiting North Carolina. This is the primary reason that a quantified state-specific stock assessment could not be conducted and further why a regional stock assessment approach is recommended as the most appropriate mechanism for determining the stock status and the long-term viability of this stock (NCDMF 2007).

STATE-MANAGED SPECIES – KINGFISHES

Goal and Objectives

The goal of the 2007 Kingfish Fishery Management Plan is to determine the status of the stock and ensure the long-term sustainability for the kingfishes stock in North Carolina (NCDMF 2007). To achieve this goal, it is recommended that the following objectives be met:

1. Develop an objective management program that provides conservation of the resource and sustainable harvest in the fishery.
2. Ensure that the spawning stock is of sufficient capacity to prevent recruitment overfishing.
3. Address socio-economic concerns of all user groups.
4. Restore, improve, and protect critical habitats that affect growth, survival, and reproduction of the North Carolina stock of kingfishes.
5. Evaluate, enhance, and initiate studies to increase our understanding of kingfishes' biology and population dynamics in North Carolina.
6. Promote public awareness regarding the status and management of the North Carolina kingfishes stock.

STATUS OF THE STOCK

Stock Status

The 2016 stock status for kingfish in North Carolina is viable. The stock status is based on an annual evaluation of trends in various fishery independent abundance indices and relative fishing mortality. A coast-wide stock assessment is a high research priority that needs to be addressed before biological reference points relative to overfished and overfishing can be determined.

Stock Assessment

The 2007 Kingfish FMP selected the use of trend analysis with management triggers as the management strategy to monitor the viability of the kingfish stock in North Carolina (NCDMF 2007). During the review of the 2007 Kingfish FMP as part of the 2015 FMP Information Update, best available data and techniques used for the trend analysis and management triggers were refined and modified to better assess population trends. The trend analysis incorporates management triggers to alert NCDMF and NCMFC to the potential need for management action based on stock conditions. The activation of any two management triggers (regardless of trigger category) two years in a row warrants further evaluation of the data and potential management action. The analysis is updated each year and all trends relative to management triggers are provided as part of this annual update. Current management triggers are based on fishery independent indices of abundance for Young Of Year (YOY), adult fish, the proportion of catch greater than size at 50 percent maturity (L_{50}) and a relative fishing mortality index. YOY fish

STATE-MANAGED SPECIES – KINGFISHES

includes new fish that enter the population that year. L_{50} is the length at which 50 percent of the adult population is sexually mature and ready to spawn.

A formal quantitative stock assessment is not available for kingfish in North Carolina; therefore, no determination can be made relative to an overfishing or overfished status. Prior attempts at a stock assessment during the 2007 FMP development were not successful, primarily due to limited data. From these prior attempts, all reviewers noted a lack of migration (mixing) data to determine the movement patterns of kingfishes along North Carolina and the entire Atlantic coast. A regional (multi-state) stock assessment approach is likely needed to best determine the stock status for kingfish along the Atlantic coast including North Carolina. In 2008 and 2014, Atlantic States Marine Fisheries Commission (ASMFC) South Atlantic Board met to consider regional management by reviewing data on kingfishes. However, due to no major concerns with kingfish stocks, it was decided no further action was necessary. As a result, kingfish management in North Carolina continues to fall solely within the framework of the state FMP process.

STATUS OF THE FISHERY

Current Regulations

For shrimp or crab trawls, there is a 300-pound trip limit for kingfishes south of Bogue Inlet from December 1 through March 31 (NCMFC Rule 15A NCAC 03J .0202(5)). No other harvest limits are in place specific to kingfish in any other fisheries.

Commercial Landings

Commercial landings for kingfishes include southern, northern, and Gulf kingfishes combined. Landings have fluctuated historically, but have been on an increasing trend since 2011. The 2016 landings increased six percent from 2015 (Figure 1). The vast majority of kingfishes landed are from the ocean gill net fishery. The average landings from 2007 to 2016 was 538,393 pounds. Harvest of kingfishes is seasonal with peak landings in April and November. Peaks in landings coincide with seasonal movements of kingfishes along the Atlantic coast.

Recreational Landings

Recreational landings for kingfish include southern, northern, and Gulf kingfishes. Total recreational landings have been on an increasing trend since 1983. 2015 had the highest landings on record, with 2016 landings decreasing 46 percent from the prior year (Figure 2). Most kingfishes are landed from the ocean and the majority of the fish are caught from man-made structures, such as piers, jetties, or bridges, or from beaches. A smaller portion of kingfishes are caught in estuarine waters of the state and the majority of those fish are harvested by anglers fishing from private vessels. Recreational harvest of kingfishes is also seasonal with the majority of fish harvested during the spring and the fall, and lowest during the summer.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

STATE-MANAGED SPECIES – KINGFISHES

Kingfishes are sampled from a variety of commercial fishery surveys, including the estuarine long haul, ocean trawl, pound net, ocean gill net, estuarine gill net and ocean beach seine fisheries in N.C. A total of 52,576 kingfishes were measured from 2007 to 2016 [(45,981 southern, 3,541 northern and 3,054 Gulf) (Table 1)]. Mean length for southern kingfish ranged from 290 to 308 mm, with a minimum of 146 mm and a maximum of 558 mm. Mean length for northern kingfish ranged from 315 to 340 mm, with a minimum of 110 mm and a maximum of 445 mm. Mean length for Gulf kingfish ranged from 305 to 338 mm for with a minimum of 188 mm and a maximum of 447 mm.

Fishery-Independent Monitoring

Fishery-independent data are collected through the NCDMF Pamlico Sound Survey (Program 195), the Southeast Area Monitoring and Assessment Program – South Atlantic (SEAMAP-SA) Coastal Survey and the NCDMF Independent Gill Net Survey (Program 915). The Pamlico Sound Survey catches the most kingfishes of any of the NCDMF fishery independent sampling programs, and the majority of those are southern kingfishes. This survey has been running uninterrupted since 1987. From 1991 to present, the Pamlico Sound Survey has been conducted during the middle two weeks in June and September. The stations sampled are randomly selected from strata based upon depth and geographic location. Tow duration is 20 minutes at 2.5 knots using the R/V Carolina Coast pulling double rigged demersal mongoose trawls. The sample area covers all of Pamlico Sound and its bays, as well as Croatan Sound up to the Highway 64 Bridge, the Pamlico River up to Blounts Bay, the Pungo River up to Smith Creek, and the Neuse River up to Upper Broad Creek. However, most kingfish are caught in Pamlico Sound proper, and very few from the Neuse, Pamlico, and Pungo rivers. The September portion of the Pamlico Sound Survey is used to calculate a young of year (YOY) index of relative abundance because there are more southern kingfish collected in the fall, and more YOY are present in the catch at this time. The relative index derived from Programs 195 survey was calculated using a stratified generalized linear model (GLM) approach. The Program 195 YOY relative abundance index peaked in 2009, but has been on a decreasing trend since 2013 (Figure 6; Table 3).

The SEAMAP-SA Coastal Survey is conducted by the South Carolina Department of Natural Resources-Marine Resources Division, and provides long-term fishery independent data on the distribution and relative abundance of coastal species (Cowen and Zimney 2016). Stations are randomly selected from a pool of stations in each stratum, and sampled using paired mongoose-type Falcon trawls with tow times of 20 minutes. SEAMAP-SA Coastal Survey cruises are conducted each year in spring (mid-April to the end of May), summer (mid-July to mid-August), and fall (the first of October to mid-November). The summer portion of SEAMAP-SA Coastal Survey is used to calculate an adult index of abundance and the fall portion of SEAMAP-SA Coastal Survey is used as a young of year index of abundance. The indices derived from the SEAMAP-SA Coastal Survey were computed using standard (non-stratified) GLMs. The SEAMAP-SA Coastal Survey adult index of relative abundance peaked in 2012 before decreasing but remaining above average in 2016 (Figure 7; Table 3). The YOY index of relative abundance peaked in 2015, and similarly has been decreasing but remains above average in 2016 (Figure 8; Table 3).

STATE-MANAGED SPECIES – KINGFISHES

The Independent Gill Net Survey is designed to characterize the size and age distribution for key estuarine species in Pamlico Sound and its major river tributaries. Sampling began in Pamlico Sound in 2001 and was expanded to the current sampling area (including tributaries) in 2003. Each array of nets consists of floating gill nets in 30-yard segments of 3.0, 3.5, 4.0, 4.5, 5.0, 5.5, 6.0, and 6.5-inch stretched mesh, for a total of 240 yards of nets. Catches from an array of gill nets comprise a single sample; two samples (one shallow, one deep) totaling 480 yards of gill net are completed each trip. Gill nets are typically deployed within an hour of sunset and fished the following morning. Efforts are made to keep all soak times within 12 hours. Gill net sets are determined using a random stratified survey design, based on area and water depth.

Table 2 summarizes the age data for kingfishes (southern, northern, and Gulf), collected from 2007 through 2016. The majority of kingfish age samples came from Independent Gill Net Survey (Program 915), followed by the commercial ocean gill net fishery. Southern kingfish ages ranged from 0 to 9 years old. Northern kingfish ages ranges from 0 to 5 years old. Gulf kingfish ages ranged from 0 to 7 years old. The modal ages ranged from 1 to 3 years for southern and Gulf kingfishes, and 0 to 2 for northern kingfish.

MANAGEMENT STRATEGY

The 2007 Kingfish FMP selected the use of trend analysis and management triggers as the management strategy to monitor the viability of the kingfish stock in North Carolina (NCDMF 2007). A second management strategy promotes work to enhance public information and education. The trend analysis and management triggers are updated annually and results are presented to the NCMFC as part of the annual FMP Update. The trend analysis incorporates triggers to alert managers to the potential need for management action based on stock conditions. The activation of any two management triggers two years in a row (regardless of category) warrants further data evaluation and potential management action. The NCMFC will be notified should this criterion be met. The Pamlico Sound Survey, the Independent Gill Net Survey and the SEAMAP-SA Coastal Survey data are currently used for management triggers for kingfishes in North Carolina.

The L_{50} management trigger is based on a conservative proportion of adults in the population. This is the length at which 50 percent of the population is mature. For southern kingfish, this is 8.25 inches (210 mm) in length. Data sources for this management trigger come from two fisheries-independent surveys; the summer component of the SEAMAP-SA Coastal Survey, and the June component of the Pamlico Sound Survey.

Relative F is a simple method for estimating trends in F (Sinclair 1998). It is estimated as catch (commercial landings plus recreational harvest) divided by a fisheries-independent index of relative abundance. Here, catch (commercial landings plus recreational harvest) was divided by the SEAMAP-SA Coastal Survey spring index (Onslow, Raleigh, and Long bays, inner—shallow—strata) of relative abundance, given that the majority of catch occurs in the spring.

The kingfish management triggers are summarized as follows:

STATE-MANAGED SPECIES – KINGFISHES

Biological Monitoring

Proportion of adults \geq length at 50 percent maturity (L_{50}) for NCDMF Program 195 June (Figure 3)

Proportion of adults $\geq L_{50}$ for NCDMF Program 915 (Figure 4)

Proportion of adults $\geq L_{50}$ for SEAMAP-SA Coastal Survey summer (Figure 5)

→ If the proportion of adults $\geq L_{50}$ falls below 2/3 of the average proportion of adults $\geq L_{50}$ for the time series, then the trigger will be considered tripped.

Fisheries-Independent Surveys—Juvenile and Adult

NCDMF Program 195 September index of YOY relative abundance (Figure 6)

SEAMAP-SA Coastal Survey summer index of adult relative abundance (Figure 7)

SEAMAP-SA Coastal Survey fall index of YOY relative abundance (Figure 8)

→ If a fisheries-independent survey falls below 2/3 of the average abundance for the time series (through 2016), then the trigger will be considered tripped.

Other

Relative fishing mortality rate (F) (Figure 9)

→ If relative F rises above 66 percent of the average relative F for the time series (through 2016), the trigger will be considered tripped.

A summary of the various management triggers by year is provided in Table 3. Bold values indicate years when a particular management trigger was activated. Three of the management triggers were activated in 2016. The L_{50} management triggers for the June portion of the Pamlico Sound Survey and the summer portion of the SEAMAP-SA Coastal Survey were slightly below the trigger thresholds, while the YOY index from the September portion of Pamlico Sound Survey was less than half of the management trigger threshold. However, since none of the management triggers were activated in 2015, no action is required at this time.

RESEARCH NEEDS

The division reviewed and prioritized the research recommendations during the 2015 FMP Information Update (NCDMF 2015). The prioritization of each research recommendation is designated as a high, medium, or low priority. A low ranking does not infer a lack of importance but is either already being addressed by others or provides limited information for aiding in management decisions. A high ranking indicates there is a substantial need, which may be time sensitive in nature, to provide information to help with management decisions. Proper management of the kingfishes resource cannot occur until some of these research needs are met. The research recommendations include:

- Conduct a coast-wide stock assessment of southern kingfish along the Atlantic Coast including estimation of biological reference points for sustainable harvest – HIGH (No action)
- Validate YOY and adult indices used in trend analysis – HIGH (UNCW has conducted seine surveys in the ocean to determine trends for all three species)
- Develop a fisheries-independent survey in the ocean for juvenile and adult kingfishes – HIGH (No action)

STATE-MANAGED SPECIES – KINGFISHES

- Collect observer data from commercial fishing operations to estimate at-sea species composition of the catch, discard rates, and lengths – HIGH (NCDMF has observers collecting data at sea for the shrimp fishery, flounder gill net fishery and other fisheries)
- Improve recreational data collection, particularly the species composition of discards, discard rates and associated biological data – HIGH (Steps have been taken to improve sampling in recreational fisheries, including a carcass collection program)
- Improve dependent commercial data collection of more sample sizes for life history information – MEDIUM (NCDMF ageing study collects kingfish from life history data)
- Evaluate and potentially expand the NCDMF fishery-independent gill net survey to provide data on species composition, abundance trends, and population age structure by including additional areas of North Carolina’s estuarine and nearshore ocean waters – MEDIUM (No action)
- Continue bycatch reduction device studies in the shrimp trawl fishery to decrease bycatch – MEDIUM (Ongoing research through NCDMF and various federal agencies)
- Determine stock structure using genetics of kingfishes along North Carolina and the Atlantic Coast – LOW (Grant approved for UNCW and NCDMF to use genetic markers to delineate the population structure)
- Develop tagging study to estimate natural and fishing mortality, to investigate stock structure, and to understand movement patterns – HIGH (No action)
- Collect histological data to develop maturity schedule with priority to southern kingfish – HIGH (Grant approved for NCDMF to collect histology samples in order to validate and update maturity schedules)
- Conduct an age validation study with priority to southern kingfish – HIGH (No action)
- Conduct study to estimate fecundity with priority to southern kingfish – MEDIUM (No action)
- Conduct study to identify spawning areas with priority for southern kingfish – MEDIUM (No action)
- Sample inlets and river plumes to determine the importance of these areas for kingfishes and other estuarine-dependent species – LOW (Sampling in the nearshore ocean through N.C. Adult Fishery Independent Survey was initiated in 2008 but discontinued in 2015. Gill net sampling in Cape Fear, New, Neuse, Pamlico, and Pungo rivers continues)
- Determine the effects of beach re-nourishment on kingfishes and their prey – LOW (Grant approved for UNCW to investigate effects of beach renourishment)
- Conduct a study to investigate how tidal stages and time of day influence feeding in kingfishes – LOW (No action)
- Increase the sample size of surveyed participants in the commercial kingfish fishery to better determine specific business characteristics and the economics of working in the fishery – LOW (NCDMF conducted a study of CRFL holders in 2009/2010)
- Update information on the participants in the recreational kingfish fishery – LOW (Socioeconomic study was conducted by NCDMF on piers)

FISHERY MANAGEMENT PLAN RECOMMENDATION

The NCDMF recommends maintaining the current review schedule.

STATE-MANAGED SPECIES – KINGFISHES

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- Sinclair, A.F. 1998. Estimating trends in fishing mortality at age and length directly from research survey and commercial catch data. *Canadian Journal of Fisheries and Aquatic Sciences*. 55(5):1248–1263.

STATE-MANAGED SPECIES – KINGFISHES

TABLES

Table 1. Summary of length data sampled from the kingfish commercial fishery.

Southern Kingfish					
Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured	
2007	290	146	498	9,107	
2008	292	160	446	9,956	
2009	293	176	418	6,131	
2010	295	170	558	3,927	
2011	297	206	461	3,250	
2012	293	177	433	2,947	
2013	308	164	409	1,390	
2014	302	211	532	2,880	
2015	301	195	402	3,286	
2016	304	181	464	3,107	

Northern Kingfish					
Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured	
2007	317	180	439	783	
2008	319	110	423	335	
2009	315	174	401	301	
2010	322	228	406	186	
2011	318	219	431	208	
2012	325	197	445	370	
2013	334	218	406	815	
2014	340	241	423	216	
2015	323	253	422	100	
2016	316	224	432	227	

Gulf Kingfish					
Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured	
2007	305	188	447	551	
2008	306	199	447	487	
2009	313	251	406	351	
2010	318	260	412	135	
2011	338	219	455	366	
2012	321	233	406	151	
2013	328	210	443	470	
2014	309	219	394	182	
2015	322	234	413	168	
2016	315	206	464	193	

STATE-MANAGED SPECIES – KINGFISHES

Table 2. Kingfish age data collected from all sources combined.

Southern Kingfish				
Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	1	0	7	852
2008	2	0	9	324
2009	2	2	5	15
2010	2	1	5	163
2011	2	0	6	243
2012	1	1	6	228
2013	2	1	5	298
2014	3	0	5	269
2015	2	0	5	353
2016	1	0	7	530
Northern Kingfish				
Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	0	0	2	20
2008	0	0	5	50
2009	1	1	3	14
2010	2	1	3	4
2011	2	0	4	115
2012	1	0	3	17
2013	2	1	3	26
2014	2	2	2	1
2015	2	0	2	40
2016	1	1	4	49
Gulf Kingfish				
Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	1	0	4	118
2008	1	0	7	47
2009	-	-	-	0
2010	3	3	3	1
2011	2	1	6	28
2012	1	0	4	98
2013	1	1	4	44
2014	2	1	4	38
2015	2	0	4	78
2016	1	0	5	116

STATE-MANAGED SPECIES – KINGFISHES

Table 3. Summary of management trigger organized by category. Bold indicates values that activate a trigger.

Year	BIOLOGICAL MONITORING			FISHERIES-INDEPENDENT SURVEYS			OTHER
	Proportion of Adults >= L50			YOY Indices		Adult Index	Relative <i>F</i>
	Program 195 June	Program 915 September	SEAMAP Summer	Program 195 September	SEAMAP Fall	SEAMAP Summer	Relative <i>F</i>
1987	0.602			0.899			
1988	0.450			1.13			
1989	0.300		0.585	1.36	20.5	6.32	14,760
1990	0.529		0.459	2.74	21.3	23.5	50,898
1991	0.667		0.891	4.88	15.5	30.2	15,490
1992	0.429		0.620	3.53	5.87	12.2	15,566
1993	0.542		0.448	0.116	6.32	11.7	52,518
1994	0.794		0.815	4.97	18.7	2.10	71,253
1995	0.440		0.444	7.90	4.70	7.74	31,356
1996	0.872		0.697	0.323	18.4	4.05	27,522
1997	0.576		0.367	0.419	3.59	8.70	15,405
1998	1.00		0.761	0.215	19.7	4.10	8,463
1999	0.920		0.608	5.27	23.5	22.1	19,300
2000	0.733		0.921	7.87	11.1	8.55	45,914
2001	0.660	0.983	0.303	4.62	8.89	18.9	17,170
2002	0.704	0.978	0.882	6.18	19.2	8.91	19,390
2003	0.860	0.978	0.645	5.19	8.49	14.4	5,208
2004	0.513	0.962	0.265	3.75	20.1	33.3	5,211
2005	0.594	0.970	0.656	2.22	12.6	14.2	6,553
2006	0.541	0.979	0.415	30.2	10.1	18.0	10,112
2007	0.338	1.00	0.495	8.63	14.1	5.62	36,946
2008	0.480	0.987	0.577	12.7	14.9	2.94	34,087
2009	0.591	1.00	0.376	34.8	4.72	13.5	31,161
2010	0.508	0.981	0.786	1.85	14.1	8.77	16,785
2011	0.447	1.00	0.447	20.7	51.8	14.5	21,573
2012	0.501	0.987	0.337	4.90	13.0	47.3	6,719
2013	0.647	1.00	0.553	20.8	17.3	29.2	6,241
2014	0.411	1.00	0.546	7.02	15.9	29.6	17,953
2015	0.530	1.00	0.525	8.53	307	25.6	10,004
2016	0.354	0.984	0.341	2.17	31.0	22.4	3,001
Threshold	<0.396	<0.658	<0.382	<4.80	<17.44	<10.68	>23,214
Total Years	30	16	28	30	28	28	28
Years Trigger Activated	3	0	5	13	17	10	9

STATE-MANAGED SPECIES – KINGFISHES

Table 4. Summary of the N.C. Marine Fisheries Commission management strategies and their implementation status for the 2007 Kingfish Fishery Management Plan.

Management Strategy	Implementation Status
Fisheries Management	
The proposed management strategy for kingfishes in North Carolina is to 1) maintain a sustainable harvest of kingfishes over the long-term and 2) promote public education. The first strategy will be accomplished by developing management triggers based on the biology of kingfishes, landings of kingfishes, independent surveys, and requesting a stock assessment of kingfishes be conducted by Atlantic States Marine Fisheries Commission (ASMFC). The second strategy will be accomplished by the NCDMF working to enhance public information and education.	Accomplished
Recommend ASMFC conduct a coastwide stock assessment on sea mullet.	ASMFC determined a stock assessment for the kingfishes was not necessary due to the positive trends in SEAMAP southern kingfish CPUE.
Endorse additional research to reduce bycatch in the shrimp trawl fishery, primarily shrimp trawl characterization studies involving at-sea observers and investigations into fish excluder devices with a higher success rate for reducing the harvest and retention of kingfish in shrimp trawls.	Ongoing
Implement rule giving NCDMF director proclamation authority to manage kingfish.	Accomplished. Rule 15A NCAC 03M .0518 in effect since October 1, 2008
Habitat and Water Quality	
The NCDCM should continue promoting the use of shoreline stabilization alternatives that maintain or enhance fish habitat. That includes using oyster cultch or limestone marl in constructing the sills (granite sills do not attract oyster larvae).	Endorsed through the Coastal Habitat Protection Plan (CHPP)
To ensure protection of kingfish nursery areas, fish-friendly alternatives to vertical stabilization should be required around primary and secondary nursery areas.	Endorsed through the CHPP
The location and designation of nursery habitats should be continued and expanded by the NCDMF.	Endorsed through the CHPP
No trawl areas and mechanical harvest prohibited areas should be expanded to include recovery/restoration areas for subtidal oyster beds and SAV.	Endorsed through the CHPP
Expansion and coordination of habitat monitoring efforts is needed to acquire data for modeling the location of potential recovery/restoration sites for oysters and SAV.	Endorsed through the CHPP
Any proposed stabilization project threatening the passage of kingfish larvae through coastal inlets should be avoided.	Endorsed through the CHPP
All coastal-draining river basins should be considered for NSW classification because they all deliver excess nutrients to coastal waters, regardless of flushing rate.	Endorsed through the CHPP
Efforts to implement phase II stormwater rules must be continued.	Endorsed through the CHPP
The EEP process should be extended to other development projects.	Endorsed through the CHPP
Reduce sediment and nutrient loading by addressing multiple sources, including: <ul style="list-style-type: none"> • improvement and continuation of urban and agricultural BMPs, • more stringent sediment controls on construction projects, and • implementation of additional buffers along coastal waters. 	Endorsed through the CHPP

STATE-MANAGED SPECIES – KINGFISHES

FIGURES

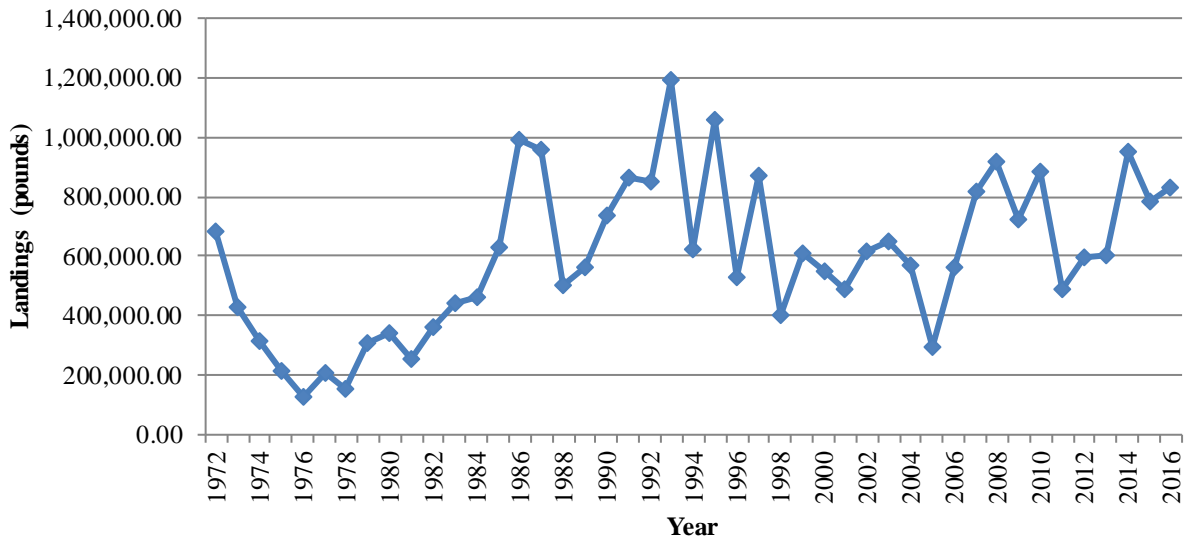


Figure 1. Commercial landings (pounds) of kingfishes (southern, northern, and Gulf combined) from 1972 to 2016.

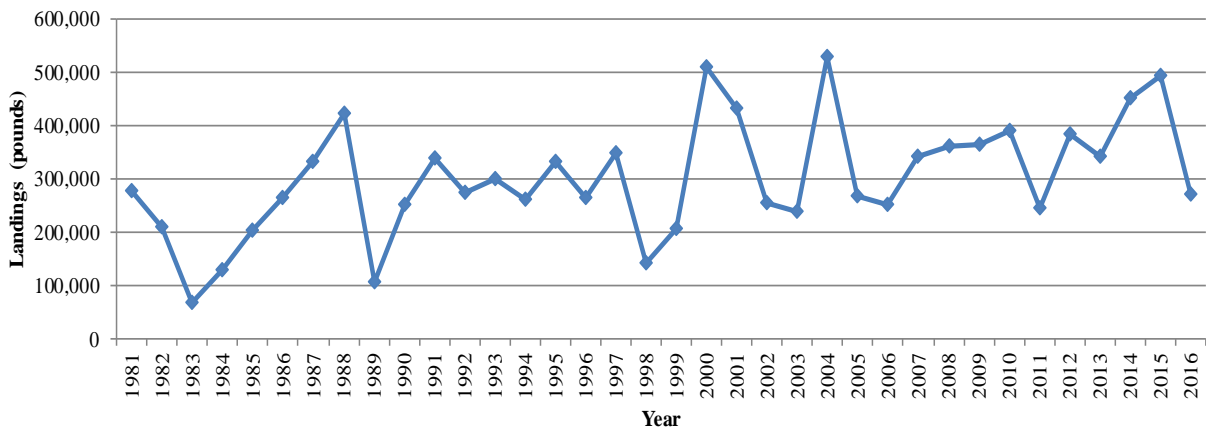


Figure 2. Recreational landings of kingfishes (southern, northern, and Gulf combined) from 1981 to 2016.

STATE-MANAGED SPECIES – KINGFISHES

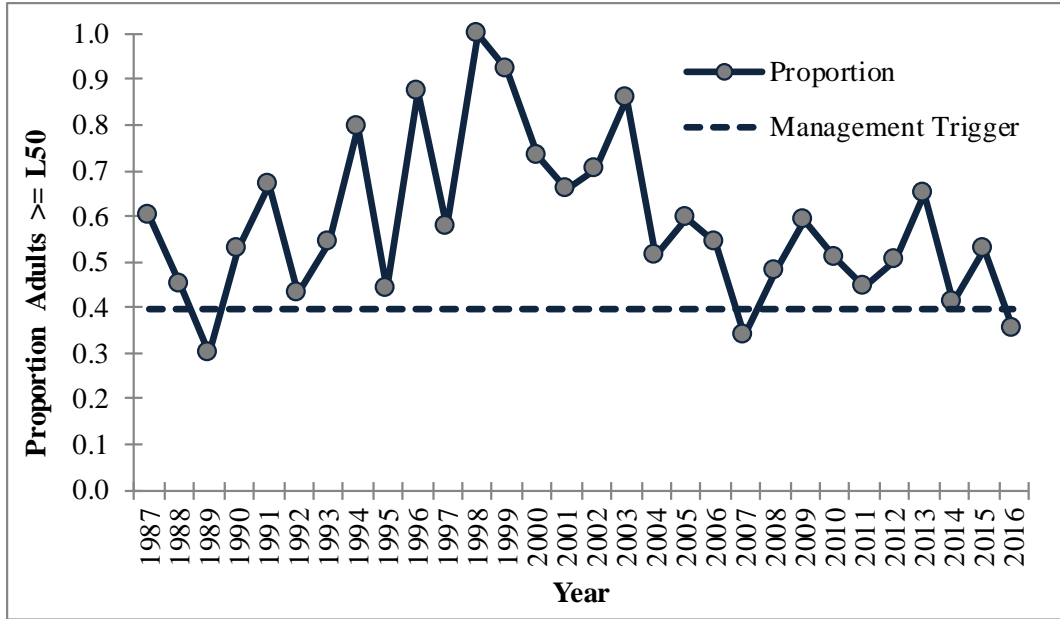


Figure 3. Annual proportions of adults (southern kingfish) greater than or equal to the length at 50% maturity occurring in the June component of the NCDMF Program 195 survey (excluding strata from the Neuse, Pamlico, and Pungo rivers), 1987–2016. Dotted line represents 2/3 of the average of the time series.

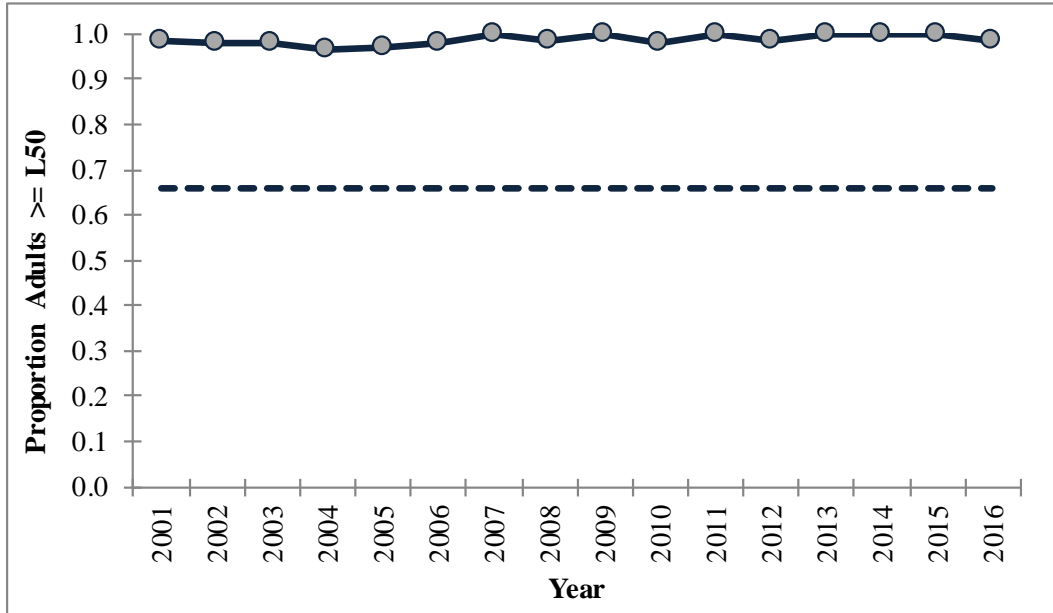


Figure 4. Annual proportions of adults (southern kingfish) greater than or equal to the length at 50% maturity occurring in the July through September component of the NCDMF Program 915 survey (Pamlico Sound, deep strata only), 1987–2016. Dotted line represents 2/3 of the average of the time series.

STATE-MANAGED SPECIES – KINGFISHES

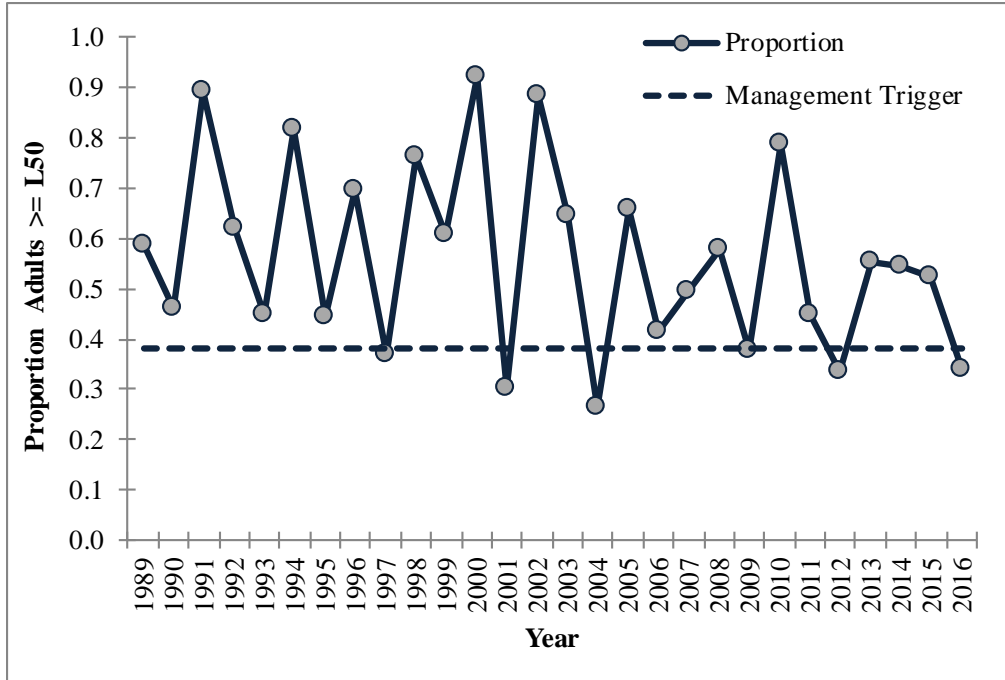


Figure 5. Annual proportions of adults (southern kingfish) greater than or equal to the length at 50% maturity occurring in the summer component of the SEAMAP-SA Coastal Survey (Onslow, Raleigh, and Long bays, inner—shallow—strata), 1989–2016. Dotted line represents 2/3 of the average of the time series.

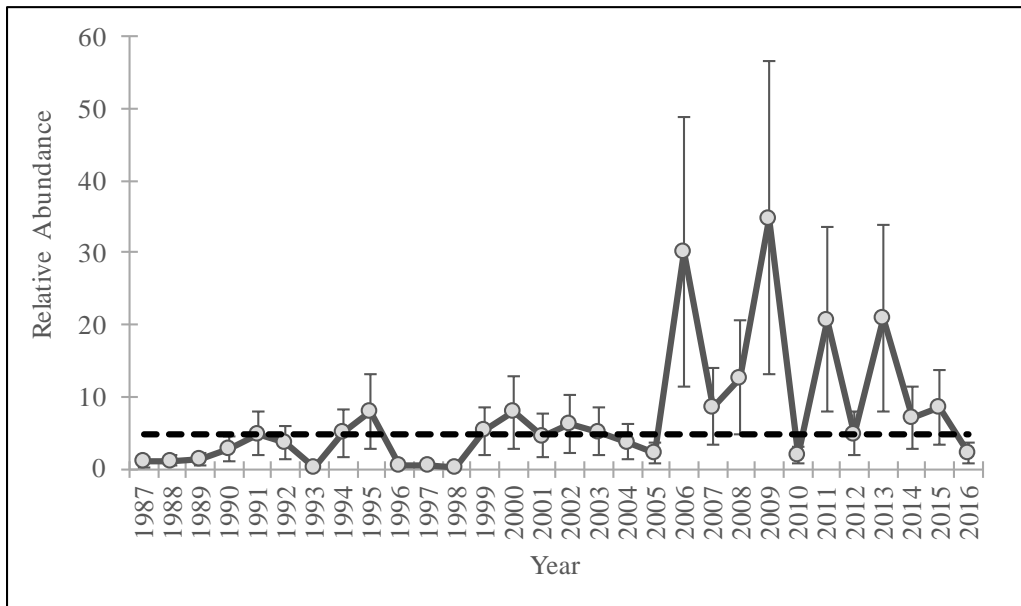


Figure 6. Annual index of relative YOY abundance for southern kingfish derived from the September component of the NCDMF Program 195 survey (excluding strata from the Neuse, Pamlico, and Pungo rivers), 1987–2016. Dotted line represents 2/3 of the average of the time series.

STATE-MANAGED SPECIES – KINGFISHES

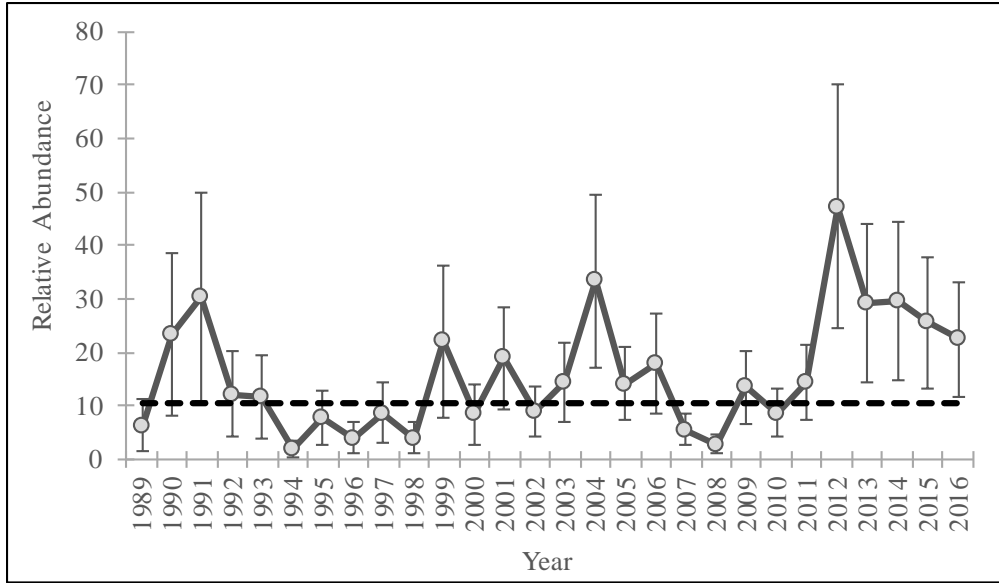


Figure 7. Annual index of relative adult abundance for southern kingfish derived from the summer component of the SEAMAP-SA Coastal Survey (Onslow, Raleigh, and Long bays, inner—shallow—strata), 1989–2016. Dotted line represents 2/3 of the average of the time series.

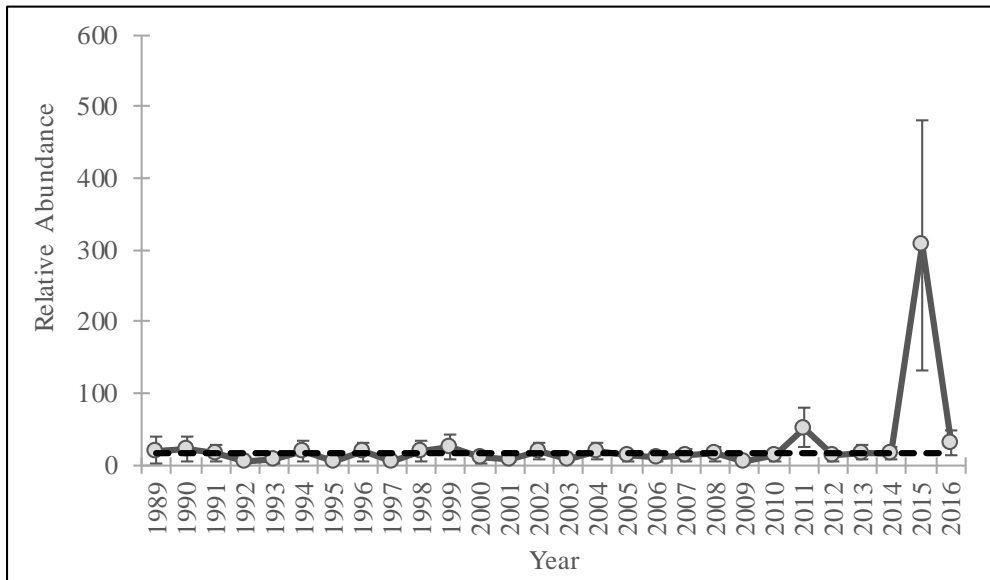


Figure 8. Annual index of relative YOY abundance for southern kingfish derived from the fall component of the SEAMAP-SA Coastal Survey (Onslow, Raleigh, and Long bays, inner—shallow—strata), 1989–2016. Dotted line represents 2/3 of the average of the time series.

STATE-MANAGED SPECIES – KINGFISHES

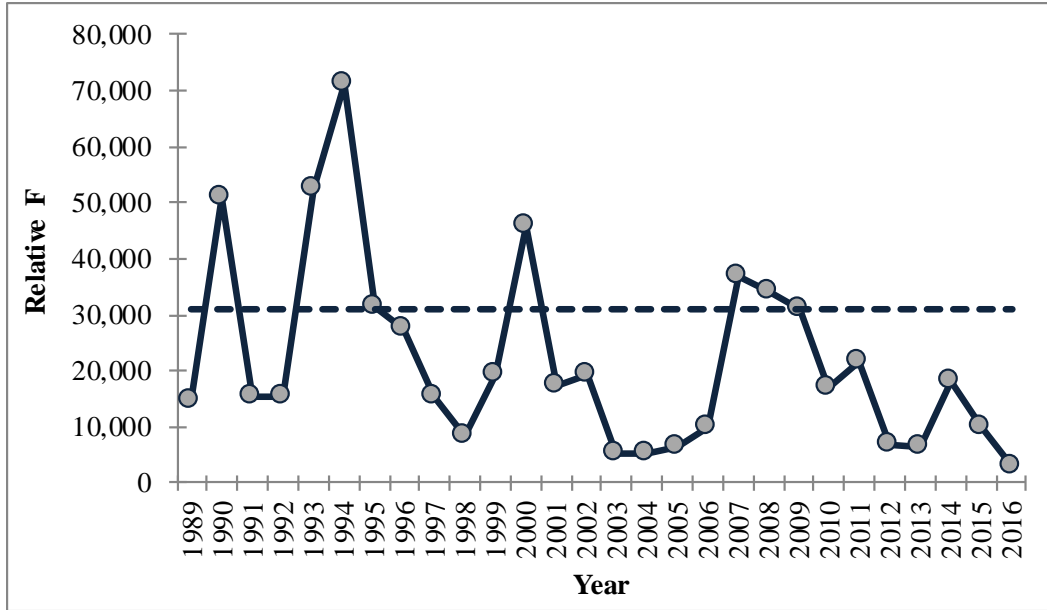


Figure 9. Relative F , as estimated as catch (commercial and recreational) divided by the SEAMAP-SA Coastal Survey spring index (Onslow, Raleigh, and Long bays, inner—shallow—strata) of relative abundance, 1989-2016. Dotted line represents $2/3$ of the average of the time series.

STATE-MANAGED SPECIES – RED DRUM

FISHERY MANAGEMENT PLAN UPDATE – SCHEDULE CHANGE RECOMMENDED RED DRUM AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	March 2001
Amendments:	Amendment 1 – November 2008
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Benchmark Review:	Completed February 2017

Red drum (*Sciaenops ocellatus*) in North Carolina are currently managed under Amendment 1 to the North Carolina Red Drum Fishery Management Plan (FMP) (NCDMF 2008). When Amendment 1 was passed, overfishing was not occurring based on the 2007 North Carolina Division of Marine Fisheries (NCDMF) conducted red drum stock assessment (Takade and Paramore 2007). As a result, harvest restrictions for the commercial and recreational fisheries were not required with the adoption of Amendment 1. Amendment 1 did implement regulations to reduce the impact of mortality associated with discards. These included requiring circle hooks along with fixed weights and short leaders in the summer adult red drum recreational fishery in Pamlico Sound and further expanded the gill net attendance requirements that were originally implemented as part of the original 2001 North Carolina Red Drum FMP (NCDMF 2001).

Prior to Amendment 1, restrictive harvest measures due to overfishing were implemented through the 2001 North Carolina Red Drum FMP. These measures were first implemented in October of 1998, as interim measures, while the full plan was developed. Harvest restrictions included: restricting all harvest of red drum to fish between 18 and 27 inches total length (previously allowed one fish over 27 inches); implemented a one fish recreational bag limit (previously five fish bag limit); implemented a daily trip limit for the commercial fishery that is set by the NCDMF director (previously no daily limit); and maintained the existing 250,000-pound annual commercial cap. The trip limit was designed to reduce harvest and to deter targeting of red drum commercially. The original FMP also implemented seasonal small mesh gill net attendance requirements to reduce discard mortality of red drum. The North Carolina Red Drum FMP was approved in March of 2001 and maintained all the interim measures. Stock assessments conducted since the implementation of the 2001 FMP have all indicated that

STATE-MANAGED SPECIES – RED DRUM

management measures have been effective at preventing overfishing (Takade and Paramore 2007, SAFMC 2009, ASMFC 2017).

In addition to the state FMP, North Carolina red drum also falls under Amendment 2 of the Atlantic States Marine Fisheries Commission (ASMFC) Red Drum FMP (ASMFC 2002). Adopted in 2002, Amendment 2 required all states to implement management measures projected to result in a 40% static spawning potential ratio (SPR). Implementation of these ASMFC measures was required for each state no later than January of 2003. The plan requires individual states to maintain management strategies that ensure that overfishing is not occurring and that optimum yield (OY) in the red drum fishery can be obtained. Amendment 2 compliance requirements to the states include:

- Implementing bag and size limits projected by bag and size limit analysis to achieve the minimum 40% SPR.
- Establishing a maximum size limit of 27 inches or less in all red drum fisheries.
- Maintaining current or more restrictive commercial fishery regulations.
- Requires any commercial cap overages from one fishing year to be subtracted from the subsequent year's commercial cap.

The management measures in place through the 2001 North Carolina Red Drum FMP were sufficient to meet all the requirements of Amendment 2 to the ASMFC plan. Most recently, the 2017 ASMFC stock assessment for red drum indicates that the 40% static spawning potential ratio continues to be exceeded. Therefore, the ASMFC has elected to continue management of red drum under the management strategy developed under Amendment 2.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

Red drum in North Carolina have both a state FMP and an interstate FMP through the framework of the ASMFC. The North Carolina FMP applies to all joint and coastal waters throughout North Carolina. The ASMFC plan applies to all states from Florida to Maine. Under the ASMFC plan, the management unit for red drum along the Atlantic coast is divided into a northern and southern stock. North Carolina and all areas north along the Atlantic coast represent the northern stock.

STATE-MANAGED SPECIES – RED DRUM

Goal and Objectives

The goal of Amendment 1 to the North Carolina Red Drum FMP is to prevent overfishing in the red drum stocks by allowing the long-term sustainable harvest in the red drum fishery. To achieve these goals, the FMP lists the following objectives:

1. Achieve and maintain a minimum overfishing threshold where the rate of juvenile escapement to the adult stock is sufficient to maintain the long-term sustainable harvest in the fishery.
2. Establish a target spawning potential ratio to provide the optimum yield from the fishery in order to maintain a state FMP that is in compliance with the requirements of the ASMFC Red Drum FMP.
3. Continue to develop an information program to educate the public and elevate their awareness of the causes and nature of problems in the red drum stock, its habitat and fisheries, and explain the rationale for management efforts to solve these problems.
4. Develop regulations that while maintaining sustainable harvest from the fishery, considers the needs of all user groups and provides adequate resource protection.
5. Promote harvest practices that minimize the mortality associated with regulatory discards of red drum.
6. In a manner consistent with Coastal Habitat Protection Plan, restore, improve and protect essential red drum habitat and environmental quality to increase growth, survival, and reproduction of red drum.
7. Improve our understanding of red drum population dynamics and ecology through the continuation of current studies and the development of better data collection methods, as well as, through the identification and encouragement of new research.
8. Initiate, enhance, and continue studies to collect and analyze the socio-economic data needed to properly monitor and manage the red drum fishery.

STATUS OF THE STOCK

Stock Status

The stock status of red drum is currently “Recovering”. The new 2017 benchmark stock assessment indicates that the red drum stock in North Carolina is not experiencing overfishing (ASMFC 2017). The overfished status remains undetermined due to uncertainty in the adult stock size estimates.

STATE-MANAGED SPECIES – RED DRUM

Stock Assessment

Red drum in North Carolina are currently listed as “Recovering”. Only the overfishing and not the overfished status can currently be determined for red drum. The threshold (below which the stock is experiencing overfishing) and the target fishing mortality rates correspond to those rates that achieve 30% and 40% static spawning potential ratio. Static spawning potential ratio is a measure of spawning stock biomass survival rates when fished at the current years’ fishing mortality rate relative to the spawning stock biomass survival rates if no fishing mortality was occurring. An assessment was last completed by the ASMFC in 2017. Based on the results of this assessment the static spawning potential ratio was at or above target levels (Figure 1). Management measures have effectively controlled fishing mortality to a level sufficient to meet management targets. It is critical to note that reaching the target is only the first step in maintaining this fishery. For the red drum stock to be considered healthy and viable, the 40% static spawning potential ratio must be maintained continuously over time. Increases in the harvest rates (relaxation of current regulations) of red drum should only be allowed if those increases are not anticipated to lower the static spawning potential ratio below the management goal (40%). Reviewer comments from the most recent stock assessment provide caution that relaxation of current regulations, particularly those that increase fishing mortality on adult red drum, could quickly lead to an overfishing status (ASMFC 2017).

STATUS OF THE FISHERY

Current Regulations

All harvest is limited to red drum between an 18-inch total length minimum size and 27-inch total length maximum size for both the recreational and commercial fisheries. The recreational bag limit is one fish per day. A daily commercial bycatch allowance and an annual cap of 250,000 pounds, with payback of any overage, constrain the commercial harvest. The commercial annual cap is monitored from September 1 to August 31. Within a fishing year, 150,000 pounds is allocated to the period between September 1 and April 30 and the remainder is allocated to the period of May 1 to August 31. Check with the NCDMF for the most recent proclamation on red drum harvest limits including trip limits and bycatch requirements.

Commercial Landings

North Carolina’s commercial landings in 2016 were 76,977 pounds; slightly below 2015 landings (80,393 pounds) and lower than the 10-year mean of 168,406 pounds (2007-2016; Table 1 and Figure 2). Gill nets dominated the catch in 2016 accounting for greater than 90% of the commercial landings (Table 2).

Amendment 2 to the North Carolina Red Drum FMP maintained the 250,000-pound annual cap in the commercial fishery, but shifted the commercial fishing year to September 1 through August 31. Since that time, North Carolina’s commercial landings during this fishing year have averaged 154,031 pounds. The 2009/2010 and 2013/2014 fishing years had overages (Table 3). All overages were deducted from the following year’s cap allowance.

STATE-MANAGED SPECIES – RED DRUM

Recreational Landings

Recreational fishing activity is monitored through the Marine Recreational Information Program. Recreational landings in 2016 were 230,473 pounds; below the 2007-2016 10-year average (322,253 pounds) but an increase from 2015 landings (154,496 pounds; Table 1 and Figure 2). Releases totaled 825,046 fish in 2016; above the average from 2007-2016 (607,093) fish from 2007-2016 (Table 2).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial fishing activity is monitored through fishery dependent sampling conducted by the NCDMF since 1982. Data collected in this program allow the size and age distribution of red drum to be characterized by gear/fishery. Predominant fisheries for red drum include estuarine gill nets, long haul seine/swipe nets, pound nets, and beach haul seines. Over the past decade gill nets have been the dominant gear used for red drum accounting for >90% of the overall harvest. In 2016, 92% of the red drum harvest was taken in gill nets, followed by pound nets with 5% (Table 2). In all, 365 red drum, primarily from set gill nets, were measured from the commercial fishery in 2016 (Table 4). The average size was 21 inches fork length. Average size has varied little over time ranging from 21 to 23 inches fork length since 2007. With the 18 to 27-inch slot limit on harvest, nearly all landings were from age-1 and age-2 fish. Similar to the commercial fishery, average size varies little from year to year in the recreational fishery (Table 5). In 2016, the average size recreational fish harvested was 20 inches fork length. From 2007 to 2016 this range varied little (20 to 23 inches fork length).

Fishery-Independent Monitoring

The NCDMF has conducted a juvenile red drum seine survey on an annual basis since 1991. The seine survey provides an index of abundance for juvenile (age-0) red drum with sampling occurring from September through November. The relative abundance of juvenile red drum is highly variable with both high and low abundance occurring in recent years (Figure 3). In 2016, 712 juvenile red drum were taken in 120 seine samples for an overall state mean catch per unit effort (CPUE) of 5.9 red drum per haul. The 2016 overall mean CPUE was higher than 2015 (4.9) and was slightly higher than the long term average of the survey of 5.5 (Table 6; Figure 3). Information gathered from this survey is currently used as an input parameter in the ASMFC Atlantic coast red drum stock assessment.

A fishery independent gill net survey was initiated by the NCDMF in May of 2001. The survey uses a stratified random sampling scheme designed to characterize the size and age distribution for key estuarine species in Pamlico Sound. By continuing a long-term database of age composition and developing an index of abundance for red drum this survey will help managers assess the red drum stocks without relying solely on commercial and recreational fishery dependent data. The overall red drum CPUE was 3.29 red drum per set in 2016, slightly higher than the time series average of 2.8 (Table 7; Figure 4). The survey is currently used in the ASMFC Atlantic coast red drum stock assessment as an annual index of relative abundance for age-1 and age-2 red drum.

STATE-MANAGED SPECIES – RED DRUM

North Carolina initiated an adult red drum longline survey in 2007 that has continued through 2016. The primary objective of the survey is to provide a fisheries independent index of abundance for adult red drum occurring in North Carolina. From July through October, a standardized, stratified random sample design is employed. A standard sample consists of 1,500 meters of mainline set with 100 gangions placed at 15 meter intervals (100 hooks/set). Soak times are approximately 30 minutes. All random sampling takes place in Pamlico Sound. During the 2016 season, 245 red drum were captured out of 72 stratified random sets (3.4 red drum per set) which is below the time series average of 4.9 red drum per set (Table 8; Figure 5). Red drum ranged from 27 to 47 inches fork length with most being >40 inches in length. Sampling is scheduled to continue in 2017 and this survey is used in the ASMFC red drum stock assessment.

In order to describe the age structure of harvest and indices, red drum age structures are collected from various fishery independent (scientific surveys) and dependent (fisheries) sources throughout the year. In 2017, 653 red drum were collected ranging in age from 0 to 41 years (Table 9). The majority of red drum collected from harvest (18 to 27 inches total length) are ages 1 to 3.

MANAGEMENT STRATEGY

Red drum in North Carolina are managed under Amendment 1 to the North Carolina Red Drum FMP and Amendment 2 to the ASMFC Red Drum FMP. Both plans have an identical management threshold (overfishing) and management target (30% and 40% static spawning potential ratio). Stock status is determined by a formal, peer reviewed stock assessment. Amendment 2 to the ASMFC Red Drum FMP requires specific compliance criteria, including harvest restrictions designed to achieve the management target. Any changes to harvest that deviate from those options provided in this plan must be approved by the ASMFC South Atlantic Board. Amendment 1 to the North Carolina Red Drum FMP maintained measures for compliance and also implemented measures to reduce losses from discards in both the recreational and commercial fisheries (Table 10).

RESEARCH NEEDS

The following management and research needs are summarized from Amendment 1 to the North Carolina Red Drum FMP (status of need provided in parenthesis).

- Assess the size distribution of recreational discards (needed).
- Improved catch and effort data for the red drum recreational fishery, particularly for the fishery that occurs at night (needed).
- Development of independent surveys to monitor both the sub-adult and adult red drum populations. (ongoing through NCDMF gillnet and longline surveys).
- Continued life history studies for age and growth. Additional work needed to update maturity schedule and collect diet information specific to North Carolina (age and growth ongoing through NCDMF; maturity work scheduled to begin in 2017 through NCDMF; ongoing diet work through NCSU).
- Identification of spawning areas in North Carolina (studies conducted for Pamlico Sound, additional work needed).

STATE-MANAGED SPECIES – RED DRUM

- Characterize the adult recreational fishery with regard to tackle, geographic location, bait, water temperature, seasonality, hook types, etc. (needed).
- Obtain discard estimates from the commercial fisheries including information on size and disposition (ongoing through NCDMF observer program, recent expanded coverage).
- Collect data to determine the catch rates of red drum and targeted species with regard to distance from shore in the gill net fishery (needed, some data through Fishery Resource Grants and NCDMF Independent Gill Net Survey)
- Conduct a comprehensive study of gill net fishers including information on species targeted, gear characteristics and areas fished (needed, valuable ongoing data from fish house sampling and commercial observer program).
- Conduct studies to explore ways to reduce red drum regulatory discards with commercial gear while allowing the retention of targeted species (needed).
- Conduct additional research to determine the release mortality of red drum captured in gill nets (needed).
- Economic analysis of the adult red drum fishery (needed).
- Improved social and economic data collection on the recreational and commercial fishery, including information on current conflicts and potential for future conflicts in these fisheries (needed).
- Determine juvenile habitat preference and examine if recruitment is habitat limited (needed; study conducted by UNCW).
- Examine ecological use and importance of shell bottom to red drum (Needed; some work through CRFL by UNC).
- Identify coastal wetlands and other habitats utilized by juvenile red drum and assess relationship between changes in recruitment success and changes in habitat conditions (needed).
- Assess cumulative impact of large-scale beach nourishment and inlet dredging on red drum and other demersal fish that use the surf zone (needed).
- Determine location and significance of spawning aggregation sites throughout the coast (needed).
- Determine if navigational dredging between August and October significantly impacts spawning activity (needed).
- Determine if designation of spawning areas is needed, and if specific protective measures should be developed (needed).

FISHERY MANAGEMENT PLAN SCHEDULE RECOMMENDATIONS

A delay in starting the formal review of the state red drum FMP was approved by the NCMFC to allow the time needed for completion of the ASMFC benchmark stock assessment. A stock assessment was approved for management use in February of 2017. The stock assessment showed that management targets set forth by Amendment 2 to the ASMFC Red Drum FMP continue to be met. Thus, the ASMFC opted to keep all management and compliance requirements under Amendment 2 in place with no further action taken. The management targets of the state FMP are consistent with Amendment 2 to the ASMFC plan. Further, the ASMFC plan requires that states not adopt a less protective management program than currently in effect. All changes to any compliance requirements must be approved by the South Atlantic State/Federal Fisheries Management Board. Compliance requirements are:

STATE-MANAGED SPECIES – RED DRUM

1. All states are required to implement red drum harvest controls (e.g. bag and size limits) in order to achieve a minimum 40% Spawning Potential Ratio (SPR).
2. A maximum size limit of 27 inches total length or less shall be implemented for all fisheries.
3. All states must maintain current or more restrictive commercial fisheries regulations for red drum.

The management program currently in place for red drum has resulted in a stock that has met ongoing management targets. Therefore, the NCDMF recommends that this FMP Update satisfy the formal review of Amendment 1 to the North Carolina Red Drum FMP. All management strategies that have led to management targets being met shall be maintained both within the state FMP and the ASMFC FMP. Stock conditions will be monitored and reported through each annual FMP update and the NCMFC will continue to have the option to modify the review schedule annually. The next scheduled formal review as recommended will begin July 2022.

LITERATURE CITED

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STATE-MANAGED SPECIES – RED DRUM

TABLES

Table 1. Red drum recreational harvest and number released (Marine Recreational Information Program) and commercial harvest (North Carolina Trip Ticket Program) for 2007-2016. All weights are in pounds.

Year	Recreational		Landed	Commercial Weight (lb)	Total Weight (lb)
	Landed	# Released			
2007	66,789	416,352	310,715	243,658	554,373
2008	50,809	658,887	231,551	229,809	461,360
2009	57,543	429,776	288,958	200,296	489,254
2010	64,024	635,876	283,286	231,828	515,114
2011	45,143	207,697	212,245	91,980	304,225
2012	52,948	1,533,010	238,312	66,519	304,831
2013	164,218	654,030	676,050	371,949	1,047,999
2014	116,601	382,663	596,447	90,647	687,041
2015	36,170	327,593	154,496	80,393	266,430
2016	62,105	825,046	230,473	76,977	307,450
Average	71,608	607,785	322,253	168,405	493,808

Table 2. North Carolina’s 2016 red drum commercial harvest (pounds and percent by gear) by gear type.

Gear	Landings (lb)	Percent
Pound Net	3,581	4.7
Gill Net	70,589	91.7
Other	2,807	3.6
Total	76,977	100

Table 3. North Carolina’s annual commercial harvest based on a fishing year beginning September 1 and ending August 31.

Fishing Year	Landings (lb)	Annual Cap
2008/2009	134,161	250,000
2009/2010	275,924	250,000
2010/2011*	126,185	224,142
2011/2012	94,298	250,000
2012/2013	134,372	250,000
2013/2014	262,753	250,000
2014/2015**	140,892	237,247
2016/2017	63,659	250,000
Average	154,031	

*adjusted to pay back overage in 2009/2010 fishing year

** adjusted to pay back overage in 2013/2014 fishing year

STATE-MANAGED SPECIES – RED DRUM

Table 4. Red drum length (fork length, inches) data from commercial fish house samples, 2007-2016.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Total Number Measured
2007	22	16	31	1,502
2008	23	13	29	1,214
2009	22	14	35	1,168
2010	22	14	31	1,134
2011	22	17	31	647
2012	21	16	28	359
2013	21	12	27	1,677
2014	23	18	28	444
2015	23	17	28	429
2016	21	17	27	365

Table 5. Red drum length (fork length, inches) data from Marine Recreational Information Program recreational samples, 2007-2016.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Total Number Measured
2007	22	17	27	71
2008	22	16	27	90
2009	23	18	28	136
2010	21	11	27	193
2011	22	17	29	147
2012	22	14	41	132
2013	21	17	28	333
2014	23	17	28	316
2015	22	14	27	95
2016	20	12	28	102

STATE-MANAGED SPECIES – RED DRUM

Table 6. The annual juvenile (age-0) abundance index from the North Carolina Red Drum Juvenile Seine Survey for the period of 1991-2016. N=number of samples; CPUE=number of red drum per haul; SE=Standard Error; PSE=Proportional Standard Error.

Year	N	CPUE	SE	PSE
1991	105	15.12	2.18	14
1992	116	3.71	1.13	31
1993	117	12.65	2.22	18
1994	93	8.29	2.41	29
1995	119	4.61	0.72	16
1996	104	2.63	0.47	18
1997	126	13.13	3.07	23
1998	124	8.23	1.12	14
1999	98	1.84	0.41	23
2000	123	3.14	0.58	18
2001	122	0.97	0.19	19
2002	120	2.23	0.53	24
2003	120	5.01	1.23	25
2004	120	8.32	1.13	14
2005	120	9.02	1.40	16
2006	120	3.44	0.73	21
2007	119	5.46	1.52	28
2008	120	1.58	0.30	19
2009	120	1.89	0.66	35
2010	120	4.69	0.97	21
2011	116	10.82	3.28	30
2012	120	2.69	0.71	26
2013	120	1.11	0.30	27
2014	120	2.25	0.62	27
2015	120	4.88	1.04	21
2016	120	5.93	1.04	18

STATE-MANAGED SPECIES – RED DRUM

Table 7. Annual weighted red drum CPUE (ages combined) from the North Carolina Pamlico Sound Independent Gill Net Survey, 2001-2016. N=number of samples; CPUE=number of red drum per set; SE=Standard Error; PSE=Proportional Standard Error.

Year	N	CPUE	SE	PSE
2001	237	1.56	0.31	20
2002	320	3.22	0.43	13
2003	320	1.25	0.22	18
2004	320	1.99	0.29	14
2005	304	2.76	0.41	15
2006	320	2.91	0.34	12
2007	320	3.19	1.02	32
2008	320	2.31	0.34	15
2009	320	4.17	1.27	31
2010	320	2.42	0.32	13
2011	300	0.45	0.07	17
2012	308	3.13	0.59	19
2013	308	6.59	1.12	17
2014	308	3.14	0.38	12
2015	308	2.10	0.29	14
2016	308	3.29	0.48	15

Table 8. Annual adult red drum CPUE (ages combined) from the North Carolina Longline Survey from 2007-2016. N=number of samples; CPUE=number of red drum per set; SE=Standard Error; PSE=Proportional Standard Error.

Year	N	CPUE	SE	PSE
2007	71	5.68	0.92	16
2008	72	3.79	0.68	18
2009	70	5.97	1.08	18
2010	72	5.56	1.14	21
2011	72	5.64	1.00	18
2012	72	5.22	0.93	18
2013	72	4.94	0.78	16
2014	72	4.47	0.63	14
2015	72	4.46	0.74	17
2016	72	3.41	0.51	15

STATE-MANAGED SPECIES – RED DRUM

Table 9. Summary of red drum age samples collected from both dependent (commercial and recreational fisheries) and independent (surveys) sources from 2007-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	1	0	43	495
2008	1	0	36	574
2009	1	0	40	644
2010	1	0	37	516
2011	1	0	38	256
2012	1	0	39	605
2013	1	0	41	721
2014	1	0	41	560
2015	1	0	42	428
2016	1	0	41	653

Table 10. Management action taken as a result of Amendment 1 to the N.C. Red Drum FMP.

MANAGEMENT STRATEGY	OUTCOME
Adult harvest limits: Status quo (no harvest over 27 inches TL)	No action required
Recreational targeting of adult red drum: It is unlawful to use any hook larger than 4/0 from July 1 through September 30 in the internal coastal fishing waters of Pamlico Sound and its tributaries south of the Albemarle Sound Management Area as defined in 15A NCAC 03R .0201 and north of a line beginning at a point 34° 59.7942' N - 76° 14.6514' W on Camp Point; running easterly to a point at 34° 58.7853' N - 76° 09.8922' W on Core Banks while using natural bait from 7:00 p.m. to 7:00 a.m. unless the terminal tackle consists of: A circle hook defined as a hook with the point of the hook directed perpendicularly back toward the shank, and with the barb either compressed or removed. A fixed sinker not less than two ounces in weight, secured not more than six inches from the fixed weight to the circle hook. (also continued education on fishing methods that minimize risk to fish). During July through September, unlawful to use J-hooks larger than 4/0 while fishing natural bait in Pamlico Sound and its tributaries.	Rule change implemented 15A NCAC 03J .0306

STATE-MANAGED SPECIES – RED DRUM

MANAGEMENT STRATEGY	OUTCOME
<p>Recreational bag and size limits: Status quo (one fish per day between 18 and 27 inches TL)</p>	<p>No action required</p>
<p>Commercial limits: Trip Limit and Bycatch Provision Status quo (7 fish trip limit with 50% bycatch provision). Director retains authority to modify trip limit and bycatch provision as needed.</p>	<p>Implemented by proclamation</p>
<p>Allow the possession of up to 3 fish while engaged in fishing without requiring that they be subject to the bycatch provision. Upon landing/sale all red drum possessed would be subject to bycatch provision.</p>	
<p>Commercial Cap: Continue 250,000 lb annual cap monitored from September 1 to August 31. Implement a split season on the annual commercial cap, capping the period of September 1 to April 30 at 150,000 lb and conserving the remaining portion of the cap for the period of May 1 to August 31. Unused cap in period one would be available for period two. Any annual commercial harvest limit that is exceeded one year will result in the poundage overage being deducted from the subsequent year’s commercial harvest limit.</p>	<p>Rule change implemented 15A NCAC 03M .0501</p>
<p>Estuarine gill net discarded bycatch of red drum: Small Mesh Attendance (<5” stretch mesh) Year-round Attendance Expand year-round attendance within 200 yards of shore to include the area of the lower Neuse out to the mouth of the river.</p>	<p>Rule change implemented 15A NCAC 03R .0112</p>
<p>Seasonal Attendance Modify the seasonal attendance requirements for small mesh gill nets (currently May 1 to October 31) to include the period of May 1 through November 30 in the following locations:</p>	<p>Rule change implemented 15A NCAC 03J .0103 & 15A NCAC 03R .0112</p>
<p>a) All primary and permanent secondary nursery areas and modified no-trawl areas</p>	

STATE-MANAGED SPECIES – RED DRUM

MANAGEMENT STRATEGY	OUTCOME
b) Within 200 yards of any shoreline for the areas of Pamlico, Pungo, Neuse and Bay Rivers and bays	
c) Within 50 yards of any shoreline in the areas of Pamlico and Core Sound south to the NC/SC line	
d) Area Core Sound and south is excluded from 50 yard shoreline attendance requirement during October and November	
Modification to current small mesh seasonal attendance area along the Outer Banks (i.e. modified no-trawl area)	Rule change implemented 15A NCAC 03R .0112
Large Mesh (>5” stretch mesh) Require all unattended large mesh gill nets to be set a minimum of 10 feet from any shoreline from June through October	Rule change implemented 15A NCAC 03J .0103
The use of gigs, gaffs or spears to take red drum: Continue to prohibit and move Proclamation FF-40-2001 into rule	Rule change implemented 15A NCAC 03M .0501

STATE-MANAGED SPECIES – RED DRUM

FIGURES

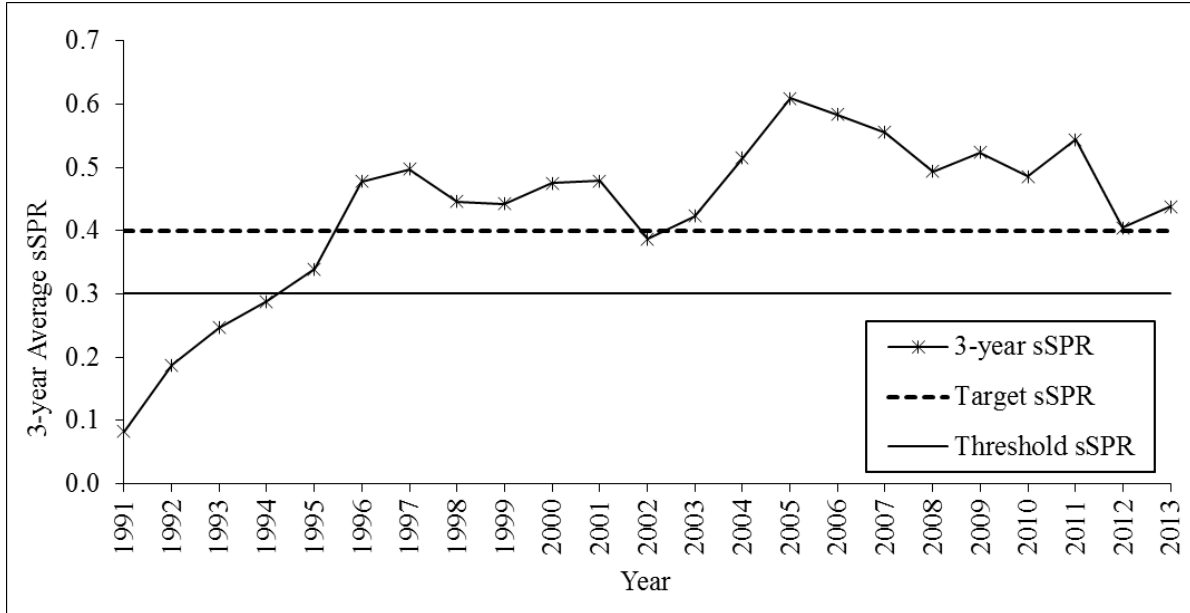


Figure 1. Northern region (North Carolina north) red drum estimates of three-year average static spawning potential ratios. Three-year average includes current and previous two year's sSPR estimates. The dashed line shows the 30% overfishing threshold and the solid line shows the 40% target sSPR.

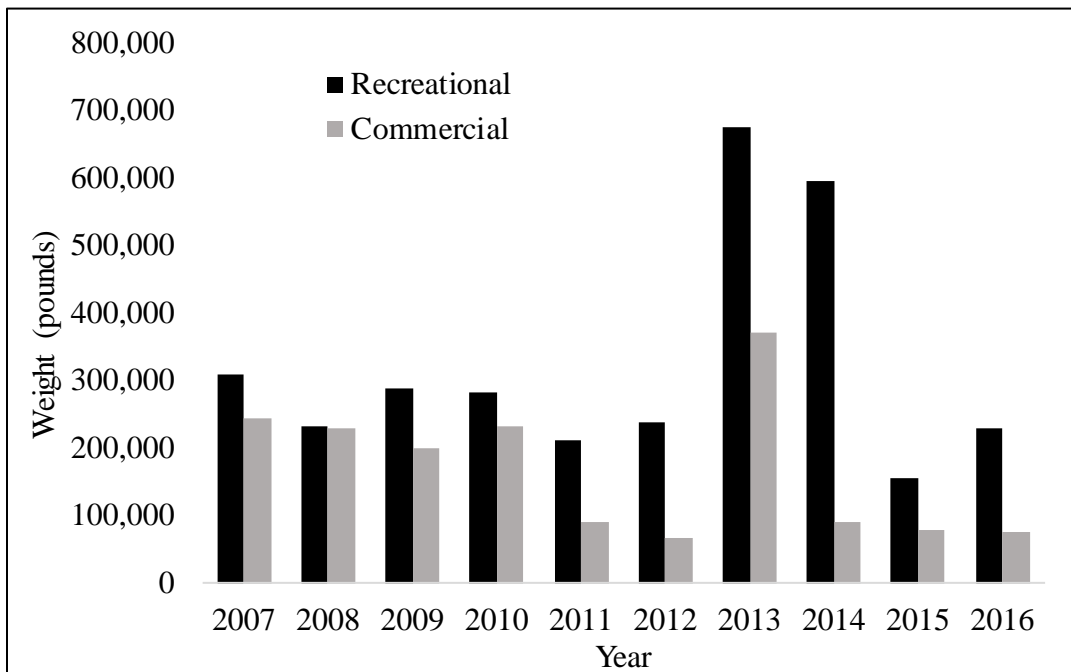


Figure 2. Annual commercial and recreational landings in pounds for red drum in North Carolina from 2005 to 2016.

STATE-MANAGED SPECIES – RED DRUM

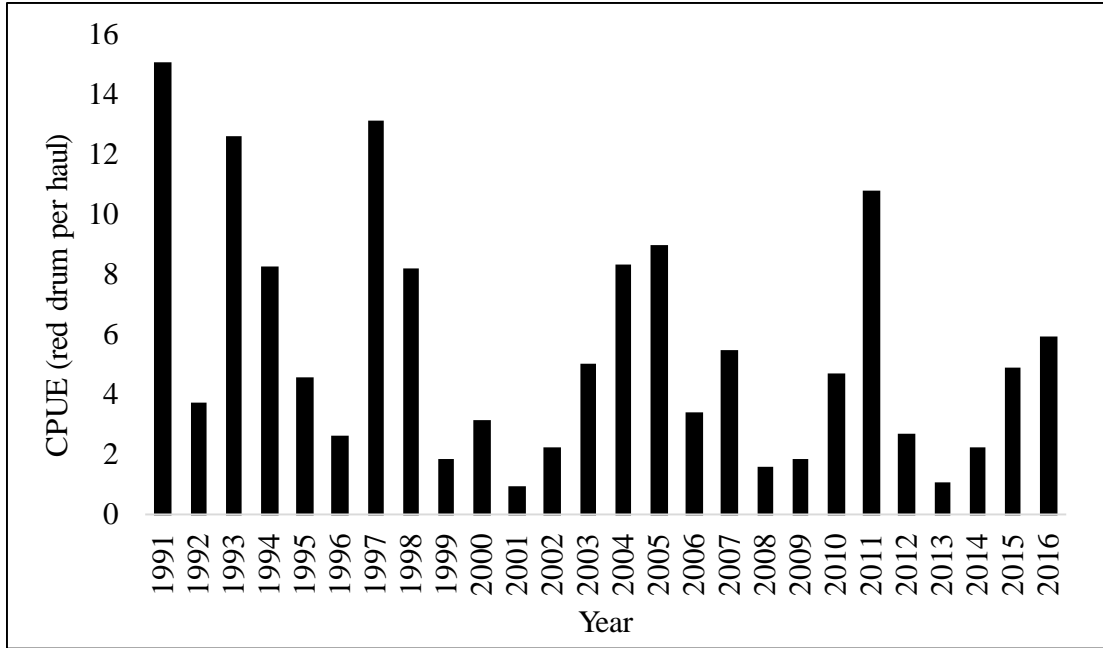


Figure 3. The annual juvenile (age-0) abundance index from the North Carolina Red Drum Juvenile Seine Survey for the period of 1991-2016.

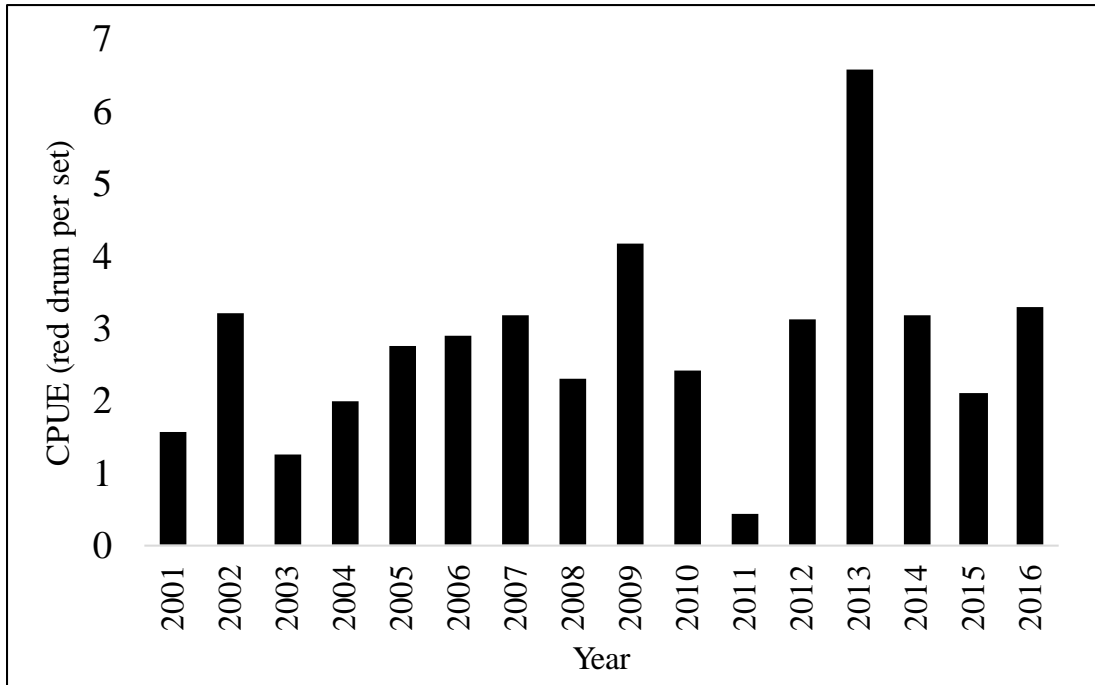


Figure 4. Annual weighted red drum CPUE (number captured ages combined) from the North Carolina Pamlico Sound Independent Gill Net Survey from 2001-2016.

STATE-MANAGED SPECIES – RED DRUM

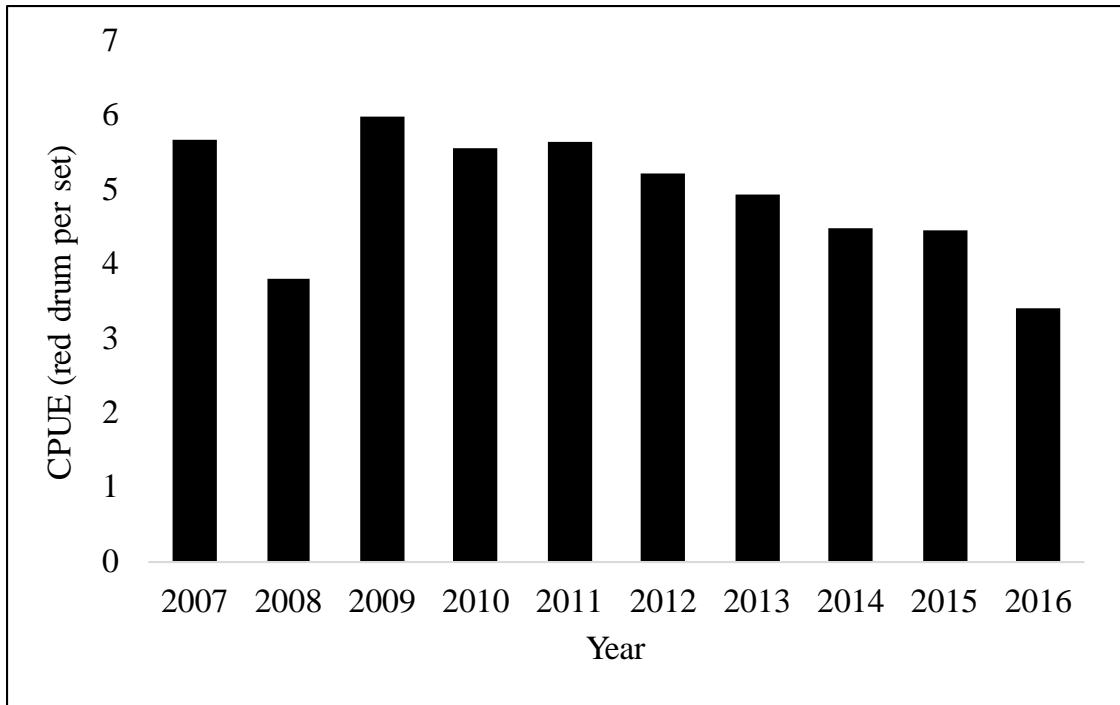


Figure 5. Annual adult red drum CPUE (number captured for ages combined) from the North Carolina Red Drum Longline Survey from 2007-2016.

STATE-MANAGED SPECIES – RIVER HERRING

**FISHERY MANAGEMENT PLAN UPDATE
RIVER HERRING
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	February 2000
Amendments:	Amendment 1 – September 2007 Amendment 2 – May 2015
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	May 2025

In North Carolina blueback herring (*Alosa aestivalis*) and alewife (*Alosa pseudoharengus*), collectively known as river herring, are managed under Amendment 2 to the North Carolina River Herring Fishery Management Plan (FMP) for River Herring. The original North Carolina River Herring FMP adopted February of 2000, focused on issues pertaining to stock conditions (overfished and recruitment overfishing), habitat degradations, and research/monitoring expansion to provide assessment data and socioeconomic data. Amendment 1 to the North Carolina River Herring FMP implemented a no-harvest provision for commercial and recreational fisheries of river herring in coastal waters of the state, effective in 2007. This was a result of the North Carolina Division of Marine Fisheries (NCDMF) 2005 stock assessment of river herring (data through 2003) that determined blueback herring and alewife were overfished and overfishing was occurring, there was minimal recruitment with continued declines in abundance for both species, and high fishing mortality rates. Additional management strategies included gear restrictions and stock recovery indicators. It also included a 7,500 pounds limited research set-aside harvest to be used for data collection and to provide product to local herring festivals. The NCDMF Director allocated a maximum of 4,000 pounds to be used for this research season, which occurred in the Chowan River Herring Management Area around Easter week each year. Additional outcomes of Amendment 1 included implementing monitoring programs, endorsing additional research on predation, restoration, impediments, bycatch and supporting spawning area habitat protection.

Amendment 2 to the North Carolina River Herring FMP was finalized in 2015 with three issues: 1) eliminating the discretionary river herring harvest season and permit since it was not serving

STATE-MANAGED SPECIES – RIVER HERRING

the intended purposes of providing biological data for stock analysis and local product; 2) moving the Albemarle Sound/Chowan River Herring Management Areas to 15A NCAC 03R .0202, which corrected a reference and corrected the boundary of the Cashie River Anadromous Fish Spawning Area, and 3) removing alewife and blueback herring from exceptions in the Mutilated Finfish Rule 15A NCAC 03M .0101.

Due to the Rules Review Committee receiving at least 10 letters requesting legislative review (pursuant to G.S. 150B), a portion of the third issue to prohibit possession of river herring (alewife and blueback herring) greater than six inches aboard a vessel or while engaged in fishing from the shore or a pier underwent legislative review during the 2016 spring short session. Since a bill was not introduced specifically disapproving the rule, the rule was effective June 13, 2016 in the River Herring Rule 15A NCAC 03M .0513.

In addition to the state FMP, North Carolina river herring also are managed through Amendment 2 of the Atlantic States Marine Fisheries Commission (ASMFC) Interstate FMP for Shad and River Herring. Adopted in 2009, Amendment 2 requires management measures from the ASMFC be adopted by North Carolina as the minimum standard for the fishery, while the North Carolina plan can adopt additional measures. Additionally, Amendment 2 requires that states and jurisdictions develop sustainable FMPs in order to maintain a commercial and/or recreational river herring fishery past January 2012.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

Blueback herring (*Alosa aestivalis*) and alewife (*Alosa pseudoharengus*) management authority lies with the ASMFC. Responsibility for management action in the Economic Exclusive Zone (EEZ), located from 3 to 200 miles from shore, lies with the Secretary of Commerce through the Atlantic Coastal Fisheries Cooperative Management Act in the absence of a federal FMP. The NCDMF also has a FMP in place for statewide management of river herring.

Goal and Objectives

The goal of Amendment 2 to the North Carolina River Herring FMP is to restore the long-term viability of the river herring population. To achieve this goal, the plan adopts the following objectives:

STATE-MANAGED SPECIES – RIVER HERRING

1. Identify and describe population attributes necessary to sustain long-term stock viability.
2. Protect, restore, and enhance spawning and nursery area habitats.
3. Initiate, enhance, and/or continue programs to collect and analyze biological, social, economic, fishery, and environmental data needed to effectively monitor and manage the river herring fishery.
4. Promote education and public information to help the public understand the causes and nature of problems in the river herring stocks, its habitats and fisheries, and the rationale for management efforts to solve these problems.

The goal of Amendment 2 to the ASMFC Interstate FMP for Shad and River Herring (River Herring Management) is to protect, enhance, and restore east coast migratory spawning stocks of alewife and blueback herring in order to achieve stock restoration and maintain sustainable levels of spawning stock biomass. To achieve this goal, the plan adopts the following objectives:

1. Prevent further declines in river herring (alewife and blueback herring) abundance.
2. Improve our understanding of bycatch mortality by collecting and analyzing bycatch data.
3. Increase our understanding of river herring fisheries, stock dynamics and population health through fishery-dependent and independent monitoring, in order to allow for evaluation of management performance.
4. Retain existing or more conservative regulations for American shad and hickory shad.
5. Promote improvements in degraded or historic alosine critical habitat throughout the species' range.

STATUS OF THE STOCK

Stock Status

River herring in North Carolina are currently listed as “depleted” in the Albemarle Sound by the Atlantic States Marine Fisheries Commission. This designation is based on the results of the 2012 ASMFC Atlantic coastwide stock assessment on river herring, including data through 2009. The North Carolina portion of the coastwide stock assessment is for the Albemarle Sound blueback herring stock only, due to the long-term data available for this area. River herring in other parts of the state are currently listed as “Unknown” by the ASMFC due to the lack of data for these systems. The stock assessment found that, although the North Carolina stock in the Albemarle Sound was not experiencing overfishing (harvesting from a stock at a rate greater than the stock’s reproductive capacity to replace fish removed through harvest) due to the harvest moratorium, it remained overfished. The spawning stock biomass was less than five percent of the amount necessary for replacement and due to the biology of the species, significant improvements would not be likely within a short time frame (Figure 1).

STATE-MANAGED SPECIES – RIVER HERRING

Stock Assessment

The ASMFC stock assessment used a forward-projecting, age-structured statistical catch-at-age model for the Chowan River blueback herring stock. The stock assessment incorporated blueback herring data from total in-river catches, age compositions, length compositions and a fisheries-independent juvenile index to estimate age-3 abundance and mortality rates, from 1972-2009. Estimates of fishing mortality from 2007 through 2009, were well below all estimated thresholds due to the fishing moratorium. Estimates of spawning stock biomass, though increasing slightly in the last decade, are less than five percent of the amount necessary for replacement in the absence of fishing. The three-year running average of juvenile abundance (Figure 2) continues to be well below the 60 fish per haul target even though the percentage of repeat spawners (Figure 3) continues to be above the 10 percent target since 2011. This stock assessment is in the process of being updated with data through 2015, results are scheduled to be available in August of 2017.

It is also worthy to note the importance physical habitat and water quality play in the recovery of the river herring stocks in North Carolina and coast-wide. In North Carolina, considerable habitat area has been lost through wetland drainage, stream channelization and conversion to other uses. Some streams are blocked by dams, storm debris, and other physical barriers. Migration and spawning may be affected by the replacement of small road bridges and culverts. Oxygen consuming wastes are discharged into several streams and practices to control non-point discharges are inadequate causing nuisance algal blooms, fish kills, and fish diseases over the years. The NCMDF initiated a survey of culverts and obstructions following Amendment 1 to the 2000 River Herring FMP. The list created from the survey has resulted in the replacement of failing culverts and prioritized other for replacement or repair.

STATUS OF THE FISHERY

Current Regulations

In 2007, Amendment 1 to the North Carolina River Herring FMP implemented a no-harvest provision for commercial and recreational fisheries of river herring in coastal waters. The North Carolina River Herring FMP Amendment 2, adopted by the North Carolina Marine Fisheries Commission (NCMFC) in May 2015, eliminated the discretionary river herring harvest season and permit, removed alewife and blueback herring from exceptions in the Mutilated Finfish Rule, and prohibited the possession of river herring (alewife and blueback herring) greater than six in aboard a vessel or while engaged in fishing from the shore or a pier.

Commercial Landings

Amendment 1 implemented a no-harvest provision in 2007. Table 1 includes information on landings data from 2007 through 2016 when the discretionary harvest season was prosecuted before being eliminated under Amendment 2. Landings from 1950 through the late 1970s averaged 11 million pounds annually and peaked in 1969 at approximately 20 million pounds (Figure 4). Most landings occurred in the Chowan River and Albemarle Sound system. River

STATE-MANAGED SPECIES – RIVER HERRING

herring landings declined sharply in the late mid-1980s, prior to any regulations specific to river herring which weren't enacted until 1995.

Recreational Landings

There is currently no recreational fishery for river herring per the no harvest provision outlined in Amendment 1. Formerly, most river herring caught recreationally were likely used for personal consumption or for bait. For the years leading up to the 2007 harvest closure, the extent of river herring harvest for personal consumption and bait in coastal North Carolina is unknown.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial fishing activity is monitored through fishery dependent sampling conducted by the NCDMF since 1982. The dominant gears for river herring were gill nets and pound nets. In 2007, the no-harvest provision essentially eliminated commercial landings. However, the Chowan River Pound Net survey was implemented in 2008 to provide estimates of commercial catch-per-unit effort (CPUE), percent of repeat spawners, and age and sex data for alewife and blueback herring. Tables 2 and 3 describe the mean, minimum and maximum length data for the last 10 years 2007-2016.

Due to a position vacancy, blueback and alewife herring ageing is incomplete for 2016, therefore tables 4 and 5 as well as figure 2 have not been updated to reflect 2016 data.

Table 4 and 5 describe the modal age, minimum and maximum age, and total number aged from this survey. Total pound net effort, total river herring catch, and CPUE for the Chowan River Pound Net Survey (Table 6) shows a downward trend through 2012 followed by an increasing trend through 2015.

Figure 3 illustrates the blueback herring percent repeat spawners, the number of fish that have spawned two or more times, observed in the Chowan River Pound Net Survey from 2006 through 2015. Since 2011, the percent repeat spawners has exceeded the stock status indicator target of 10 percent.

Fishery-Independent Monitoring

River herring are monitored regularly in several of the division's fishery independent monitoring programs, including Program 100 (Juvenile Anadromous Independent Fishery), Program 135 (Striped Bass Independent Gill Net Survey), Program 150 (Adult Anadromous Spawning Area Survey), and Program 160 (Anadromous Egg and Larval Survey).

Due to a position vacancy, blueback and alewife herring ageing is incomplete therefore tables 7 and 8 have not been updated to reflect 2016 data. Tables 7 and 8 show the modal, minimum, and maximum age for alewife and blueback from 2005 to 2015.

STATE-MANAGED SPECIES – RIVER HERRING

Data from Program 100 is used to annually calculate the juvenile abundance index (JAI) for blueback herring. The first of the stock status indices, it involves a CPUE of 60 young-of-the-year blueback herring for three consistent years in the Program 100 survey. Figure 2 illustrates that the target JAI for blueback herring has remained well below the target during the 10-year time series, 1972 through 2016.

MANAGEMENT STRATEGY

Amendment 1 to the 2000 North Carolina River Herring FMP implemented four stock recovery indicators to evaluate stock status. Under Amendment 2 to the 2000 River Herring FMP, the plan development team determined that only three of the stock recovery indicators were necessary and decided that the term stock status indicator was more appropriate. The three stock status indicators were adopted by the River Herring FMP plan development team, each based on a three-year moving average. The plan development team recommended using the first two stock status indicators (juvenile abundance and repeat spawners) as a trigger for doing a stock assessment earlier than 10 years. If a three-year moving average of each of the indicators was above the threshold, it would trigger the need for a new stock assessment, which would determine the third stock status indicator. The third stock status indicator sets the threshold that determines when the river herring fishery will re-open.

1. Catch per unit effort (CPUE) of 60 young-of-the-year per haul in the Albemarle Sound juvenile abundance survey.
2. Ten percent repeat spawners observed in fishery-dependent pound net samples.
3. Spawning stock biomass (SSB) of 30 percent unfished SSB, estimated in stock assessment model.

Collectively, these indices represent *minimal* stock rebuilding goals for the recovery of river herring stocks in the Albemarle Sound and Chowan River. In the 2012 stock assessment ASMFC recommended a ten-year interval between stock assessments (ASMFC 2012). The plan development team recommended using the first two stock status indicators (juvenile abundance and repeat spawners) as a trigger for doing a stock assessment earlier than 10 years. If a three-year moving average of the first two indicators was above the threshold, it would trigger the need for a new stock assessment, which would determine the third stock status indicator.

The stock status indicator for percent repeat spawners has exceeded the target of 10 percent since 2011. The increase in the percent repeat spawners is a positive sign, which means that the current management strategy is working. Juvenile abundance has remained well below the target since the early 1990s. Spawning stock biomass will need to continue to increase enough to see results in the juvenile index before the fishery could reopen.

RESEARCH NEEDS

Table 9 provides the NCMFC selected management strategies from Amendment 2 adopted in May 2015. The specific research recommendations identified in the current FMP (Amendment 2) and the priority and status of each are listed below.

STATE-MANAGED SPECIES – RIVER HERRING

Life History

- Conduct studies of river herring egg and larval survival and development in North Carolina river systems. **High priority**
- Conduct research on predation of all life stages of river herring in the Albemarle Sound and other systems in North Carolina (including invasive species such as blue catfish and other predators). **Medium priority**
- Conduct studies on energetics of feeding and spawning migrations of river herring in North Carolina. **Medium priority**

Stock Status

- Estimate bycatch and discard mortality of river herring captured incidentally in Atlantic Ocean fisheries coastwide. **High priority**
- Estimate bycatch and discard mortality of river herring captured incidentally in inside fisheries. **Medium priority**

Environmental Factors

Water Quality Recommendations

- Evaluate effects of existing and future water withdrawals on water quality, quantity and fisheries habitat in coastal watersheds. NCDCM and NCWRC review and comment on water withdrawals and their effect on fisheries and habitat. **High priority**
- Determine if contaminants are present and identify those that are potentially detrimental to various life history stages of river herring. Long term water quality monitoring devices have been maintained and deployed to identify shifts or swings in water quality in multiple tributaries in the Albemarle Sound area. **High priority**
- Evaluate the impacts/effects of reverse osmosis (RO) plants on receiving waters and aquatic resources. NCDCM and NCWRC provide comments on permit applications for RO plants; some work by universities to evaluate effects of RO plants in local river systems. **Low priority**

Obstruction Recommendations

- Identify all man-made physical obstructions to river herring migrations (update Collier and Odom project) and prioritize impediments for removal /replacement after identification. The NCDMF has surveyed culverts in the Chowan River area and developed a priority list for replacement or repair. This information will be used by a paid graduate student to investigate fish friendly culverts. **High priority**
- Identify research needs regarding impediments to river herring migration. **High priority**

Impingement and Entrainment Recommendations

- Research is needed to determine the fate of river herring eggs, larvae and juveniles that are impinged, and then released through screen cleaning operations. **Low priority**

Climate change

- The specific effects of climate change, including warming water, increased drought severity, and loss of flood plain spawning habitat should be further investigated. **Low priority**

STATE-MANAGED SPECIES – RIVER HERRING

FISHERY MANAGEMENT PLAN SCHEDULE RECOMMENDATION

Pertaining to the current FMP schedule, the plan development team recommended using the first two stock status indicators (juvenile abundance and repeat spawners) as a trigger for doing a stock assessment earlier than 10 years. If a three-year moving average of each of the indicators was above the threshold, it would trigger the need for a new stock assessment, which would determine the third stock status indicator. It is recommended the review schedule for river herring remain the same.

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STATE-MANAGED SPECIES – RIVER HERRING

TABLES

Table 1. Harvest landings and value of discretionary river herring harvest season in North Carolina, 2007-2016.

Year	# of Permits Issued	Quota (lb/permit/period)	Harvest (lb)	Value (\$)
2007	15	200	1,103	856
2008	13	250	1,292	775
2009	27	125	643	836
2010	30	125	1,765	1,765
2011	23	150	1,611	1,611
2012	18	150	678	678
2013	12	150	743	743
2014	27	150	989	1,319
2015*	--	--	--	--
2016*	--	--	--	--

*Discretionary harvest season eliminated in 2015 under Amendment 2 to the River Herring FMP.

Table 2. Blueback herring mean, minimum and maximum length data from 2007-2016 from dependent sampling surveys.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	228	195	276	231
2008*	225	191	279	928
2009*	225	198	267	546
2010*	224	192	260	833
2011*	229	190	264	500
2012*	229	180	265	412
2013*	229	196	276	492
2014*	217	191	260	691
2015*	225	198	274	589
2016*	225	199	278	456

*2008 a no-harvest provision went into effect and the Chowan River Pound Net survey began in 2009.

STATE-MANAGED SPECIES – RIVER HERRING

Table 3. Alewife mean, minimum and maximum length data from 2007-2016 from dependent sampling surveys.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	229	196	278	45
2008*	227	190	287	1,872
2009*	236	197	276	1,000
2010*	241	203	282	822
2011*	247	201	283	806
2012*	248	190	286	641
2013*	234	196	330	854
2014*	234	202	295	1,037
2015*	235	201	282	998
2016*	233	195	283	773

*2008 a no-harvest provision went into effect and the Chowan River Pound Net survey began in 2009.

Table 4. Alewife ages from the dependent sampling surveys (2006-2015).

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2006	4	3	7	260
2007	3	3	6	30
2008*	5	4	8	588
2009*	5	3	7	342
2010*	6	3	7	277
2011*	6	3	8	211
2012*	4	3	8	259
2013*	3	2	7	308
2014*	3	2	6	328
2015**	4	3	9	309

*samples from the Chowan River pound net survey

**2015 alewife ages preliminary

STATE-MANAGED SPECIES – RIVER HERRING

Table 5. Blueback ages from the dependent sampling surveys (2006-2015).

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2006	4	3	5	86
2007	5	3	6	143
2008*	4	3	7	474
2009*	4	3	7	251
2010*	4	3	7	247
2011*	4	3	6	171
2012*	4	3	7	181
2013*	5	3	7	210
2014*	4	3	7	198
2015*	4	3	7	184

*samples from the Chowan River pound net survey

Table 6. Total pound net effort, catch and CPUE for the Chowan River Pound Net Survey 2009-2016.

Year	Total Effort (# of Active Sets)	Total RH (lbs)	Total CPUE
2009	217	89,245	411.27
2010	260	71,532	275.12
2011	286	74,485	260.44
2012	315	18,415	58.46
2013	238	27,396	115.11
2014	271	45,619	168.34
2015	253	49,560	195.89
2016	228	77,372	317.42
Ave	258.5	56,703	225.26

Table 7. Alewife ages from the independent sampling surveys (2006-2015).

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2006	5	3	7	284
2007	4	3	8	473
2008	5	3	7	428
2009	5	2	7	472
2010	6	3	8	490
2011	6	3	8	388
2012	5	3	7	181
2013	4	3	6	319
2014	4	3	7	361
2015**	5	3	8	209

**2015 alewife ages are preliminary.

STATE-MANAGED SPECIES – RIVER HERRING

Table 8. Blueback ages from the independent sampling surveys (2006-2015).

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2006	5	3	7	213
2007	5	3	7	379
2008	4	2	7	254
2009	5	3	7	330
2010	4	3	6	127
2011	4	3	6	112
2012	5	3	6	69
2013	3	2	6	211
2014	3	2	5	320
2015	4	3	8	141

Table 9. Summary of the N.C. Marine Fisheries Commission management strategies and their implementation status for Amendment 2 of the River Herring Fishery Management Plan

Management Strategy	Implementation Status
Eliminate the discretionary river herring harvest season and permit	Existing proclamation authority
Moving the Albemarle Sound/Chowan River Herring Management Areas to correct boundary reference for the Cashie River Anadromous Fish Spawning Area	15A NCAC 03R .0202
Remove alewife and blueback herring from the Mutilated Finfish Rule	15A NCAC 03M .0101
Prohibit possession of alewife and blueback herring greater than six inches aboard a vessel or while engaged in fishing from the shore or a pier.	15A NCAC 03M .0513

STATE-MANAGED SPECIES – RIVER HERRING

FIGURES

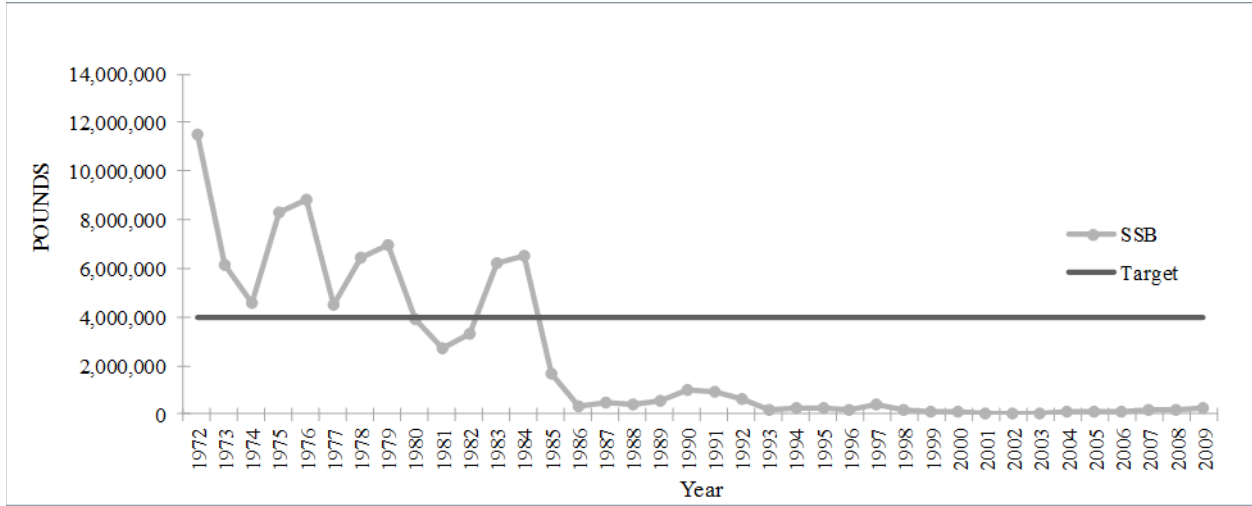


Figure 1. Annual estimate of female spawning stock biomass (SSB) in pounds for the Chowan River blueback herring stock, 1972-2009 (ASMFC 2012).

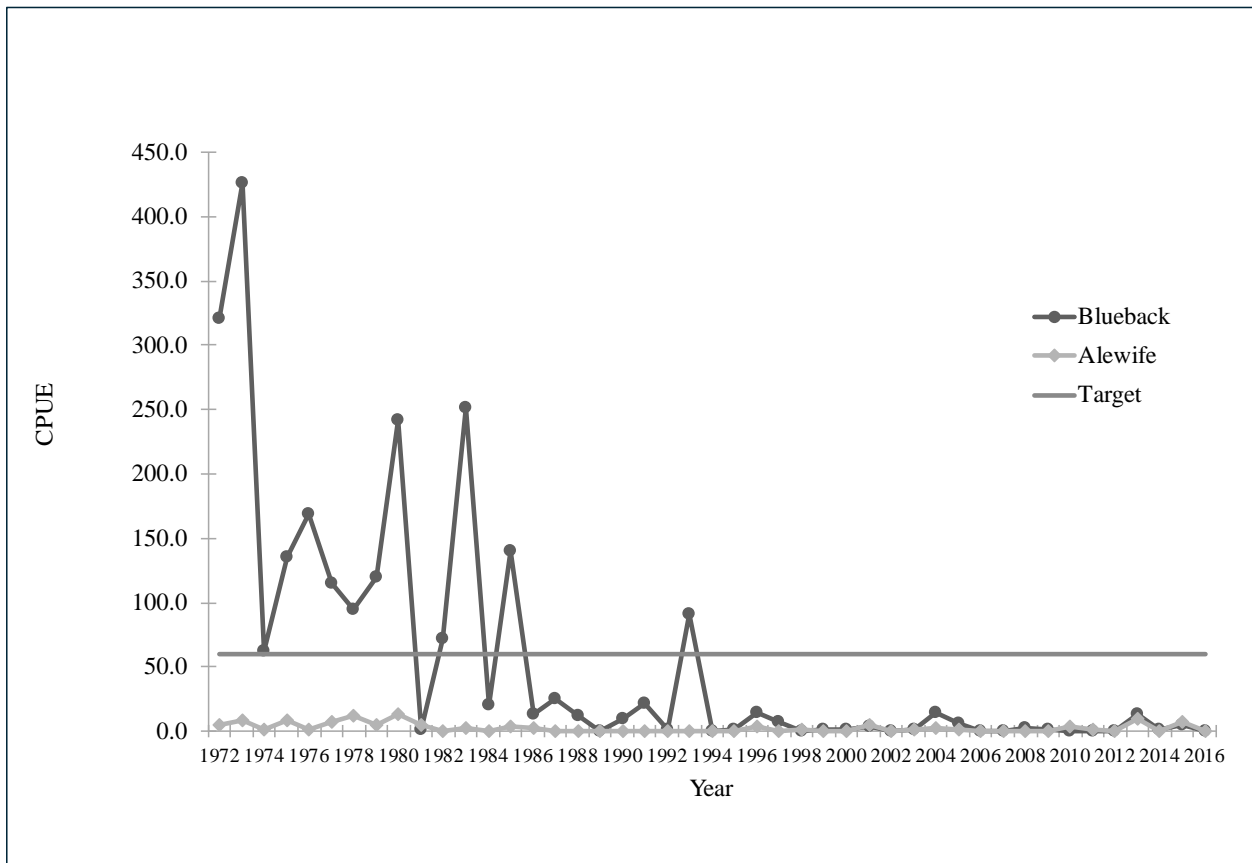


Figure 2. River herring (blueback and alewife) juvenile abundance index from the NCDMF Albemarle Sound juvenile survey, 2007-2016.

STATE-MANAGED SPECIES – RIVER HERRING

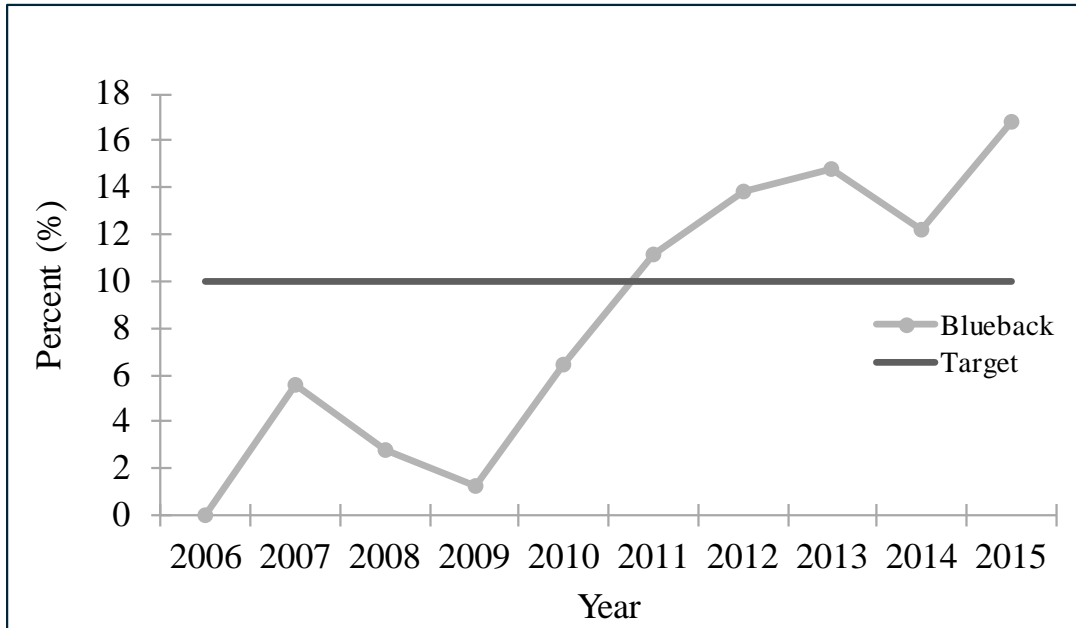


Figure 3. Percent of blueback herring repeat spawners in the Chowan River Pound Net Survey, 2006-2015.

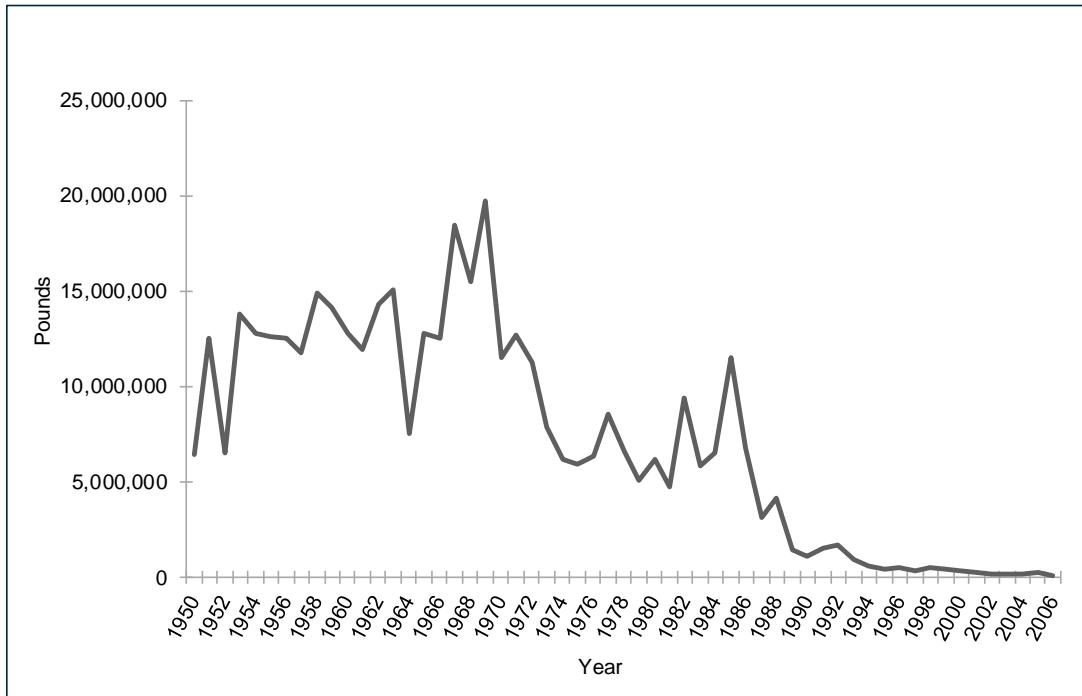


Figure 4. Statewide N.C. Commercial River Herring Landings, 1950 – 2016.

STATE-MANAGED SPECIES – SHEEPSHEAD

FISHERY MANAGEMENT PLAN UPDATE SHEEPSHEAD AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	None
Amendments:	None
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	None

Sheepshead (*Archosargus probatocephalus*) was initially managed as part the South Atlantic Fishery Management Council's (SAFMC) Snapper Grouper Fishery Management Plan (FMP). The plan restricted recreational anglers to an aggregate 20 fish bag limit; there was no commercial trip limit, and neither sector had a size limit. In state waters, North Carolina deferred to the Council and the same regulations were followed. In April 2012, sheepshead was officially removed from the SAFMC's snapper grouper management complex through the Comprehensive Annual Catch Limit Amendment (Amendment 25) (SAFMC 2011). Subsequently, North Carolina's proclamation authority for the management of the species was invalidated since sheepshead was no longer part of the North Carolina Fishery Management Plan for Interjurisdictional Fisheries or a Council managed species. In November 2012, the N.C. Marine Fisheries Commission (NCMFC) requested that a rule be developed for sheepshead; and in November 2013, approved the rule (15A NCAC 03M .0521) that specifies the Director's proclamation authority, including the ability to implement size, bag, and trip limits, as well as season and gear restrictions. In July 2014, N.C. Division of Marine Fisheries (NCDMF) began developing potential management measures for sheepshead to present to the NCMFC. In 2015, the Commission implemented new regulations that included size, bag, and trip limits in order to prevent overharvest, as well as to allow a greater number of individuals to spawn before being harvested. There currently is no state or federal FMP for sheepshead.

Management Unit

North Carolina manages sheepshead in state coastal waters (internal and 0 to 3 miles in Atlantic Ocean).

STATE-MANAGED SPECIES – SHEEPSHEAD

Goal and Objectives

None

STATUS OF THE STOCK

Stock Status

The status of sheepshead for North Carolina is considered unknown. North Carolina defines stocks as unknown when there is insufficient data available to determine such information as trends in effort, age distribution, and settlement. The Division is continuing to collect data from recreational, commercial, and independent sampling efforts to estimate trends in abundance of sheepshead; age structure, maturity, and other biological information is also being collected.

Stock Assessment

Currently, there is not a stock assessment for sheepshead in North Carolina.

STATUS OF THE FISHERY

Current Regulations

In 2015, the NCMFC implemented a 10-inch fork length (FL) minimum size limit for both recreational and commercial fisheries. There is a recreational bag limit of 10 fish per person per day or per trip (if a trip occurs over more than one calendar day). Commercial fishing operations are limited to 300 pounds per trip with two exceptions; gig and spear operations are limited to 10 fish per person per day or trip (if a trip occurs over more than one calendar day), and pound net operations are exempt from the commercial trip limits.

Commercial Landings

Sheepshead are primarily caught as bycatch in several of North Carolina's commercial fisheries (gill nets, pound nets, haul seines). A targeted spear fishery has developed in the last five years, and the gig fishery has also become more popular in this time (Table 1). Estuarine gill nets and pound nets have made up the majority of the landings in the last 10 years (Table 1). In 2016, the majority (over 70%) of the commercial landings came from pound nets (39%) and estuarine gill nets (33%); an additional 16% was landed by spears and gigs, combined (Table 1). Landings have fluctuated from year to year, with the highest landings occurring in 2013 and 2014 (Table 2; Figure 1). The landings for the last two years have been lower than the 10-year average (125,970 pounds) (Table 2; Figure 1).

Recreational Landings

The recreational fishery tends to be more of a targeted fishery compared to the commercial. This fishery is primarily a hook and line fishery, but the species is becoming a favorite of spear fishermen. Recreational harvest accounted for 72% of North Carolina's total harvest with annual

STATE-MANAGED SPECIES – SHEEPSHEAD

harvest ranging from 116,683 pounds in 2016 to a high of 725,623 pounds in 2007 (Table 3). Like the commercial catch, landings have fluctuated from year to year (Table 3; Figure 1). Recreational harvest peaked in 2013; however, landings have generally declined since 2007 (Table 3). In 2016, landings were only 55% of the total harvest and 67% below the 10-year average (130,195 fish) (Table 3; Figure 1).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial fishing activity is monitored through fishery dependent sampling programs conducted by NCDMF. Data collected in these programs allow the size and age distribution of sheepshead to be characterized by gear and fishery. In 2016, 987 lengths were measured at fish houses or on the water, the majority of which came from the estuarine gillnet, spear, and pound net fisheries. The mean size of commercial caught sheepshead was 15 inches FL (Table 4). This has varied slightly from year to year (12 to 15 inches FL), with the average and minimum sizes being smaller when there was no size limit.

Similar to the commercial fishery, average size varies little from year to year in the recreational fishery (Table 5). In 2016, the average size recreational sheepshead was 14 inches fork length (Table 5). In both fisheries, sublegal fish (<10 inches fork length) are still being harvested (Tables 4 and 5). This is most likely due to fishermen being unaware of changes in regulations, and/or confusing sheepshead and black drum regulations. While the size limits differ, black drum are measured for total length and sheepshead for fork length.

Fishery-Independent Monitoring

A fishery independent gill net survey was initiated by the NCDMF in May of 2001. The survey utilizes a stratified random sampling scheme designed to characterize the size and age distribution for key estuarine species in Pamlico Sound. By continuing a long-term database of age composition and developing an index of abundance for sheepshead this survey will help managers assess the sheepshead stocks without relying solely on commercial and recreational fishery dependent data. The overall sheepshead Catch per Unit Effort (CPUE; Number of sheepshead per set) was 0.20 in 2016, 13% above the time series CPUE (Table 6; Figure 2).

In order to describe the age distribution of the harvest and indices, sheepshead age structures are collected from various fishery independent and dependent sources throughout the year. Otolith collection for sheepshead is relatively new; while there is age data going back to 2008, the sample size is low and ages have not yet been verified. In 2016, 215 sheepshead were collected ranging in age from 0 to 29 years (Table 7). The majority of sheepshead collected (9 to 15 inches fork length) are ages 2 to 5.

MANAGEMENT STRATEGY

See Table 8 for current management strategies and implementation status for sheepshead.

STATE-MANAGED SPECIES – SHEEPSHEAD

RESEARCH NEEDS

- Develop a tagging program to determine migration patterns as well as juvenile and adult abundance indices for use in the development of a stock assessment model to determine sustainability. The program should include methods to estimate tag retention, reporting rate, and tagging-induced mortality (needed)
- Continue monitoring of recreational and commercial catches (ongoing through NCDMF fisheries dependent sampling programs)
- Collect ageing structures, update maturity schedule (ongoing through NCDMF sampling programs and CRFL histology grant)
- Collect age and sex information from recreational and commercial fisheries (ongoing through NCDMF fisheries dependent sampling programs)
- Conduct spawning area surveys (needed; some work to be done by CMAST through CRFL)

LITERATURE CITED

SAFMC (South Atlantic Fishery Management Council). 2011. Comprehensive Annual Catch Limit (ACL) Amendment (Amendment 25 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region). South Atlantic Fishery Management Council, 4055 Faber Place, Ste 201, North Charleston, S.C. 29405. (Available online at: https://www.dropbox.com/s/iz8wn5vec36hpis/CompACLAm_101411_FINAL.pdf?dl=0)

TABLES

Table 1. North Carolina’s commercial sheepshead landings (pounds) by gear type, 2007-2016 (N.C. Trip Ticket Program).

Year	Landings (pounds) by Gear						
	Pound net	Estuarine gill net	Diving spears and gigs	Long haul	Ocean gill net	Trawls	Other
2007	15,912	19,436	2,438	7,788	1,748	29,434	418
2008	41,107	26,347	2,909	10,495	2,662	5,585	623
2009	49,164	57,668	3,178	15,803	1,107	4,250	1,220
2010	49,205	59,271	2,998	37,974	1,345	5,604	1,235
2011	55,729	40,653	5,946	13,143	1,594	2,015	1,897
2012	46,233	32,565	15,916	9,780	1,974	2,140	1,274
2013	94,780	48,194	15,259	12,497	3,055	3,940	2,501
2014	92,988	39,524	21,886	11,777	3,253	2,581	1,367
2015	73,035	27,254	13,695	337	5,741	3,998	776
2016	36,839	30,824	14,761	262	2,509	7,068	1,223

STATE-MANAGED SPECIES – SHEEPSHEAD

Table 2. North Carolina commercial sheepshead landings (pounds), number of dealers and ex-vessel value, 2007-2016 (N.C. Trip Ticket Program).

Year	Dealers	Ex-Vessel Value	Pounds
2007	127	\$41,235	77,173
2008	130	\$53,053	89,726
2009	136	\$82,340	132,390
2010	130	\$99,666	157,631
2011	136	\$90,068	120,976
2012	149	\$92,837	109,881
2013	148	\$145,794	180,225
2014	139	\$153,529	173,376
2015	130	\$139,237	124,836
2016	130	\$116,477	93,486

Table 3. North Carolina recreational sheepshead harvest pounds, harvest number and number released and PSE=Proportional Standard Error, 2007-2016 (Marine Recreational Information Program).

Year	Harvest Weight		Harvest Number		Released	
	Pounds	PSE	Number	PSE	Number	PSE
2007	725,623	26.8	216,529	28.9	133,565	29.1
2008	381,995	28.7	175,412	24.2	69,537	23.4
2009	220,237	23.8	124,328	21.6	99,500	24.8
2010	420,108	17.3	145,873	16.3	63,557	18.7
2011	180,145	26.9	66,689	23.7	22,623	27.8
2012	293,570	19.6	119,899	16.3	79,668	18.7
2013	500,096	14.5	273,211	18.1	154,083	23.4
2014	143,782	22.8	61,379	21.0	72,520	20.3
2015	217,148	22.0	76,496	22.3	34,908	21.9
2016	116,683	24.6	42,137	22.2	75,865	30.0

STATE-MANAGED SPECIES – SHEEPSHEAD

Table 4. Sheepshead length (fork length, inches) data from commercial fish house samples, 2007-2016.

Year	Mean Length (inches)	Minimum Length (inches)	Maximum Length (inches)	Total Measured (number)
2007	14	6	24	914
2008	13	5	24	1527
2009	12	6	23	1491
2010	13	7	24	1811
2011	14	5	24	1317
2012	13	5	37	1236
2013	13	7	24	1426
2014	14	7	23	1327
2015	15	8	24	1001
2016	15	8	24	987

Table 5. Sheepshead length (fork length, inches) data from Marine Recreational Information Program samples, 2007-2016.

Year	Mean Length (inches)	Minimum Length (inches)	Maximum Length (inches)	Total Measured (number)
2007	15	7	24	118
2008	13	7	21	108
2009	12	7	21	159
2010	14	8	26	221
2011	14	7	25	160
2012	13	6	23	254
2013	12	6	24	351
2014	13	8	25	99
2015	14	9	23	134
2016	14	8	25	106

STATE-MANAGED SPECIES – SHEEPSHEAD

Table 6. Annual weighted sheepshead Catch Per Unit Effort (Number per set all ages combined) from the North Carolina Pamlico Sound Independent Gill Net Survey, 2001-2015. N=number of samples; CPUE=Catch per unit effort; SE=Standard Error; PSE=Proportional Standard Error.

Year	N	CPUE	SE	PSE
2001	237	0.13	0.06	46
2002	320	0.14	0.04	29
2003	320	0.08	0.02	25
2004	320	0.13	0.03	23
2005	304	0.08	0.02	25
2006	320	0.08	0.02	25
2007	320	0.11	0.03	27
2008	320	0.11	0.03	27
2009	320	0.30	0.05	17
2010	320	0.18	0.04	22
2011	298	0.16	0.06	38
2012	308	0.12	0.03	25
2013	308	0.30	0.07	23
2014	308	0.45	0.09	20
2015	306	0.26	0.06	23
2016	308	0.20	0.04	20

Table 7. Summary of sheepshead age samples collected from both dependent (commercial and recreational) and independent (survey) sources, 2015-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2015	4	1	10	135
2016	5	0	29	215

Table 8. Summary of management strategies and their implementation status for sheepshead.

Management Strategy	Implementation Status
HARVEST MANAGEMENT	
Implement a size limit, recreational bag limit, and commercial trip limit by June 1, 2015	Proclamation authority through Rule 15A NCAC 03M .0521

STATE-MANAGED SPECIES – SHEEPSHEAD

FIGURES

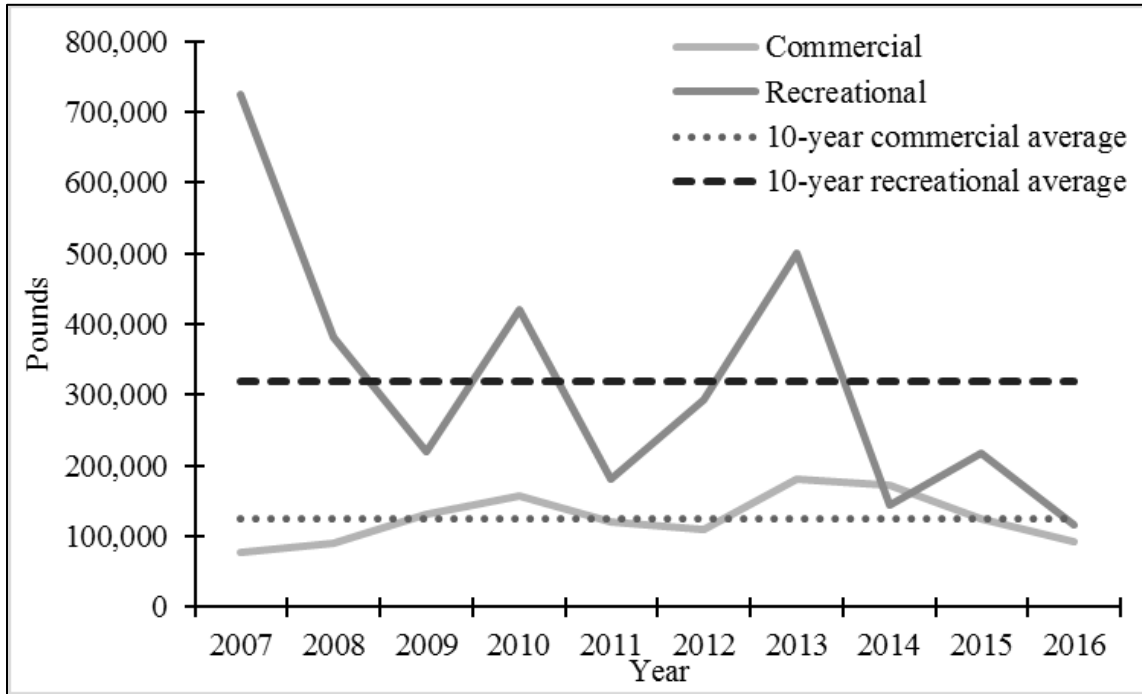


Figure 1. North Carolina commercial (N.C. Trip Ticket Program) and recreational (Marine Recreational Information Program) sheepshead landings (pounds), 2007-2016.

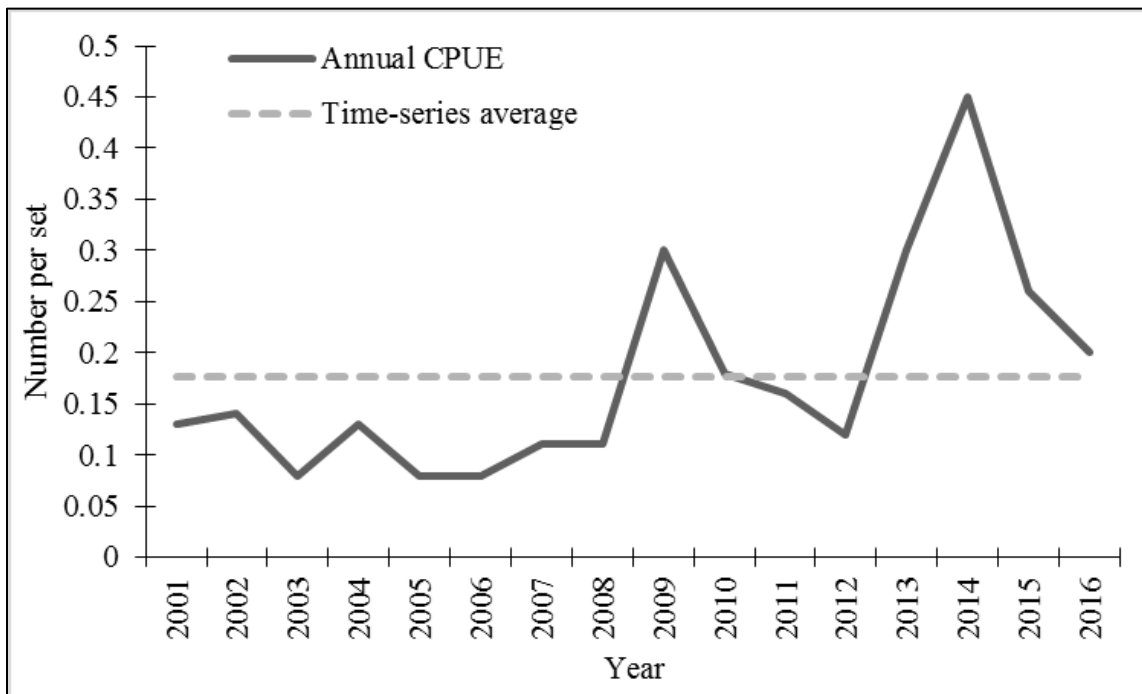


Figure 2. Annual index of abundance of sheepshead in the NCDMF Pamlico Sound Independent Gill Net Survey, 2001-2017.

STATE-MANAGED SPECIES – SHRIMP

FISHERY MANAGEMENT PLAN UPDATE SHRIMP AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	April 2006
Amendments:	Amendment 1 – February 2015
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	July 2020

The N.C. Shrimp Fishery Management Plan (FMP) was approved in April 2006 by the N.C. Marine Fisheries Commission (NCMFC; NCDMF 2006). The plan included a 90-foot headrope limit in some internal waters, allowed skimmer trawls as a Recreational Commercial Gear License (RCGL) gear and made recommendations on the minimum shrimp size at which some water bodies open to trawling. The plan also closed some areas in the state to protect habitats and juvenile finfish and established a 48-quart (heads-on) recreational limit. A restriction on the use of shrimp trawls above the Highway 172 Bridge over New River took effect in 2010 and this area above the bridge is now limited to skimmer trawls only. This strategy was codified into rule through Amendment 1.

Amendment 1 was adopted in February 2015 and was limited in scope to bycatch issues in the commercial and recreational fisheries (NCDMF 2015). It recommended a wider range of certified bycatch reduction devices to choose from, and the requirement of two bycatch reduction devices in shrimp trawls and skimmer trawls beginning June 1, 2015 (SH-2-2015). It increased the daily harvest limit for cast nets in closed areas. Amendment 1 also established a maximum combined headrope length of 220 feet in all internal coastal waters where there is no existing maximum combined headrope requirements, allowing for a phase-out period until January 1, 2017. Shrimp trawling was also prohibited, effective May 1, 2015 in the Intracoastal Waterway channel from the Sunset Beach Bridge to the South Carolina line, including the Shallotte River, Eastern Channel and lower Calabash River, to protect small shrimp. An industry workgroup, as a management strategy through Amendment 1, is currently working to test gear modifications to reduce bycatch to the extent practicable with a 40 percent target reduction in the shrimp trawl fishery. Also as part of Amendment 1, the Division established a permitted live bait shrimp

STATE-MANAGED SPECIES – SHRIMP

fishery to allow live bait fishermen with a permit to fish until 12:00 p.m. (noon) on Saturdays; effective May 1, 2017.

Management Unit

The management unit includes the three major species of shrimp: brown (*Farfantepenaeus aztecus*), pink (*Farfantepenaeus duorarum*), and white (*Litopenaeus setiferus*) and its fisheries in all coastal fishing waters of North Carolina, which includes the Atlantic Ocean offshore to three miles.

Goal and Objectives

The goal of the N.C. Shrimp Fishery Management Plan is to utilize a management strategy that provides adequate resource protection, optimizes the long-term commercial harvest, maximizes social and economic value, provides sufficient opportunity for recreational shrimpers, and considers the needs of all user groups. To achieve this goal, it is recommended that the following objectives be met:

1. Minimize waste and enhance economic value of the shrimp resource by promoting more effective harvesting practices.
2. Minimize harvest of non-target species of finfish and crustaceans and protected, threatened, and endangered species.
3. Promote the protection, restoration, and enhancement of habitats and environmental quality necessary for enhancing the shrimp resource.
4. Maintain a clear distinction between conservation goals and allocation issues.
5. Reduce conflicts among and within user groups, including non-shrimping user groups and activities.
6. Encourage research and education to improve the understanding and management of the shrimp resource.

STATUS OF THE STOCK

Stock Status

Shrimp stocks of all three species in North Carolina are considered viable. Population size is regulated by environmental conditions, and while fishing reduces the population size over the season, fishing is not believed to have any impact on subsequent year class strength unless the spawning stock has been reduced below a minimum threshold level by environmental conditions. Because of high fecundity and migratory behavior, the three species are all capable of rebounding from a very low population size in one year to a large population size in the next, provided environmental conditions are favorable.

STATE-MANAGED SPECIES – SHRIMP

Stock Assessment

Estimates of population size are not available but since the fishery is considered an annual crop and fished at near maximum levels, annual landings are probably a good indication of relative abundance. Annual variations in catch are presumed to be due to a combination of prevailing environmental conditions, fishing effort, and the effects of changes in the economics of the fishery.

STATUS OF THE FISHERY

Current Regulations

General Rules

- Channel net is defined as a net used to take shrimp which is anchored or attached to the bottom at both ends or with one end anchored or attached to the bottom and the other end attached to a boat [15A NCAC 03I .0101(3)(b)].
- Headrope is defined as a support structure for the mesh or webbing of a trawl that is nearest to the water surface when in use [15A NCAC 03I .0101(3)(i)].
- Nursery areas are defined as areas in which for reasons such as food, cover, bottom type, salinity, temperature and other factors, young finfish and crustaceans spend the major portion of their initial growing season [15A NCAC 03I .0101(4)(f)].
- Military danger zones and restricted areas are designated in 15A NCAC 03R .0102 and are enforced by the appropriate federal agency [15A NCAC 03I .0110(a)].
- Maps or charts showing the boundaries of areas identified by rule or in proclamations are available for inspection [15A NCAC 03I .0121(a)].
- The NCDMF shall mark boundaries with signs insofar as may be practical. No removal or relocation of signs shall have the effect of changing the classification or affect the applicability of any rule pertaining to that body of water [15A NCAC 03I .0121(b)].

Rules Specific to Commercial Nets, Pots, Dredges, and Other Fishing Devices

- It is unlawful to use or set a fixed or stationary net in the Intracoastal Waterway where it may be a hazard to navigation, block more than two-thirds of any natural or manmade waterway, in the middle third of any marked navigation channel [15A NCAC 03J .0101(1), (2), and (3)].
- It is unlawful to possess aboard a vessel while using a trawl in internal waters more than 500 pounds of finfish from December 1 through February 28 and 1,000 pounds of finfish from March 1 through November 30 [15A NCAC 03J .0104(a)].
- It is unlawful to use trawls nets in internal coastal waters from 9:00 p.m. on Friday through 5:00 p.m. on Sunday, except for the areas described in the next bullet [15A NCAC 03J .0104(b)(1)].
- It is unlawful to use trawl nets from December 1 through February 28 from one hour after sunset to one hour before sunrise in portions of the Pungo, Pamlico, Bay, Neuse, and New rivers [15A NCAC 03J .0104(b)(5)(A), (B), (C), (D), and (E)].
- It is unlawful to use trawl nets in Albemarle Sound and its tributaries [15A NCAC 03J .0104(b)(3)].

STATE-MANAGED SPECIES – SHRIMP

- The Director may by proclamation, require bycatch reduction devices or codend modifications in trawl nets to reduce the catch of finfish that do not meet size limits or are unmarketable as individual foodfish by reason of size [15A NCAC 03J .0104(d)].
- It is unlawful to use trawl nets in designated pot areas opened to the use of pots by 15A NCAC 03J .0301(a)(2) 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 that the weight of the crabs shall not exceed 50 percent of the total weight of the combined crab and shrimp catch; or 300 pounds, whichever is greater [15A NCAC 03J .0104(f)(2)].
- It is unlawful to use shrimp trawls for recreational purposes unless the trawl is marked with a pink buoy on the tailbag [15A NCAC 03J .0104(e)].
- 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(g)].
- It is unlawful to use a channel net until the Director specifies by proclamation when and where channel nets and other fixed nets for shrimping can be used [15A NCAC 03J .0106(a)(1)].
- It is unlawful to set a channel net without yellow light reflective tape on the staffs, stakes and buoys [15A NCAC 03J .0106(a)(2)].
- Channel nets cannot be set with any portion of the set within 50 feet of the center line of the Intracoastal Waterway (ICW) channel or in the middle third of any navigation channel marked by the Corps of Engineers or the Coast Guard. Fishermen must attend channel nets by being no more than 50 yards from the set at all times [15A NCAC 03J .0106(a)(3), (4), and (5)].
- The maximum corkline length of a channel net that can be used or possessed is 40 yards. No channel net, net buoys or stakes can be left in coastal waters from December 1 through March 1. From March 2 through November 30, cables and any attached buoy must be connected together with non-metal line when not attached to the net. Metallic floats or buoys to mark sets are unlawful [15A NCAC 03J .0106(b), (c), (d), and (e)].
- Channel nets must be properly marked with yellow light reflective tape and the owner's identification on each buoy. Identification includes one of the following: owner's N.C. motorboat registration number or the U.S. vessel documentation number or owner's last name and initials. Channel nets, anchor lines or buoys are not to be used in any way that constitutes a hazard to navigation [15A NCAC 03J .0106(f) and (g)].
- It is unlawful to use channel nets to take blue crabs in internal waters, except that it shall be permissible to take or possess blue crabs incidental to channel net operations provided that the weight of the crabs does not exceed 50 percent of the total weight of crab and shrimp or 300 pounds, whichever is greater [15A NCAC 03J .0106(h)(1)(A) and (B)].
- The Director may, by proclamation, close any area to channel net use for specific time periods in order to secure compliance with the above bullet [15A NCAC 03J .0106(h)(2)].
- It is unlawful to use nets from June 15 through August 15 in the waters of Masonboro Inlet or in the ocean within 300 yards of the beach between Masonboro Inlet and a line running 138° through the water tank on the northern end of Wrightsville Beach, a distance parallel with the beach of 4,400 yards. It is unlawful to use trawls within one-half mile of the beach between the Virginia line and Oregon Inlet [15A NCAC 03J. 0202(1) and (2)].

STATE-MANAGED SPECIES – SHRIMP

- It is unlawful to use a trawl with a mesh length less than four inches in the body and three inches in the extension and on and three-fourths inches in the cod end or tail bag from the west side of Beaufort Inlet Channel to the shore off Salter Path within a half mile of shore [15A NCAC 03J .0202(3)].
- 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 crab 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 use shrimp trawls in all waters west of a line beginning at the southeastern tip of Baldhead Island at a point 33⁰ 50.4833'N – 77⁰ 57.4667 W; running southerly in the Atlantic Ocean to a point 33⁰ 46.2667'N – 77⁰ 56.4000 W from 9:00 p.m. through 5:00 a.m. [15A NCAC 03J .0202(8)].
- It is unlawful to use trawl nets upstream of the Highway 172 Bridge in New River from 9:00 p.m. through 5:00 a.m. when opened by proclamation from August 15 through November 30 (15A NCAC 03J .0208).
- It is unlawful to use any commercial fishing gear in the Southport Boat Harbor, Brunswick County and to use any commercial fishing gear in the Progress Energy Intake Canal between the fish diversion screen and the Brunswick nuclear power plant (15A NCAC 03J .0206 and .0207).
- It is unlawful to use shrimp pots with mesh lengths smaller than one and one-fourth inches stretch or five-eighths inch bar [15A NCAC 03J .0301(e)].
- It is unlawful to use pots with leads or leaders to take shrimp. Leads are defined as any fixed or stationary net or device used to direct fish into any gear [15A NCAC 03J .0301(l)].
- In Dare County, commercial fishing gear may not be used within 750 feet of licensed fishing piers when opened to the public. Commercial fishing gear may not be used in the Atlantic Ocean off of portions of Onslow, Pender, and New Hanover counties during specified time frames [15A NCAC 03J .0402(a)(1)(A)(ii), (a)(2)(A), (a)(2)(B)(i) and (ii), (a)(3)(A), (a)(3)(B)(i) and (iii), (a)(4)].
- Shrimp pound net set is defined as a pound net set constructed of stretch mesh equal to or greater than one and one-fourth inches and less than or equal to two inches [15A NCAC 03J .0501(a)(6)].
- A permit is required to deploy a pound net set and must be operational for a minimum of 30 consecutive days during the permit period. Each pound required the permittee's identification on a sign attached to a stake at the permitted ends of each set at all times. They must have yellow light reflective tape or yellow light reflective devices on each pound and have a marked navigational opening at least 25 feet wide at the end of every third pound and marked with yellow light reflective tape or yellow light reflective devices [15A NCAC 03J .0501(b) and (c)].
- It is unlawful to use a RCGL shrimp pound net unless it is marked by attaching to the offshore lead, one hot pink floating buoy. The owner shall be identified on the buoy by engraving the gear owner's current boat registration number or the owners U.S. vessel documentation name. Each shrimp pound must be set a minimum of 100 yards from a RCGL pound net set or 300 yards from an operational permitted shrimp pound net set [15A NCAC 03J .0501(d)(1) and (2)].

STATE-MANAGED SPECIES – SHRIMP

- It is unlawful within 30 days of abandonment of a permitted pound net set to fail to remove all stakes and associated gear from coastal fishing waters [15A NCAC 03J .0501(g)].
- Pound net permit applications, renewals and transfers are to comply with the permitting procedures and requirements for obtaining all NCDMF-issued permits. Application process, criteria for the granting of the permit, operational requirements and other elements of the shrimp pound net set permits are found in 15A NCAC 03J .0502, .0503, .0504, and .0505.

Rules Specific to Shrimp

- It is unlawful to take shrimp with nets until the Director opens the season in various waters by proclamation (15A NCAC 03L .0101).
Proclamations may specify any hours of day or night or both and any other conditions appropriate to manage the fishery. Some areas never open to shrimping, some areas are open year round, and some areas open and close throughout the year dependent upon shrimp movement and their size. Open areas to trawling are considered the shrimp open areas for all other gears including cast nets. All proclamations beginning with SH identify the open and closed areas and are found here throughout the year:
<http://portal.ncdenr.org/web/mf/proclamations-current>.
- It is unlawful to take shrimp by any method from 9:00 p.m. on Friday through 5:00 p.m. on Sunday except in the Atlantic Ocean or with the use of fixed and channel nets, hand seines, shrimp pots and cast nets [15A NCAC 03L .0102].
- It is unlawful to take shrimp with mesh lengths less than one and one-half inches in trawls, one and one-fourth inches in fixed nets, channel nets, float nets, butterfly nets and hand seines [15A NCAC 03L .0103(a)(1) and (2)].
- It is unlawful to take shrimp with a net constructed in a manner as to contain an inner or outer liner of any mesh size. Net material used as chafing gear shall be no less than four inches mesh length [15A NCAC 03L .0103(b)].
- It is unlawful to take shrimp with trawls which have a combined headrope of greater than 90 feet in internal coastal waters except in Pamlico Sound, Pamlico River downstream of Pamlico Point/ Willow Point and Neuse River downstream of Winthrop Point/Windmill Point [15A NCAC 03L .0103(c)(1), (2), and (3)].
- It is unlawful to use a shrimp trawl in the Pungo River, upstream of Wades Point/Abel Bay, Pamlico River upstream of the entrance to Goose Creek/Wades Point and Neuse River upstream of Cherry Point/Wilkerson Point 15A [NCAC 03L .0103(d)].
- It is unlawful to possess more than 48 quarts, heads-on or 30 quarts heads-off of shrimp per person per day or per vessel per day for recreational purposes [15A NCAC 03L .0105(1)].
- It is unlawful to take or possess shrimp taken from any area closed to the taking of shrimp except for two quarts per person per day may be taken with a cast net in a closed area [15A NCAC 03L .0105(2)].
- It is unlawful to use trawls in the crab spawning sanctuaries from March 1 through August 31 [15A NCAC 03L .0205(a)].
- It is unlawful to use a trawl net in any primary or permanent secondary nursery area [15A NCAC 03N .0104, and .0105(a)].
- Special secondary nursery areas may be opened to shrimp and crab trawling from August 16 through May 14 [15A NCAC 03N .0105(b)].

STATE-MANAGED SPECIES – SHRIMP

Special secondary nursery areas open by proclamation and vary in their open time periods within the August 16 through May 14 window. They are opened once the finfish amount has declined to reduce bycatch.

Recreational Licenses and Limits

- RCGL gear includes one shrimp trawl with a headrope not exceeding 26 feet in length per vessel, five shrimp pots, skimmer trawls, not exceeding 26 feet in total combined width and one shrimp pound net with each lead 10 feet or less in length and with a minimum lead net mesh of 1 ½ inches and enclosures constructed of net mesh of 1 ¼ inches or greater and with all dimensions being 36 inches or less. Attendance is required at all times for shrimp pounds [15A NCAC 03O .0302(a)(2), (3), (7), and (8)].
- It is unlawful for a RCGL holder to use pots, including shrimp pots unless each pot is marked by attaching one hot pink floating buoy; the buoy should be engraved with the gear owners boat registration number or U.S. vessel documentation name [15A NCAC 03J .0302(a)(1) and (2)].
- It is unlawful to possess more than 48 quarts, heads-on, or 30 quarts, heads-off, of shrimp per person per day or per vessel per day [15A NCAC 03L .0105].
- It is unlawful to possess more than 48 quarts, heads-on, or 30 quarts, heads-off, of shrimp when only one person aboard a vessel possesses a valid RCGL and recreational commercial fishing equipment [15A NCAC 03O .0303(e)].
- It is unlawful to possess more than 96 quarts, heads on or 60 quarts, heads-off, of shrimp if more than one person aboard a vessel possesses a valid RCGL and recreational commercial fishing equipment [15A NCAC 03O .0303(f)].

Turtle Excluder Device Requirements

- It is unlawful to use a shrimp trawl that does not conform with the federal requirements for Turtle Excluder Devices (TEDs) [15A NCAC 03L .0103(g)].
- It is unlawful to trawl for shrimp in the Atlantic Ocean without TEDs within one nautical mile of shore from Browns Inlet to Rich's Inlet without a valid permit to waive the requirement to use TEDs in the Atlantic Ocean when allowed by proclamation from April 1 through November 30. It is unlawful to tow more than 55 minutes from April 1 through October 31 and 75 minutes from November 1 through November 30. It is unlawful to not fully empty the contents of each net after each tow. It is unlawful to refuse to take observers. It is unlawful to fail to report any sea turtle captured [15A NCAC 03O .0503(d)(1), (2), (3), (4), and (5)].

Federal Regulations

- 33 CFR 334.410 through 334.450
These rules designate prohibited and restricted military areas, including locations within North Carolina coastal fishing waters, and specify activities allowed in these areas.
- 50 CFR 223.206 - Exceptions to prohibitions relating to sea turtles.
The incidental taking of sea turtles in the shrimp trawl fishery is exempted from section 9 of the Endangered Species Act if conservation regulations are followed and include the installation of National Oceanic and Atmospheric Administration (NOAA) Fisheries

STATE-MANAGED SPECIES – SHRIMP

approved TEDs and alternative tow times for skimmer trawls, pusher-head trawls and butterfly trawls.

- 50 CFR 223.207 – Approved TEDs
This lists NOAA Fisheries approved TEDs such as the single-grid hard TEDs, hooped hard TEDs, special hard TEDs and soft TEDs, along with materials and gear specifications. Testing protocols for TEDs are also included in this rule.
- 50 CFR 229.7 – Monitoring of incidental mortalities
This requires that fishermen who participate in a Category I or II fishery are required to accommodate an observer onboard your vessel(s) up on request
- 50 CFR 622, Appendix D – Approved Bycatch Reduction Devices (BRDs)
This lists NOAA Fisheries approved BRDs and provides technical specifications for the construction and subsequent legal enforcement of these BRDs.

Rules implemented in Amendment 1 to the N.C. Shrimp Fishery Management Plan on May 1, 2015

- Modify the definition of mesh length to apply to diamond-mesh and square-mesh nets in support of a management strategy to require an additional bycatch reduction device in skimmer and otter trawls, which can include a square-mesh T-90 panel [15A NCAC 03I .0101(3)(n)].
- Codify an existing management strategy prohibiting the use of trawl nets, except skimmer trawls, upstream of the N.C. 172 Bridge over the New River in Onslow County to continue reducing bycatch [15A NCAC 03J .0208(a) and (b)].
- Clarify the Division of Marine Fisheries Director's proclamation authority for shrimp harvest restrictions [15A NCAC 03J .0104(g)].
- Establish a maximum combined headrope length of 220 feet in all internal coastal waters where there is no existing maximum combined headrope requirements, allowing for a phase-out period until Jan. 1, 2017 [15A NCAC 03L .0103(d)(1), (2), and (3)].
- Allow cast-netting of shrimp in all areas otherwise closed to shrimping and increasing the harvest limit in these areas to four quarts, heads-on, or 2 ½ quarts, heads-off [15A NCAC 03L .0105(2)].
- Prohibit shrimp trawling in the Intracoastal Waterway channel from the Sunset Beach Bridge to the South Carolina line, including the Shallotte River, Eastern Channel and lower Calabash River, to protect small shrimp [15A NCAC 03R .0114(4), (5), (6), and (7)].
- Establish a Permit for Weekend Trawling for Live Shrimp to allow live bait fishermen with a permit to fish until 12:00 p.m. (noon) on Saturdays [15A NCAC 03J .0104(b)(1)(B), 03L .0102(1), (2), and (3), and 03O .0503(k)(1), (2), and (3)].

Commercial Landings

Landings in the North Carolina shrimp fishery vary from year to year and are dependent primarily on environmental conditions. Environmental factors, especially severity of winter temperatures, and salinity can have a major influence on the yearly harvest. North Carolina's shrimp fishery is unusual in the southeast because all three species are taken here and most of the

STATE-MANAGED SPECIES – SHRIMP

effort occurs in internal waters. While South Carolina, Georgia, and Florida allow limited inside waters shrimping, much of their fisheries are conducted in the Atlantic Ocean and white shrimp comprise most of their harvest (NCDMF 2015).

Commercial activity occurs in all waters. The shrimp fishery in the northern portion of the state is conducted in Pamlico, Croatan, and Roanoke sounds and Pamlico, Pungo, Bay, and Neuse rivers. The otter trawl is the predominant gear used in this portion of the state. The shrimp fishery in the central coastal area of the state occurs in Neuse River, Core Sound, North River, Newport River, Bogue Sound, and White Oak River. A variety of methods are used to catch shrimp including trawls, skimmer trawls, channel nets, shrimp pounds, and cast nets. Trawls are used on all three species in both the estuary and the ocean with two-seam trawls used for brown and pink shrimp and four-seam and tongue trawls for white shrimp, which tend to swim higher in the water column and will jump to the surface when disturbed. Most trawling in the central portion of the state is conducted at night. Channel nets are popular around Harkers Island in the Straits and North River while skimmer trawling is very popular in Newport River and New River.

In the southern portion of the state, the fishery is characterized by a large number of small boats fishing internal waters (primarily the Intracoastal Waterway, New, and Cape Fear rivers) and larger vessels fishing the Atlantic Ocean primarily off New River, Carolina Beach, and Brunswick County. Many of the small boats are fished by individuals who shrimp part-time or for personal consumption. Use of gears other than trawls has increased primarily in the area from New River to Rich's Inlet. Channel, float, and butterfly nets make use of tidal currents to push shrimp into the nets and offer the advantages of less fuel consumption and less bycatch than traditional shrimp trawls. Channel nets are fished extensively in the areas around New River and Topsail inlets. To shrimp with a "float net", fishermen attach large floats to the doors and top lines of trawls to make the net fish up in the water column and are pulled slowly forward to harvest shrimp that are migrating to the inlets at night. Butterfly nets use this same harvest strategy but are attached to a metal frame and are held stationary in the water column to capture shrimp as the current carries them into the net. Skimmer trawls have become more popular around New River and Topsail Sound. These alternative gears are employed very little in areas south of Rich's Inlet, however tidal conditions seem favorable for their use. Cast nets and seines are also used to harvest shrimp to provide live shrimp for the commercial bait fishery.

Landings provided by the trip ticket program are combined for the three shrimp species (Figure 1). Total landings from 1994 to 2016 have averaged 6,955,280 pounds per year. In 2016, 13,190,728 pounds of shrimp were landed; the highest annual landings of the 23-year time series. Total landings increased 45 percent from 2015 to 2016. Annual shrimping effort has fluctuated with shrimp abundance, but it appears to have gradually declined since 1994 (NCDMF 2015). This is due to a number of things including cheaper imported shrimp prices, increasing fuel prices, and fishermen retiring out of the industry. Landings in 2005 were lowest on record, likely from several reasons; many large trawlers remained scalloping instead of shrimping because prices were high and the days at sea were extended (NCDMF 2015). Hurricanes Katrina (8/29/05) and Rita (9/4/05) hit the Gulf coast, negatively affecting the fishing industry. Shrimp breeding operations in the Gulf shut down with only one operational in September and some North Carolina shrimpers could not sell their product (NCDMF 2015). While the overall effort

STATE-MANAGED SPECIES – SHRIMP

has declined since the 90s, the number of trips increased 26 percent in 2015 and 19 percent in 2016 (Figure 2).

Recreational Landings

Shrimp are harvested recreationally throughout the state by otter trawls, skimmer trawls, seines, cast nets, shrimp pots and shrimp pounds with specific gear limitations. Since July 1, 1999, anyone wishing to harvest shrimp recreationally with commercial gear is required to purchase a Recreational Commercial Gear License (RCGL). The RCGL is an annual license that allows recreational fishermen to use limited amounts of commercial gear to harvest seafood for their personal consumption. Seafood harvested under this license cannot be sold. Fishermen using this license are held to recreational size and possession limits, gear marking and gear limit and configuration requirements. Many of the species taken by recreational users of commercial gear are included in fisheries management plans. Until 2002, the influence that RCGL holders may have on these species was unknown. Two survey strategies were used to collect information from RCGL holders; a socioeconomic survey, conducted in 2001, 2004, and 2007, and catch and effort surveys conducted monthly from 2002 through 2008. Both surveys were terminated in 2008 due to budget constraints. RCGL holders harvested an average of 52,352 pounds of shrimp a year from 2002 to 2008 (NCDMF 2015). The highest landings occurred in 2002 (101,766 pounds), followed by 2008 (54,359 pounds) and 2003 (50,961 pounds). Recreational landings of shrimp are currently unknown since this survey was discontinued in 2008.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Currently, the only data available for the stock in all areas are the commercial landings and associated effort from the Trip Ticket Program. No fishery dependent monitoring program exists for shrimp.

Fishery-Independent Monitoring

The Estuarine Trawl Survey (Program 120) is a fishery-independent multispecies monitoring program that has been ongoing since 1971 in the months of May and June. One of the key objectives of this program is to provide a long-term data base of annual juvenile recruitment for economically important species. This survey samples fixed stations, a set of 104 core stations with additional stations as needed. The core stations are sampled from western Albemarle Sound south through the South Carolina border each year without deviation two times in the months of May and June. This survey targets juvenile finfish, blue crabs, and penaeid shrimp. A two-seam 10.5 foot headrope trawl with a 1/4-inch mesh in the body and 1/8-inch mesh in the tailbag is used. A one-minute tow is conducted covering a distance of 75 yards. All species taken are sorted, identified, and a total number is recorded for each species. For target species, a subset of at least 30 to 60 individuals is measured. Environmental data are collected, including salinity, dissolved oxygen, temperature, wind speed, and direction.

STATE-MANAGED SPECIES – SHRIMP

Trends in the annual brown shrimp catch per unit effort (CPUE) measured as the number of brown shrimp per station in Program 120 sampling shows fluctuations from year to year (Figure 2). The annual brown shrimp CPUE has decreased 81 percent from 2015 to 2016; 2016 was the third lowest CPUE in the 29-year time series. The proportional standard error was below 20 in all but three years from 1988 to 2016 (Table 2). A PSE of “20” and less was established by the Atlantic Coast Cooperative Statistics Program (ACCSP) as a standard when considering the precision of a given metric. The margin of error for the annual brown shrimp CPUE is low, therefore providing greater confidence in the samples as an expression to the population (Table 2).

As indicated in the stock status section, annual landings are a good indication of relative abundance of shrimp in the coastal fishing waters of North Carolina. Estimates of recruitment calculated from the annual brown shrimp CPUE can also be used to determine year class strength. Trends in overall shrimp landings from June and July, months were brown shrimp predominately make up the harvest, show similar trends as the Program 120 data (Figure 4). Currently, there are no juvenile indices for white and pink shrimp in North Carolina.

MANAGEMENT STRATEGY

The management strategy for the shrimp fisheries in North Carolina is to continue to: 1) optimize resource use over the long-term, and 2) minimize waste. The first strategy is accomplished by protection of critical habitats, and gear and area restrictions to protect the stock. Minimization of waste is accomplished by gear modifications, bycatch reduction devices, area closures, and harvest restrictions.

There are no management triggers or methods to track stock abundance, fishing mortality, or recruitment between benchmark reviews from the current FMP. Landings and effort have decreased over time (NCDMF 2015). There are no data to track the recreational fishery.

Amendment 1 was adopted in February 2015 and was limited in scope to bycatch issues in the commercial and recreational fisheries. The management strategy for this amendment recommended a wider range of certified bycatch reduction devices to choose from, the requirement of two bycatch reduction devices in shrimp trawls and skimmer trawls (beginning June 1, 2015), and increased the daily harvest limit for cast nets in closed areas. Amendment 1 also established a maximum combined headrope length of 220 feet in all internal coastal waters where there is no existing maximum combined headrope requirements, allowing for a phase-out period until January 1, 2017. Shrimp trawling was also prohibited, effective May 1, 2015 in the Intracoastal Waterway channel from the Sunset Beach Bridge to the South Carolina line, including the Shallotte River, Eastern Channel and lower Calabash River, to protect small shrimp. An industry workgroup, is also currently working to test gear modifications to reduce bycatch to the extent practicable with a 40 percent target reduction in the shrimp trawl fishery. With the adoption of the Amendment 1, the Marine Fisheries Commission further directed the division to develop a live bait permit to allow permitted fishermen to fish until 12:00 p.m. (noon) on Saturdays. See Table 3 for the specific current management strategies.

STATE-MANAGED SPECIES – SHRIMP

RESEARCH NEEDS

The N.C. Marine Fisheries Commission selected research strategies and implementation status are provided in Table 3. Proposed research needs and status of need is provided in parenthesis from Amendment 1 include:

- Continue to conduct bycatch characterization work across all strata (for example: dominant species, season, areas, vessel type, number of nets/rigs, headrope length) - HIGH (ongoing through NCDMF)
- Initiate/increase state monitoring and reporting on the extent of unutilized bycatch and fishing mortality on fish less than age-1 in the shrimp trawl fishery - HIGH (needed)
- Continue to develop and test methods to reduce bycatch in the commercial and recreational shrimp trawl fisheries - HIGH (ongoing in commercial shrimp trawl fishery through NCDMF)
- Obtain mortality (immediate and post-harvest) estimates of culled (active and passive) bycatch from gears used in the recreational and commercial shrimp fisheries - HIGH (needed)
- Continue to develop standard protocol for bycatch estimations - HIGH (ongoing at NCDMF with collaborative efforts with other agencies and researchers)
- Continue to define and quantify the intensity, duration and spatial scale of trawling effort in N.C. estuaries - HIGH (ongoing through NCDMF)
- Determine species interactions and predator/prey relationships for prominent shrimp trawl bycatch - HIGH (needed)
- Determine how the resuspension of sediment, siltation, and non-point source pollution from adjacent land use practices impacts trends in shrimp abundance and habitat degradation - HIGH (needed)
- Determine the spatial and biological characteristics of submerged aquatic vegetation that maximize their ecological value to shrimp for restoration and conservation purposes - HIGH (ongoing through the Coastal Habitat Protection Plan)
- Effort data needs to be collected to provide estimates based on actual time fished (or number of tows), rather than number of trips - HIGH (needed)
- Improve accuracy of self-reported license gear survey data, or investigate other means of accurately obtaining shrimp fleet characteristic - HIGH (needed)
- Examine how sedimentation, hydrologic alterations, and environmental conditions affect the abundance of brown shrimp (*Farfantepenaeus aztecus*) in southeastern North Carolina - HIGH (needed)
- Conduct research to quantify the number of protected species interactions with the shrimp fishery - MEDIUM (ongoing through current NCDMF grants)
- Continue to develop and test methods to reduce interactions with protected species in the commercial and recreational shrimp trawl fisheries – MEDIUM (ongoing work being conducted by NOAA)
- Initiate sampling to investigate if additional areas currently open to shrimping need changes to their habitat designations - MEDIUM (needed)
- Evaluate the effectiveness and efficiency of the current sampling protocol used to manage shrimp - MEDIUM (needed)

STATE-MANAGED SPECIES – SHRIMP

- Continue to map and quantify the habitat structure and sediment types in North Carolina estuaries - MEDIUM (ongoing through NCDMF)
- Continue to measure the effects of trawling on sediment size distribution and organic carbon content – MEDIUM (needed)
- Expand current social and economic surveys to specifically collect information on shrimp fishermen - MEDIUM (needed)
- Continue to determine the extent of recreational shrimp harvest that is occurring. This group primarily use cast nets to take shrimp either for bait or personal consumption - MEDIUM (needed)
- Continue to support research to determine the status of protected species along the N.C. coast to better anticipate and prevent interactions (for example: migration patterns and habitat utilization) - LOW (ongoing support continued to provide information as interactions with protected species occurs)
- Continue to investigate the impact of tiger shrimp in North Carolina. waters - LOW (research conducted through NOAA)
- Initiate research to determine the impacts of endocrine disrupting chemicals (EDCs) on the various life stages of shrimp - LOW (needed)

FISHERY MANAGEMENT PLAN RECOMMENDATION

Recommend maintain the current timing of the Benchmark Review. Amendment 1 of the N.C. Shrimp FMP was adopted in February 2015 with rule changes in effect May 1, 2015 and May 1, 2017.

LITERATURE CITED

NCDMF (North Carolina Division of Marine Fisheries). 2006. North Carolina Shrimp Fishery Management Plan. North Carolina department of Environment and Natural Resources. North Carolina Division of Marine Fisheries. Morehead City, NC. 384 pp.

NCDMF (North Carolina Division of Marine Fisheries). 2015. North Carolina Shrimp Fishery Management Plan. Amendment 1. North Carolina department of Environment and Natural Resources. North Carolina Division of Marine Fisheries. Morehead City, NC. 519 pp.

STATE-MANAGED SPECIES – SHRIMP

TABLES

Table 1. Harvest (pounds) and pounds per trip of shrimp (three species combined) by RCGL gear from 2002 through 2008 (NCDMF 2015).

Year	Pounds	Pounds/trip
2002	101,766	19.1
2003	50,961	18.5
2004	43,698	9.3
2005	32,542	13.4
2006	49,362	20.3
2007	33,778	15.2
2008	54,359	22.3
Mean	52,352	16.8

STATE-MANAGED SPECIES – SHRIMP

Table 2. Program 120 annual sampling for brown shrimp from core stations in May and June combined. Number of samples (stations), brown shrimp arithmetic catch per unit effort (CPUE) as the number of shrimp per station, standard error, standard deviation, coefficient of variation (CV), minimum number caught at a station, maximum number caught at a station, total number caught, proportional standard error (PSE), 1988-2016.

Year	Number of stations	CPUE (No. shrimp/tow)	Standard error	Standard deviation	CV	Minimum number per station	Maximum number per station	Total number of shrimp	PSE
1988	209	21.2	3.2	46.3	218.0	0	348	4,440	15
1989	207	29.2	5.4	77.7	265.8	0	775	6,050	18
1990	206	44.2	6.8	98.0	222.0	0	1,094	9,098	15
1991	207	48.6	5.4	77.2	158.9	0	520	10,055	11
1992	210	25.8	5.0	72.9	282.2	0	664	5,428	19
1993	205	23.8	4.4	62.3	262.0	0	348	4,876	18
1994	205	29.9	4.3	61.4	205.2	0	459	6,134	14
1995	208	38.6	5.7	82.5	213.7	0	615	8,032	15
1996	207	34.8	6.4	91.9	264.2	0	696	7,199	18
1997	207	25.6	6.2	89.8	350.5	0	856	5,304	24
1998	208	13.0	2.8	40.0	306.7	0	369	2,712	21
1999	206	49.7	7.5	108.3	218.1	0	675	10,233	15
2000	209	56.8	7.1	102.1	179.8	0	759	11,865	12
2001	209	42.8	6.3	91.0	212.6	0	717	8,947	15
2002	208	59.7	6.9	99.4	166.5	0	793	12,414	12
2003	208	31.2	4.3	62.3	199.9	0	563	6,484	14
2004	208	24.9	4.0	57.6	231.1	0	334	5,185	16
2005	208	23.2	4.4	62.8	270.8	0	551	4,820	19
2006	208	25.9	3.4	49.7	191.9	0	308	5,383	13
2007	208	18.5	1.9	27.2	147.2	0	170	3,845	10
2008	208	95.7	13.4	193.9	202.6	0	1,718	19,908	14
2009	208	60.3	8.2	117.7	195.3	0	1,001	12,540	14
2010	208	75.2	13.2	190.0	252.5	0	1,622	15,651	18
2011	208	52.2	7.4	106.8	204.7	0	930	10,852	14
2012	208	40.1	4.3	61.5	153.2	0	343	8,347	11
2013	208	27.5	4.4	63.3	229.8	0	459	5,726	16
2014	208	35.0	4.5	64.5	184.3	0	409	7,276	13
2015	208	103.8	25.9	373.2	359.6	0	5,053	21,587	25
2016	208	19.9	3.2	46.8	235.0	0	319	4,146	16

STATE-MANAGED SPECIES – SHRIMP

Table 3. The N.C. Marine Fisheries Commission selected management strategies, and implementation status to reduce bycatch.

Management Strategy	Implementation Status
Status quo (continue to prohibit otter trawls in the New River special secondary nursery area above the Highway 172 Bridge).	Rule change required in 15A NCAC 03J .0208; Rule change in effect on May 1, 2015.
Allow hand cast netting of shrimp in all closed areas and increase the limit to four quarts, with heads on per person.	Rule change required in 15A NCAC 03L .0105; Rule change in effect on May 1, 2015.
Status quo on a license requirement to fish a cast net for shrimp.	No action required
Upon federal adoption of TEDs in skimmer trawls, the division will support the federal requirement.	No action required
Establish a permitted live shrimp bait fishery and for DMF to craft the guidelines and permit fees after reviewing permitted operations in other states, and to allow live bait fishermen with a permit to fish until 12 p.m. (noon) on Saturday.	Based on review of other state operations, future rule changes will be required and include 15A NCAC 03J .0104, 03L .0102, 03O .0105, 03O .0503; Rule change in effect on May 1, or June 1, 2017.
Allow any federally certified BRD in all internal and offshore waters of NC.	Existing proclamation authority; Proclamation issued with complete list of BRDs, SH-2-2015
Update the scientific testing protocol for the state's BRD certification program.	Plans to update the testing protocols to use the federal standards.
Convene a stakeholder group to initiate industry testing of minimum tail bag mesh size, T-90 panels, skylight panels, and reduced bar spacing in TEDs to reduce bycatch to the extent practicable with a 40 percent target reduction.	Stakeholder group convened and industry testing begun in 2015.
<ul style="list-style-type: none"> • Upon securing funding, testing in the ocean and internal waters will consist of three years of data using test nets compared to a control net with a Florida fish eye, a federally approved TED and a 1.5-inch mesh tail bag. • Results should minimize shrimp loss and maximize reduction of bycatch of finfish. Promising configurations will be brought back to the commission for consideration for mandatory use. • The stakeholder group may be partnered with the division and Sea Grant. • Members should consist of fishermen, net/gear manufacturers and scientific/gear specialists. 	
Require either a T-90/square mesh tailbag or other applications of square mesh panels (e.g., skylight panel), reduced bar spacing in a TED, or another federal or state certified BRD in addition to existing TED and BRD requirements in all skimmer and otter trawls.	Existing proclamation authority Rule change required in 15A NCAC 03I .0101; Rule change in effect on May 1, 2015. Proclamation issued for second BRD requirement to begin on June 1, 2015, SH-2-2015, http://portal.ncdenr.org/web/mf/proclamation-sh-02-2015
Status quo on effort management (no change in season, weekend, or night time fishing).	No action required
In order to put a cap on fleet capacity as a management tool, establish a maximum combined headrope length of 220 feet in all internal coastal waters where there is no existing maximum combined headrope requirements with a two-year phase out period.	Rule change required in 15A NCAC 03L .0103; Rule change in effect on May 1, 2015.

STATE-MANAGED SPECIES – SHRIMP

Management Strategy	Implementation Status
Prohibit shrimp trawling in the IWW channel from Sunset Beach to the SC state line, including Eastern Channel, lower Calabash River and Shallotte River.	Rule change required in 15A NCAC 03R .0114; Rule change in effect May 1, 2015.
Recommend the MFC Habitat and Water Quality Advisory Committee to consider changing designation of special secondary nursery areas that have not been opened to trawling since 1991 to permanent secondary nursery areas.	Rule changes required in 15A NCAC 03R .0104 and 03R .0105; Rule change in effect May 1, 2015.
Establish a permitted live bait shrimp fishery and allow live bait fishermen with a permit to fish until 12 p.m. (noon) on Saturday	Rule changes required in 15A NCAC 03O .0503; Rule change in effect May 1, 2017.

STATE-MANAGED SPECIES – SHRIMP

FIGURES

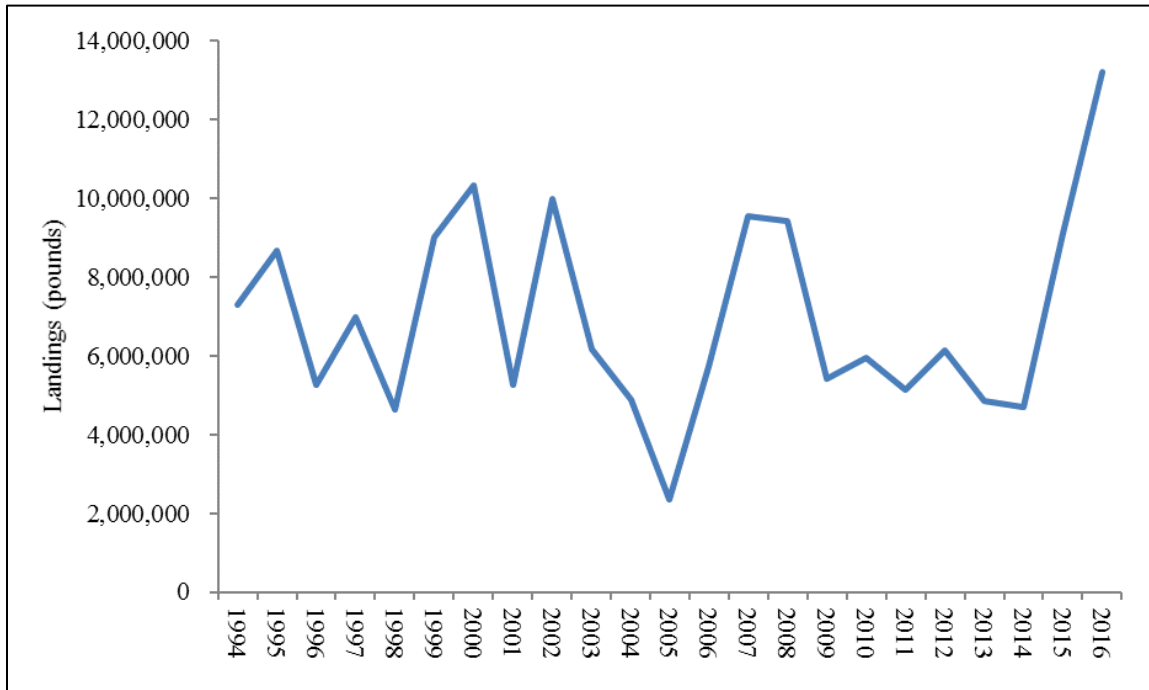


Figure 1. Annual shrimp landings (pounds) from all three shrimp species combined in North Carolina, 1994-2016. Data from the NCDMF Trip Ticket Program.

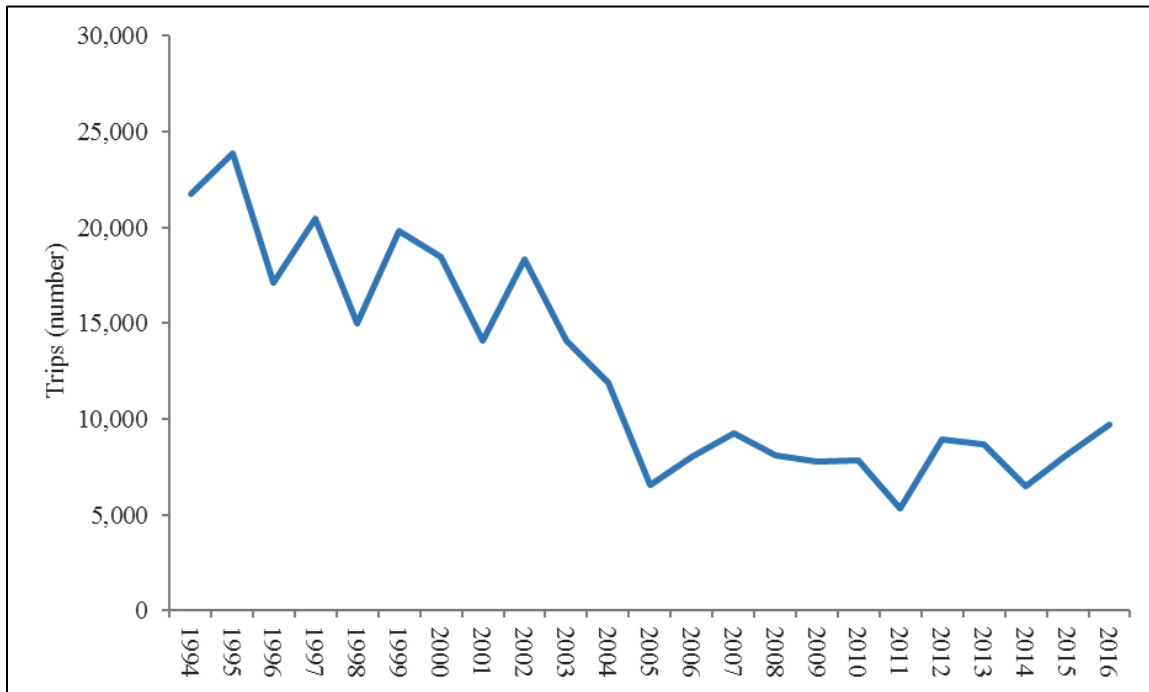


Figure 2. Annual number of trips reported for all three-species combined in inside and ocean waters, 1994-2016. Data from the NCDMF Trip Ticket Program.

STATE-MANAGED SPECIES – SHRIMP

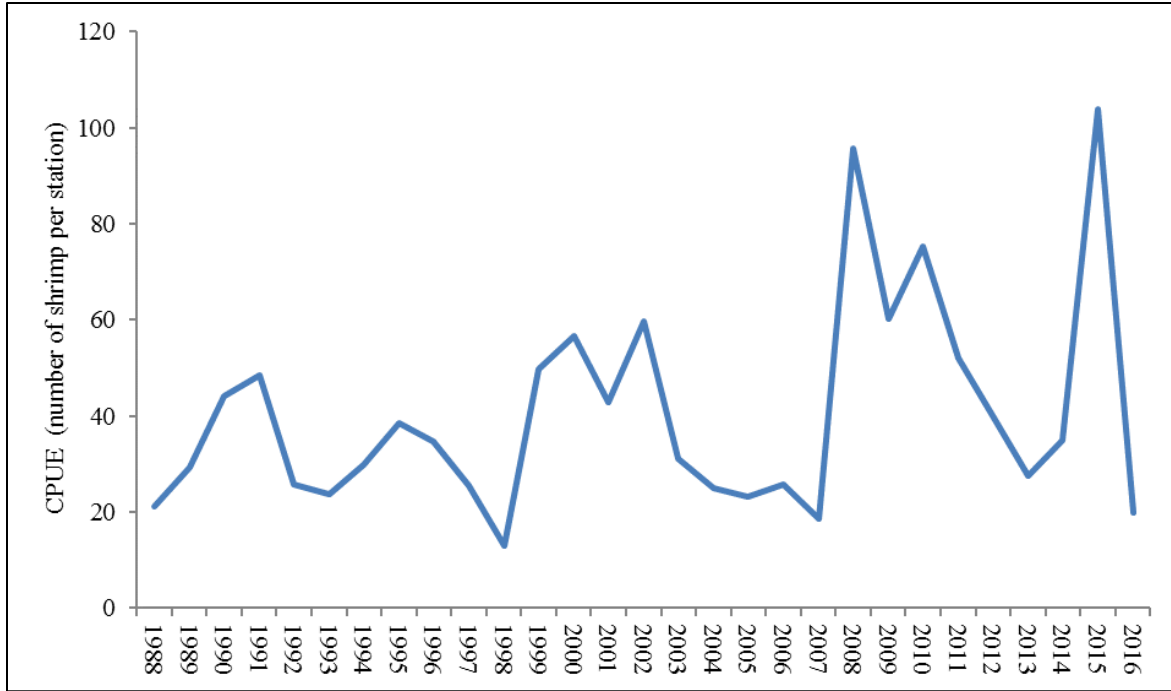


Figure 3. Annual catch per unit effort (number of shrimp per station) of brown shrimp from Program 120 estuarine trawl survey, 1988-2016.

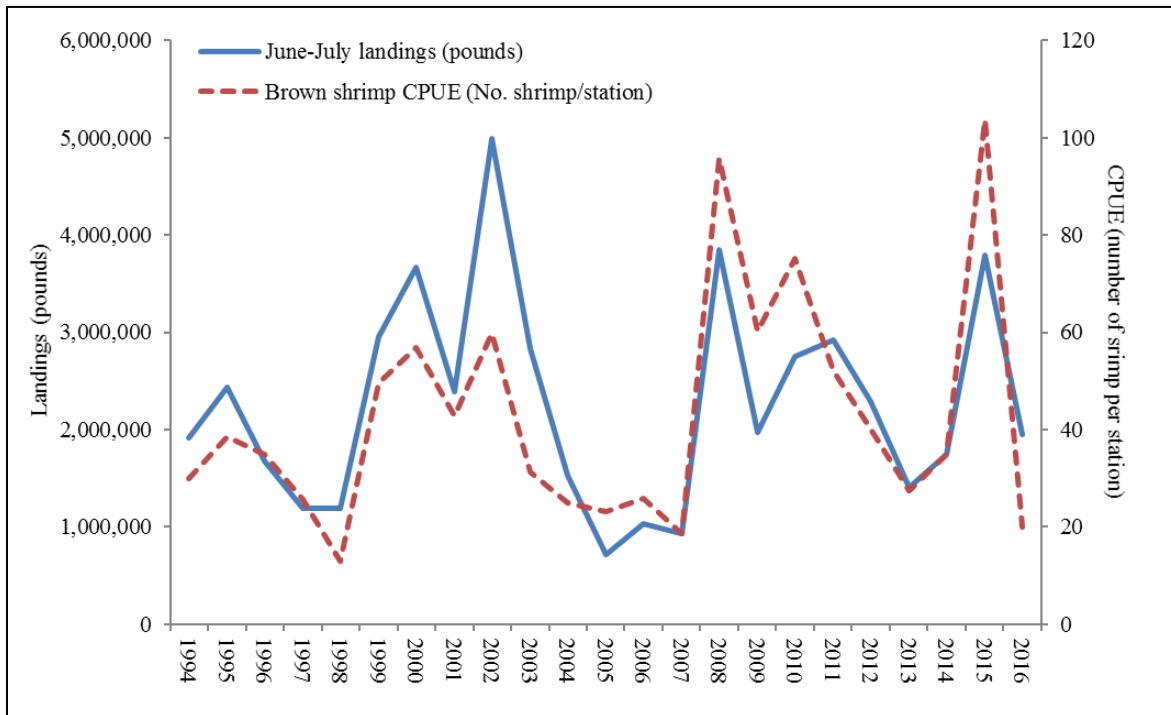


Figure 4. Comparison of shrimp commercial landings in the months of June and July to the brown shrimp Program 120 catch per unit effort (number of shrimp per station), 1994-2016.

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

FISHERY MANAGEMENT PLAN UPDATE SOUTHERN FLOUNDER AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	February 2005
Amendments:	Amendment 1 – February 2013
Revisions:	None
Supplements:	Supplement A to the 2005 FMP – February 2011 Supplement A to Amendment 1 – November 2015
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	July 2018

Next five-year review of the N.C. Southern Flounder Fishery Management Plan (FMP) is scheduled to begin July 2018 or as soon as a valid stock assessment is available. At its May 21, 2015 business meeting, the North Carolina Marine Fisheries Commission (NCMFC) directed the Division to request the Secretary of the Department of Environmental Quality to approve a change to the FMP schedule for an amendment to the southern flounder plan to begin immediately, concurrent with the supplement process. Given the proximity of this request to the NCMFC's annual approval of its FMP review schedule which occurs each August, the secretary deferred judgement to the NCMFC on modifying the schedule. At its Aug. 23, 2015 business meeting, the NCMFC approved the 2015 FMP Review Schedule as presented, which included a review of the Southern Flounder FMP to begin in 2018. At its Aug. 18, 2016 business meeting, the NCMFC approved a motion to begin the review of the FMP as soon as a valid stock assessment is available. A coastwide stock assessment for southern flounder, including data from North Carolina, South Carolina, Georgia, and Florida, is scheduled for completion in the second half of 2017.

Actions to achieve sustainable harvest in Amendment 1 include: 1) accept management measures to reduce protected species interactions as the management strategy for achieving sustainable harvest in the commercial Southern flounder fishery; 2) increase the recreational minimum size limit to 15 inches and decrease the creel limit to six fish. Amendment 1 also set new sustainability benchmarks at 25% Spawning Potential Ratio (SPR) (threshold) and 35% SPR (target).

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

Supplement A to Amendment 1 was approved at the November 2015 NCMFC meeting. Management actions approved include: increasing the minimum commercial size limit to 15 inches, increasing the minimum mesh size for gill nets to six-inch stretched mesh (ISM), closing the commercial gill net and recreational fisheries on October 15, closing the commercial gig fishery once the pound net fishery closes, a 38% reduction to the pound net fishery based on the 2011-2015 average landings, and to increase the escape panels in flounder pound nets to five and three-quarters inch. All management actions were effective January 1, 2016. However, an injunction was granted in October 2016 stopping the Division from enacting some of the management actions. The recreational closure on October 15, the commercial closure of the gig fishery, and monitoring the 38% reduction in pound net landings based on the 2011-2015 average did not occur.

Management Unit

North Carolina coastal and joint waters.

Goal and Objectives

The goal of Amendment 1 to the North Carolina Southern Flounder FMP is to end overfishing and rebuild the spawning stock for long-term sustainable harvest and maintain the integrity of the stock. To achieve this goal, the following objectives must be met:

1. Ensure that the spawning stock biomass of southern flounder is adequate to produce recruitment levels necessary to increase spawning stock biomass and expand age distribution.
2. Implement management measures that will achieve sustainable harvest.
3. Promote harvesting practices that minimize bycatch.
4. Continue to develop an information program to educate the public and elevate their awareness of the causes and nature of problems in the southern flounder stock, its habitat and fisheries, and explain the rationale for management efforts to sustain the stock.
5. Address social and economic concerns of all user groups, including issues such as user conflicts.
6. Promote the protection, restoration, and enhancement of habitats and environmental quality for the conservation of the southern flounder population.
7. Initiate, enhance, and/or continue studies to improve the understanding of southern flounder population ecology and dynamics.
8. Initiate, enhance, and/or continue studies to collect and analyze the socio-economic data needed to properly monitor and manage the southern flounder fishery.

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

STATUS OF THE STOCK

Stock Status

The current status of the southern flounder stock is ‘concern.’ There are concerns about the sustainability of current harvest levels due to coastwide trends in juvenile and adult abundance and the high percentage of immature fish in the harvest. A regional stock assessment is being conducted to help determine stock status.

Stock Assessment

The 2009 stock assessment used a statistical catch-at-age model run using the Age Structured Assessment Program (Takade 2009). Results showed the stock to be overfished with overfishing occurring throughout the time series. These were the most recent assessment results included in Amendment 1. The 2014 Southern Flounder Stock Assessment used a statistical catch-at-age model run using Stock Synthesis (NCDMF 2015). Upon review of the assessment, external peer reviewers and the NCDMF determined the model could not fully account for stock mixing during spawning, nor quantify migration of southern flounder to and from North Carolina waters. Consequently, the assessment was not accepted for determining stock status, so it is currently unknown whether the stock is overfished or if overfishing is occurring. A multistate southern flounder assessment is under development and includes data and expertise of state agency staff from North Carolina, South Carolina, Georgia, and Florida, as well as researchers from the University of North Carolina at Wilmington and Louisiana State University. The multistate assessment is an attempt to further address the geographical distribution of the unit stock and is scheduled to be peer reviewed during 2017.

STATUS OF THE FISHERY

Current Regulations

Commercial: 15-inches total length (TL) minimum size limit in internal and ocean waters, closed season in internal waters from December 1-31; no trip limits in internal waters and a 100 pound trip limit in ocean waters unless the individual has a License to Land Flounder from the Atlantic Ocean.

Recreational: 15-inches TL minimum size limit, six-fish creel limit for all joint and coastal waters, and year-round season.

At the NCMFC’s November business meeting they adopted a supplement to the FMP which instituted several new rule changes effective January 1, 2016. Please check the NCDMF’s website for a summary of the actions <http://portal.ncdenr.org/web/mf/nr-50-2015-mfc-flounder>.

Commercial Landings

All landings reported as caught in inshore waters are considered to be southern flounder by the NCDMF Trip Ticket Program. Most southern flounder landings are from gill nets and pound

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

nets, although gigs and other inshore gears (e.g., trawls) catch flounder in smaller numbers. Historically, pound nets were the dominant gear but landings from gill nets were higher in 1994-2013 (Figure 1). Peak commercial landings occurred in 1994. Since 1994, pound net landings decreased greatly, while gill net landings remained relatively high until 2010. Decreases in gill net landings from 2010 to 2012 were mainly due to lower landings in the Albemarle Sound. The Sea Turtle Settlement Agreement (2010) added regulations to gill nets in portions of the state, resulting in lower effort in many areas, however, the Albemarle Sound was mostly unaffected by these regulations. The Albemarle Sound is typically where the majority of southern flounder gill net harvest occurs. In 2013, gill net harvest increased greatly in the Albemarle Sound, but decreased in Pamlico Sound and Core Sound; pound net landings also increased greatly in 2013. Since 2014, gill net harvest has decreased in all areas of the state, especially in the Albemarle Sound due to widespread gill net closures to avoid catches of red drum and closures due to protected species interactions. Pound net harvest surpassed gill net harvest in 2014, 2015, and 2016 (Figure 1). Gig harvest of southern flounder has generally increased, especially since 2010. In 2016, gig harvest increased to nearly 15% of total commercial harvest. Harvest by other commercial gears has generally decreased and currently makes up a small portion of commercial harvest. Commercial harvest is the highest in fall months.

Trends in commercial trips have generally followed landings trends (Figure 2). Trips include the number of trip ticket records with landings reported; some trips may represent more than one day of fishing. The majority of trips that harvest flounder are from gill nets. Gill net trips have been variable around a decreasing trend since 2010. Pound net trips were decreasing until 2002, since they have been variable on a lower level. Giggling trips have been variable around an increasing trend since 2010.

Recreational Landings

Recreational harvest of southern flounder is mainly by hook and line and gigs, with a small amount of harvest by spearfishing or Recreational Commercial Gear License (RCGL) gears. NCDMF does not have information on long-term trends of the gig fishery. This is because the Marine Recreational Information Program (MRIP) rarely encounters gig fishermen. A mail-based survey of giggling that began in 2010 indicates the gig harvest from 2010-2016 averaged 23% of the recreational harvest (with hook and line harvest making up the remainder). Hook and line harvest can be split into ocean and inshore harvest, with most southern flounder harvested inshore (Figure 3). Hook and line harvest peaked in 2010. Recreational harvest is highest during summer months.

Trends in recreational trips are somewhat difficult to interpret because they represent all paralicthid flounder species commonly caught in North Carolina (southern, summer and Gulf). This is because anglers simply report targeting 'flounder' rather than a particular species of flounder. Trips can be defined in several ways, but in this document all trips that harvested or released any paralicthid flounder species were included. Trends in trips and harvest are roughly similar throughout most of the time-series, but from 2012 to 2014 harvest declined, while trips remained relatively high (Figure 4).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial fishing activity is monitored through fishery-dependent sampling conducted by the division since 1982. Data collected in this program allow the size and age distribution of southern flounder to be characterized by gear/fishery. Several NCDMF sampling programs collect biological data on commercial and recreational fisheries that catch southern flounder. The primary programs that collect length and age data for harvested southern flounder include: 461 (gill net and seine), 476 (gig and spear), 432 (pound net) and 437 (long haul seine). Programs 466 and 570 collect length data on harvested and discarded flounder. Other commercial sampling programs focusing on fisheries that do not target southern flounder rarely collect biological data. The NCDMF sampling of the recreational fishery through the MRIP collects length data on southern flounder. The NCDMF mail-based gigging survey collects harvest data for the recreational gig fishery, but does not collect length or age data. Age data from the recreational fishery are collected mainly via voluntary angler donations through the NCDMF Carcass Collection Program.

There were no clear trends in commercial length and age data from 2005 to 2016 (Table 1). Annual mean lengths were fairly consistent; however, an increase in mean length was observed due to the change in minimum commercial size regulation, increasing to 15-inches. However, the number of fish measured in 2016 was the lowest of any year from 2005 to 2016.

There were no clear trends in recreational length data from 2005 to 2016 (Table 2). Annual mean lengths were fairly consistent and 2016 was similar to previous years.

Fishery-Independent Monitoring

Several NCDMF independent sampling programs collect biological data on southern flounder. The primary surveys that collect length data for southern flounder and that were included as indices of abundance in recent stock assessments were: 120 (Estuarine Trawl Survey), 195 (Pamlico Sound Survey), 135 (Striped Bass Independent Gill Net Survey) and 915 (Pamlico Sound Independent Gill Net Survey). Age data primarily is collected in Program 915, although the other three surveys do collect age data. Methodology for analyzing trends in catch-per-unit-effort (CPUE) for each survey changed with the 2014 stock assessment when generalized linear models (GLMs) were used to calculate relative yearly abundance index values. These indices were not updated for this report, as a new stock assessment is under way and criteria for survey data have not been finalized. As a result, nominal CPUE values have been include in this report.

There were no clear trends in fishery-independent length and age data from 2005 to 2016 (Table 3). Annual mean lengths were fairly consistent and 2016 had the second largest mean length in the time-series. However, the number of fish measured in 2016 was the lowest of any year from 2005 to 2016.

Data collected by Program 915 were used for an index of general (juvenile and adult) abundance in recent stock assessments. The survey is designed to characterize the size and age distribution for

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

key estuarine species in Pamlico Sound and its major river tributaries. Sampling began in Pamlico Sound in 2001 and was expanded to the current sampling area (including tributaries) in 2003. Each array of nets consists of floating gill nets in 30-yard segments of 3.0, 3.5, 4.0, 4.5, 5.0, 5.5, 6.0, and 6.5-inch stretched mesh, for a total of 240 yards of nets. Catches from an array of gill nets comprise a single sample; two samples (one shallow, one deep) totaling 480 yards of gill net are completed each trip. Gill nets are typically deployed within an hour of sunset and fished the following morning. Efforts are made to keep all soak times within 12 hours. All gill nets are constructed with a hanging ratio of 2:1. Gill net sets are determined using a random stratified survey design, based on area and water depth. Each region is overlaid with a one-minute by one-minute grid system (equivalent to one square nautical mile) and delineated into shallow (less than six feet) and deep (greater than six feet) strata. Deep strata were not included in data analysis for this report. Sampling in Pamlico Sound is divided into two regions: Region 1, which includes areas of eastern Pamlico Sound adjacent to the Outer Banks from southern Roanoke Island to the northern end of Portsmouth Island; and Region 2, which includes Hyde County bays from Stumpy Point Bay to Abel's Bay and adjacent areas of western Pamlico Sound. Each of the two regions is further stratified into four similar sized areas, denoted by either Hyde or Dare and numbers one through four. The rivers are divided into four areas in the Neuse River, three areas in the Pamlico River, and one area for the Pungo River. Although the survey is conducted in all months except January, only July-September data were used to analyze CPUE trends because these months had the peak catches of southern flounder. The survey was expanded to include areas in the southern portion of the state in 2008, but these data were not analyzed for the index due to the short time-series. The abundance index for Program 915 peaked in 2010 and the low point was in 2016 for the time-series analyzed (2003-2016) and has a decreasing trend (Table 4; Figure 5).

Data collected by Program 135 were used for an index of general (juvenile and adult) abundance in recent stock assessments. Beginning in 1990, Program 135 has conducted gill net sets in waters of Albemarle Sound and Roanoke River. The survey was designed to monitor the striped bass population. The survey follows a random stratified design, stratified by geographic area. This survey divides the Albemarle region into six sample zones that are further subdivided into one-mile square quadrants with an average of 22 quadrants per zone. Four arrays of 12 meshes (2.5, 3.0, 3.5, 4.0, 4.5, 5.0, 5.5, 6.0, 6.5, 7.0, 8.0, 10.0-inch stretch) of gill nets are set in each quadrant by the fishing crew, two arrays are sinking gill nets and two are floating. One unit of effort is defined as each 40-yard net fished for 24 hours. Only samples from November and December were included in analysis of CPUE trends (when the most extensive sampling coverage occurs). The abundance index for Program 135 peaked in 1992 and the low points were in 2011 and 2016 for the time-series analyzed (1991-2016; Table 4; Figure 5).

Data collected by Program 120 were used for a Juvenile Abundance Index (JAI) in recent stock assessments. The Estuarine Trawl Survey (Program 120) is a fishery-independent multispecies monitoring program that has been ongoing since 1971 in the months of May and June. One of the key objectives of this program is to provide a long-term data base of annual juvenile recruitment for economically important species. This survey samples fixed stations, a set of 104 core stations with additional stations as needed. The core stations are sampled from western Albemarle Sound south through the South Carolina border each year without deviation one sample for each station each month during the months of May and June. This survey targets juvenile finfish, blue crabs, and Penaeid shrimp. A two-seam 10 and one-half foot headrope trawl with a one-fourth inch

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

mesh in the body and one-eighth inch mesh in the tailbag is used. A one-minute tow is conducted covering a distance of 75 yards. All species collected are sorted, identified, and a total number is recorded for each species. For target species, a subset of at least 30 to 60 individuals is measured. Environmental data is collected, including salinity, dissolved oxygen, temperature, wind speed and direction. Data from this survey were used to produce a southern flounder JAI from 1991 to 2016. The JAI for Program 120 peaked in 1996 and the low point was in 2016 for the time-series analyzed (1991-2016) and shows a variable trend (Table 4; Figure 6).

Data collected by Program 195 were used for a JAI in recent stock assessments. Program 195 conducts trawls using a random-stratified survey design in waters of Pamlico Sound and major river tributaries in June and September. Only data from September were used for the JAI in the 2014 stock assessment. Stations are randomly selected from strata based upon depth and geographic location. Randomly selected stations are optimally allocated among the strata based upon all previous sampling in order to provide the most accurate abundance estimates (PSE <20). Tow duration is 20 minutes; using double rigged demersal mongoose trawls (9.1m headrope, 1.0m X 0.6m doors, 2.2-cm bar mesh body, 1.9-cm bar mesh cod end and a 100-mesh tailbag extension). Data from this survey were used to produce a southern flounder JAI from 1991 to 2016. The JAI for Program 195 peaked in 1996 and the low point was in 1998 for the time-series analyzed (1991-2016; Table 4; Figure 6).

MANAGEMENT STRATEGY

Southern flounder are managed under Amendment 1 to the Southern Flounder FMP, adopted in February 2013. Amendment 1 established the threshold SPR of 25% and the target SPR of 35% and implemented management measures for the commercial and recreational fisheries (Table 5). Actions to achieve sustainable harvest in Amendment 1 include: 1) accept management measures to reduce protected species interactions as the management strategy for achieving sustainable harvest in the commercial southern flounder fishery; 2) increase the recreational minimum size limit to 15 inches and decrease the creel limit to six-fish. Since the adoption of Amendment 1, the 2014 Southern Flounder Stock Assessment was completed. Upon review of the assessment, external peer reviewers and the NCDMF determined the model could not fully account for stock mixing during spawning and quantify migration of southern flounder to and from North Carolina waters. Consequently, the assessment was not accepted for determining stock status, so it is currently unknown whether the stock is overfished or if overfishing is occurring. Due to concerns for the health of the stock based on abundance trends and the percentage of immature fish in the harvest, in February 2015 the NCMFC requested a supplement be developed for reducing harvest in the southern flounder fishery.

Supplement A to Amendment 1 was approved at the November 2015 MFC business meeting. Management actions approved include: 1) increasing the minimum commercial size limit to 15 inches; 2) increasing the minimum mesh size for gill nets to 6 ISM; 3) closing the commercial gill net and recreational fisheries on October 15; 4) closing the commercial gig fishery once the pound net fishery closes, a 38% reduction to the pound net fishery based on the 2011-2015 average landings; and 5) an increase to five and three-quarter inch escape panels. All management actions were effective January 1, 2016. However, an injunction was granted in October 2016, preventing the NCDMF from enacting some of the management actions. The

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

recreational closure on October 15, the commercial closure of the gig fishery, and monitoring the 38% reduction in pound net landings based on the 2011-2015 average did not occur.

RESEARCH NEEDS

The management strategies and implementation status from Amendment 1 of the N.C. Southern Flounder FMP can be found in Table 5. The following research recommendations were included in Amendment 1; status of need is provided in parentheses:

- Investigate the feasibility of a quota as a management tool for the commercial southern flounder fishery (underway).
- Annual survey of the recreational gig fishery (mail-based survey underway, dockside survey still needed).
- Further research on southern flounder that remain in the ocean after the spawning season (tagging studies underway, but other studies may be needed).
- Determine the exact locations of spawning aggregations of southern flounder in the ocean (tagging studies underway, but other studies may be needed).
- Continued otolith microchemistry research to gain a better understanding of ocean residency of southern flounder (more research needed).
- Tagging study of southern flounder in the ocean to gain a better understanding of migration patterns into the estuaries (underway).
- Update the southern flounder maturity schedule (completed).
- Fishery dependent sampling of the commercial spear fishery for flounder in the ocean (some sampling done under NCDMF sampling, but more may be needed).
- Harvest estimates and fishery dependent sampling of the recreational spear fishery for flounder in the ocean (not done except what MRIP encounters).
- Increased fish house sampling of the Currituck Sound flounder gill net and pound net fisheries (sampling has increased, more may be needed).
- Increased at-sea observer trips with gill netters and pound netters in Currituck Sound (underway for gill nets, pound net observing needed).
- Reestablish a RCGL survey to obtain harvest, discard, and effort information (needed).
- Establish an at-sea observer program of the RCGL fishery (needed).
- Formulate a bycatch estimate of southern flounder from crab pots (more research needed).
- Further research on degradable materials to determine which material works best in a given water body and how other parameters, such as microbial activities and the effects of light penetration impact degradation rates and performance of the crab pot (progress unknown).
- Further research on flatfish escapement devices that minimize undersized flounder bycatch and maximize the retention of marketable blue crabs (needed).
- Further research on factors that impact release mortality of southern flounder in the recreational hook and line fishery (more research needed).
- Research on deep hooking events of different hook types and sizes on southern flounder (needed)
- Population dynamics research for all Atlantic protected species (some research completed, more is needed).

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

- Continued gear research in the design of gill nets and pound nets to minimize protected species interactions (some research completed, more may be needed).
- Development of alternative gears to catch southern flounder (some research completed, more may be needed).
- Further research on the size distribution of southern flounder retained in pound nets with 5.75-inch and 6-inch escape panels (some research completed, more is needed).
- Research on the species composition and size distribution of fish and crustaceans that escape pound nets through 5.75-inch and 6-inch escape panels (some research completed, more is needed).
- Coast wide at-sea observations of the flounder pound net fishery (needed).
- Discard mortality estimates of southern flounder from pound nets (needed).
- Continue at-sea observations of the large mesh gill net fishery, especially outside of the PSGNRA, including acquiring biological data on harvest and discards (underway).
- Increase the number of large mesh gill net catches sampled in areas such as Albemarle Sound and the Newport River (sampling has increased, more may be needed).

Research recommendations from 2014 stock assessment, included in Draft Supplement A to Amendment 1:

- Retain mail survey of recreational gig survey harvest and discards. Develop methodology to validate mail survey results, possibly using dockside survey (needed).
- Collect discard data (ages, species ratio, lengths, fates) from gears targeting southern flounder (pound net, gigs, hook and line, trawls) (research on shrimp trawl bycatch underway, research for other gears needed).
- Develop and implement consistent strategies for collecting age and sex samples from commercial/recreational fisheries and independent surveys to achieve desired precision for stock assessment (underway).
- Collect age data from estuarine trawl survey and Pamlico Sound survey to more accurately estimate Young of Year (YOY) abundance (instead of using length cutoffs based on length frequency plot interpretations) (underway).
- Tagging study to estimate emigration (unit stock) and mortality rates (underway).
- Expand, improve, or add inshore surveys of southern flounder to develop indices that we can be confident in for future stock assessments (needed).
- Expand, improve or add fishery-independent surveys of the ocean component of the stock (needed).
- Conduct studies to better understand ocean residency of southern flounder (needed).
- Determine locations of spawning aggregations of southern flounder (tagging studies underway, but more studies may be needed).
- Conduct sampling of the commercial/recreational ocean spear fishery harvest/discards (underway for commercial, still needed for recreational).
- Re-establish a RCGL survey to obtain harvest, discard, and effort information (needed).
- Develop spatial model to account for inshore and ocean components of the stock (needed).

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

FISHERY MANAGEMENT PLAN RECOMMENDATION

At its August 2015 business meeting the NCMFC approved the FMP schedule that maintained the timeline for a scheduled review of the southern flounder FMP to begin in 2018. At its Aug. 18, 2016 business meeting, the NCMFC approved a motion to begin the review of the FMP as soon as a valid stock assessment is available. A coastwide stock assessment for southern flounder, including data from North Carolina, South Carolina, Georgia, and Florida, is scheduled for completion in the second half of 2017.

LITERATURE CITED

Takade-Heumacher, H., and C. Batsavage. 2009. Stock status of North Carolina southern flounder (*Paralichthys lethostigma*). North Carolina Department of Environment and Natural Resources. North Carolina Division of Marine Fisheries, Morehead City, North Carolina.

NCDMF (North Carolina Division of Marine Fisheries). 2015. Stock Assessment of Southern Flounder, *Paralichthys lethostigma*, in North Carolina Waters. North Carolina Department of Environment and Natural Resources. North Carolina Division of Marine Fisheries. SAP-SAR-2015-01. 297 pp.

TABLES

Table 1. Southern flounder total length (mm) and age data for NCDMF commercial fishery sampling programs (includes harvest and some discard information).

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2005	402	46	793	28,972	2	0	7	83
2006	414	131	796	39,572	3	0	6	80
2007	413	90	745	23,768	2	0	5	94
2008	404	38	710	39,302	2	0	7	212
2009	405	92	719	33,403	2	1	6	34
2010	415	130	724	27,176	2	1	5	33
2011	409	123	770	32,000	3	1	6	90
2012	408	100	756	29,865	2	0	6	38
2013	399	16	804	33,776	1	1	5	245
2014	403	21	721	26,354	2	0	4	408
2015	403	51	754	19,717	1	0	5	330
2016	421	141	696	14,712	*	*	*	*

*2016 ages not available.

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

Table 2. Southern flounder total length (mm) and age data for NCDMF recreational fishery sampling.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2005	433	334	672	202	3	1	6	112
2006	427	246	789	343	3	1	6	188
2007	437	355	610	220	2	1	8	137
2008	441	338	698	311	3	1	6	79
2009	431	304	661	306	2	1	4	45
2010	429	270	710	754	2	1	7	127
2011	447	347	651	478	2	1	6	91
2012	449	361	758	400	2	1	6	57
2013	440	338	695	390	3	1	5	47
2014	432	347	654	198	2	1	7	42
2015	439	365	615	175	3	1	6	36
2016	442	363	628	224	*	*	*	*

*2016 ages not available.

Table 3. Southern flounder total length (mm) and age data for NCDMF fishery-independent sampling programs.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2005	198	7	644	3,769	2	0	4	516
2006	219	12	583	3,560	3	0	4	539
2007	190	12	570	3,812	1	0	5	513
2008	242	7	680	4,270	1	0	5	816
2009	251	24	689	3,230	1	0	5	414
2010	227	13	583	4,168	1	0	5	1,072
2011	294	26	712	2,604	1	0	6	720
2012	258	30	655	4,878	1	0	3	1,112
2013	229	20	684	3,534	1	0	6	678
2014	236	22	634	2,339	1	0	3	802
2015	230	21	622	2,133	1	0	3	463
2016	270	42	765	1,426	*	*	*	*

*2016 ages not available.

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

Table 4. Annual nominal abundance index values for southern flounder as catch per unit effort and standard error (SE) in N.C. Division of Marine Fisheries independent surveys (programs 120, 195, 135 and 915). Indices for programs 120 and 195 are considered juvenile (young-of-year) abundance indices.

Year	P915 Index	P915 SE	P135 Index	P135 SE	P195 Index	P195 SE	P120 Index	P120 SE
1991			0.17	0.01	0.6	0.2	1.13	0.17
1992			0.18	0.02	4.83	1.3	2.49	0.30
1993			0.15	0.01	3.81	1.1	2.93	0.38
1994			0.08	0.01	3.33	1.2	1.79	0.24
1995			0.11	0.01	2.83	0.7	1.69	0.24
1996			0.03	0	9.65	2.0	7.82	0.95
1997			0.1	0.01	3.1	0.8	2.74	0.29
1998			0.08	0.01	0.37	0.1	0.90	0.15
1999			0.04	0	1.91	0.5	2.49	0.30
2000			0.05	0.01	0.77	0.2	3.74	0.43
2001			0.1	0.01	0.82	0.3	4.38	0.46
2002			0.14	0.01	3.28	1.5	4.49	0.56
2003	2.04	0.26	0.03	0	2.94	0.8	6.31	1.01
2004	1.83	0.16	0.09	0.01	1.28	0.2	3.89	0.46
2005	2.18	0.20	0.08	0.01	3.25	1.0	3.05	0.38
2006	1.35	0.11	0.13	0.01	1	0.3	2.63	0.33
2007	1.21	0.11	0.16	0.01	1.07	0.3	3.64	0.39
2008	1.73	0.13	0.17	0.01	0.94	0.5	2.40	0.33
2009	1.62	0.13	0.12	0.01	1.28	0.3	1.93	0.26
2010	2.37	0.18	0.05	0.01	1.14	0.3	5.03	0.66
2011	1.32	0.14	0.02	0	0.6	0.2	1.09	0.19
2012	1.29	0.1	0.08	0.01	4.44	1.9	3.07	0.39
2013	1.17	0.15	0.1	0.01	1.05	0.3	2.64	0.33
2014	1.20	0.11	0.05	0	0.64	0.2	1.86	0.30
2015	1.02	0.12	0.04	0	2.46	0.4	1.67	0.27
2016	0.91	0.10	0.02	0	0.73	0.3	0.53	0.11

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

Table 5. Management action taken as a result of Amendment 1 to the Southern Flounder FMP.

MANAGEMENT STRATEGY	OUTCOME
<p><u>Commercial</u>: Accept management measures to reduce protected species interactions as the management strategy for achieving sustainable harvest in the commercial southern flounder fishery. Specific minimum measures for the flounder gill net fishery are provided in Issue Paper 10.1.1 (page 129). <u>Recreational</u>: Increase the minimum size limit to 15 inches and decrease the creel limit to six fish-20.2% harvest reduction</p>	<p><u>Commercial</u>: No Action Required <u>Recreational</u>: Proclamation FF-29-2011 (refer to Supplement A to the 2005 FMP)</p>
<p>Status quo and address research recommendations</p>	<p>No Action Required</p>
<p>Status quo (implement mediation and proclamation authority to address user conflicts with large mesh gill nets)</p>	<p>No Action Required</p>
<p>Status quo (200-yard minimum distance between pound nets and gill nets)</p>	<p>No Action Required</p>
<p>Status quo and address research recommendations</p>	<p>No Action Required</p>
<p>Status quo and expand research on flatfish escape devices and degradable panels under commercial conditions to other parts of the state</p>	<p>No Action Required</p>
<p>Status quo and expand research on factors impacting the release mortality of southern flounder and on deep hooking events of different hook types and sizes</p>	<p>No Action Required</p>
<ul style="list-style-type: none"> • Request funding for state observer program • Apply for Incidental Take Permit for large mesh gill net fishery • Continue gear development research to minimize protected species interactions 	<p>No Action Required</p>
<p>Status quo minimum mesh size for escape panels (5.5-inch stretched mesh) and recommend further research on 5.75-inch stretched mesh escape panels</p>	<p>No Action Required</p>
<p>Status quo minimum mesh size (5.5 inches stretched mesh)</p>	<p>No Action Required</p>

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

FIGURES

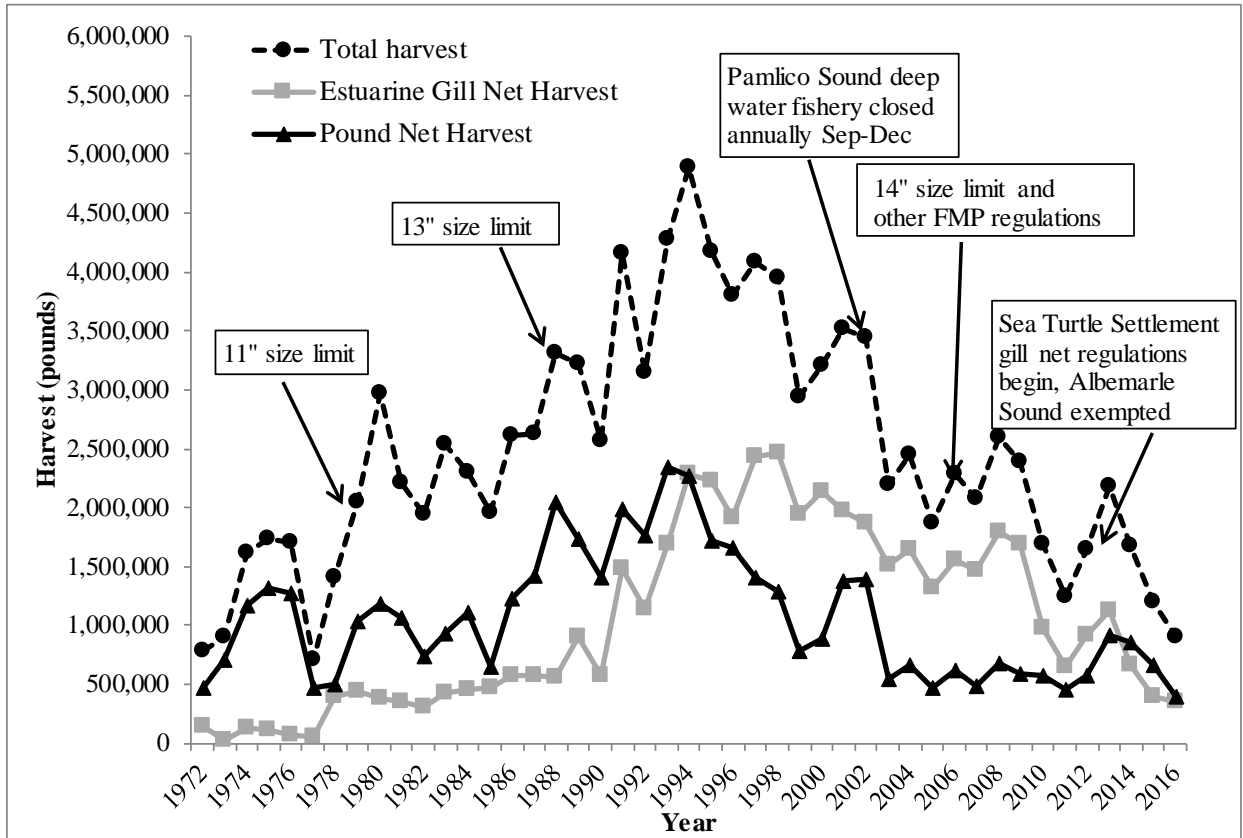


Figure 1. Southern flounder harvest (pounds) for total commercial fishery and top two gears (gill nets and pound nets) from N.C. Trip Ticket Program 1972-2016 with major fishery regulation changes.

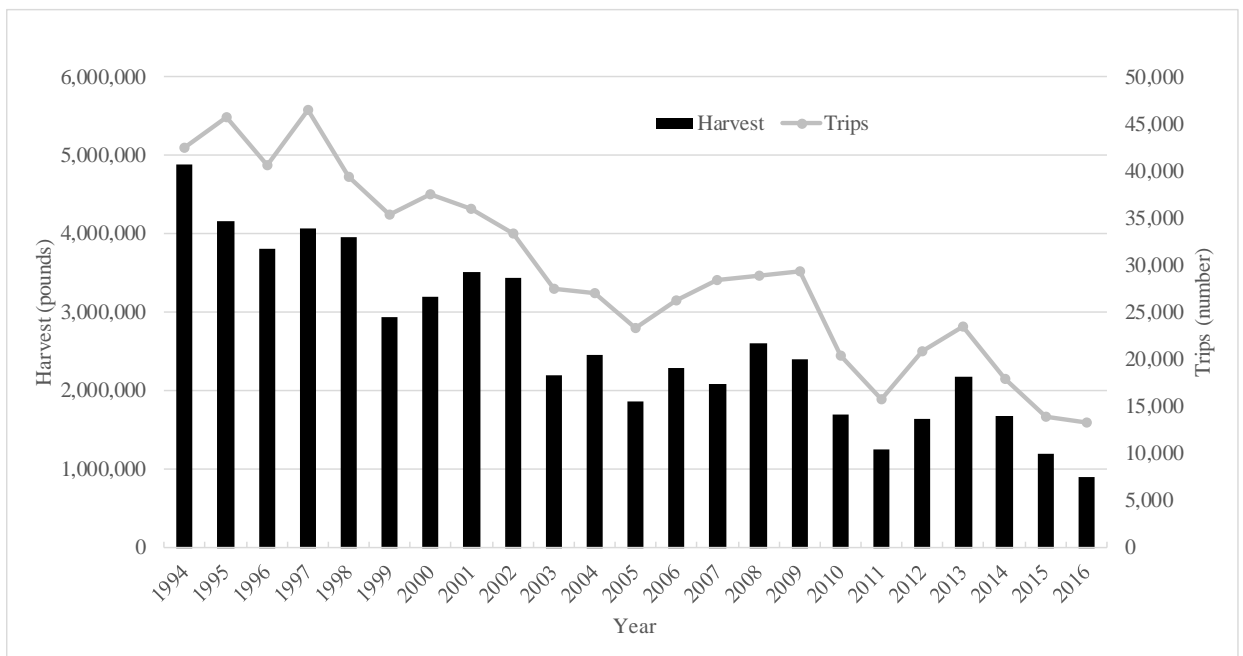


Figure 2. Southern flounder commercial trips (numbers) and harvest (pounds) from N.C. Trip Ticket Program, 1994-2016.

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

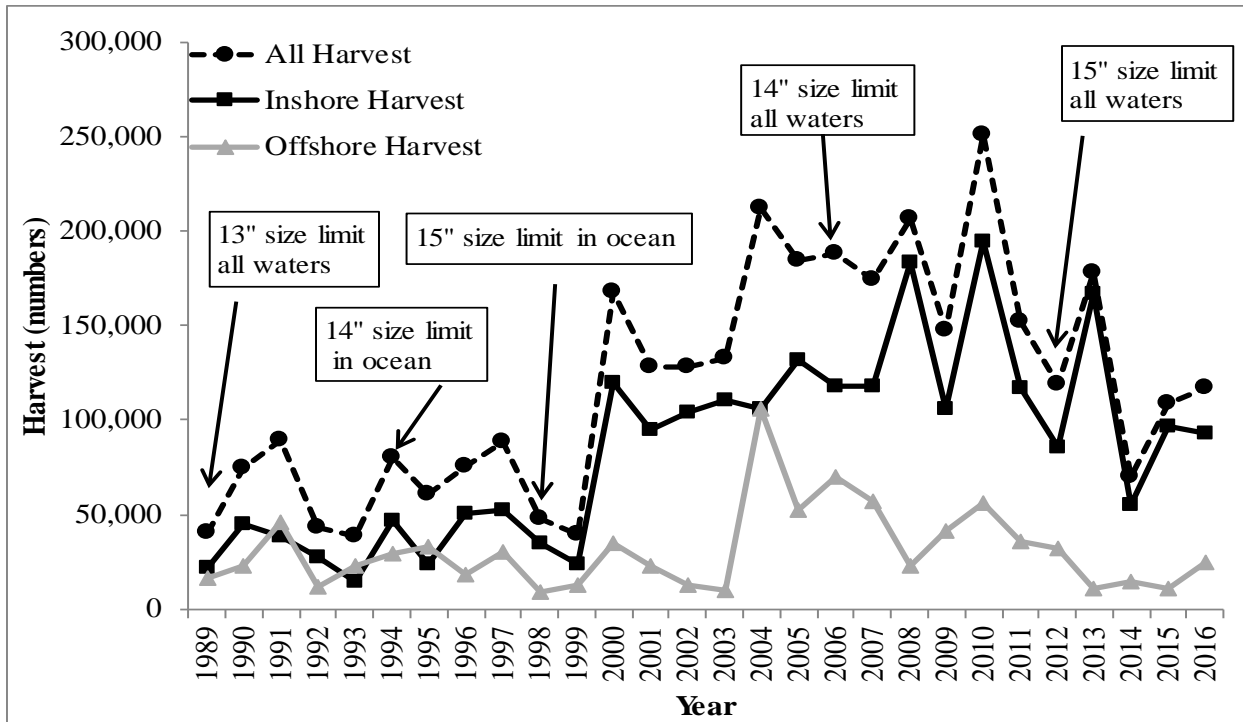


Figure 3. Southern flounder recreational hook and line harvest in numbers of fish from MRIP data 1989-2016 and major fishery regulation changes.

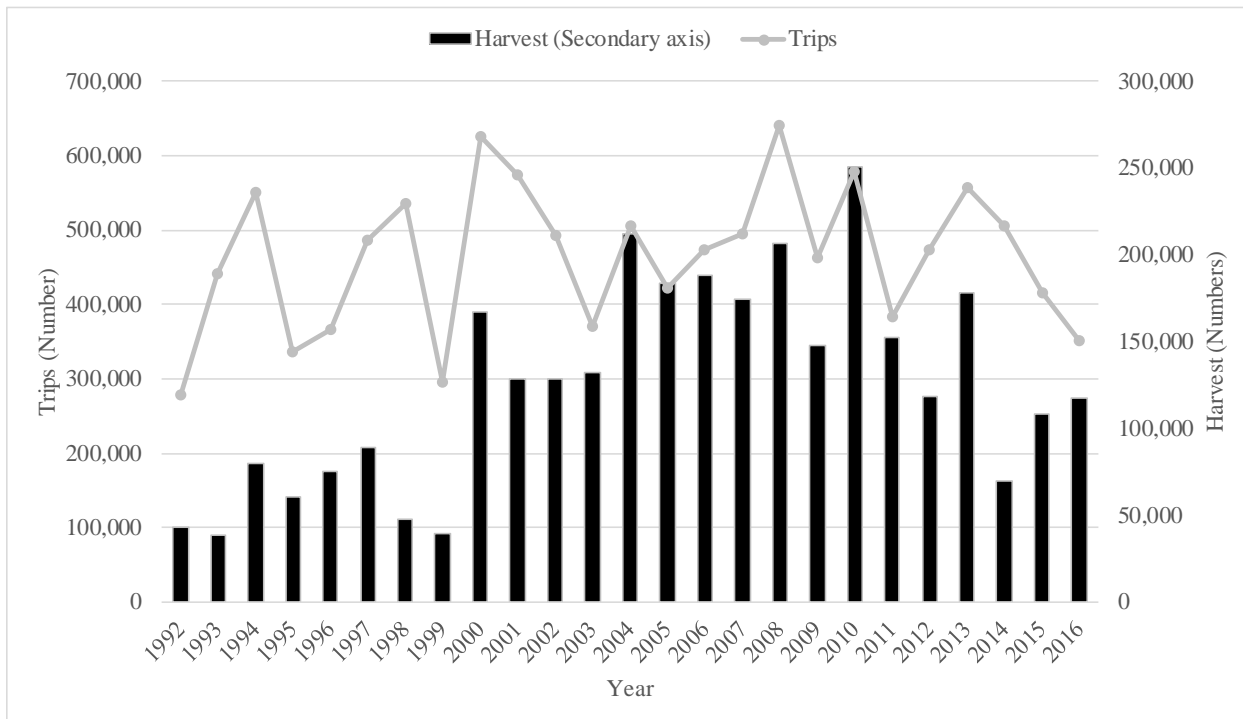


Figure 4. Recreational hook and line harvest (in numbers of fish) and all trips that harvested or released paralichthid flounder species, from MRIP data 1992-2016. Data from prior to 2004 were calibrated to align with MRIP estimates post-2004.

STATE-MANAGED SPECIES – SOUTHERN FLOUNDER

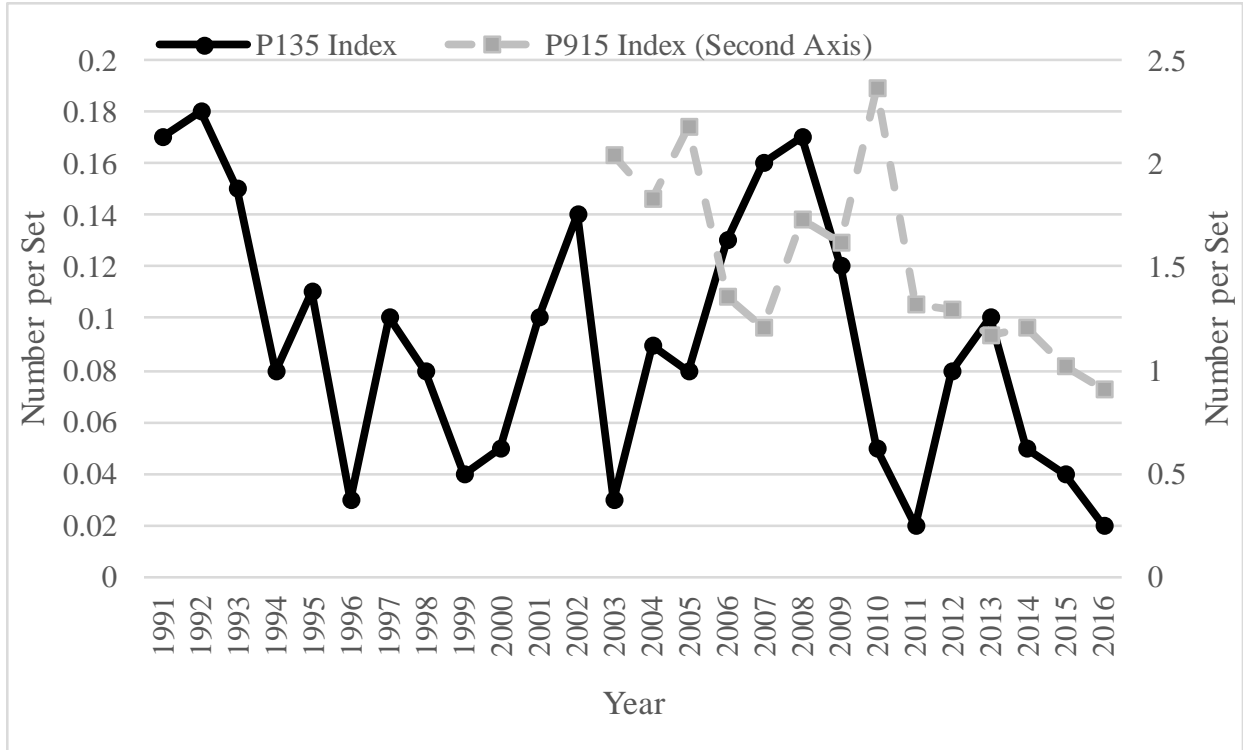


Figure 5. Annual nominal abundance index values for southern flounder (juveniles and adults) caught in the Pamlico Sound Independent Gill Net Survey (P915) and Striped Bass Independent Gill Net Survey (P135).

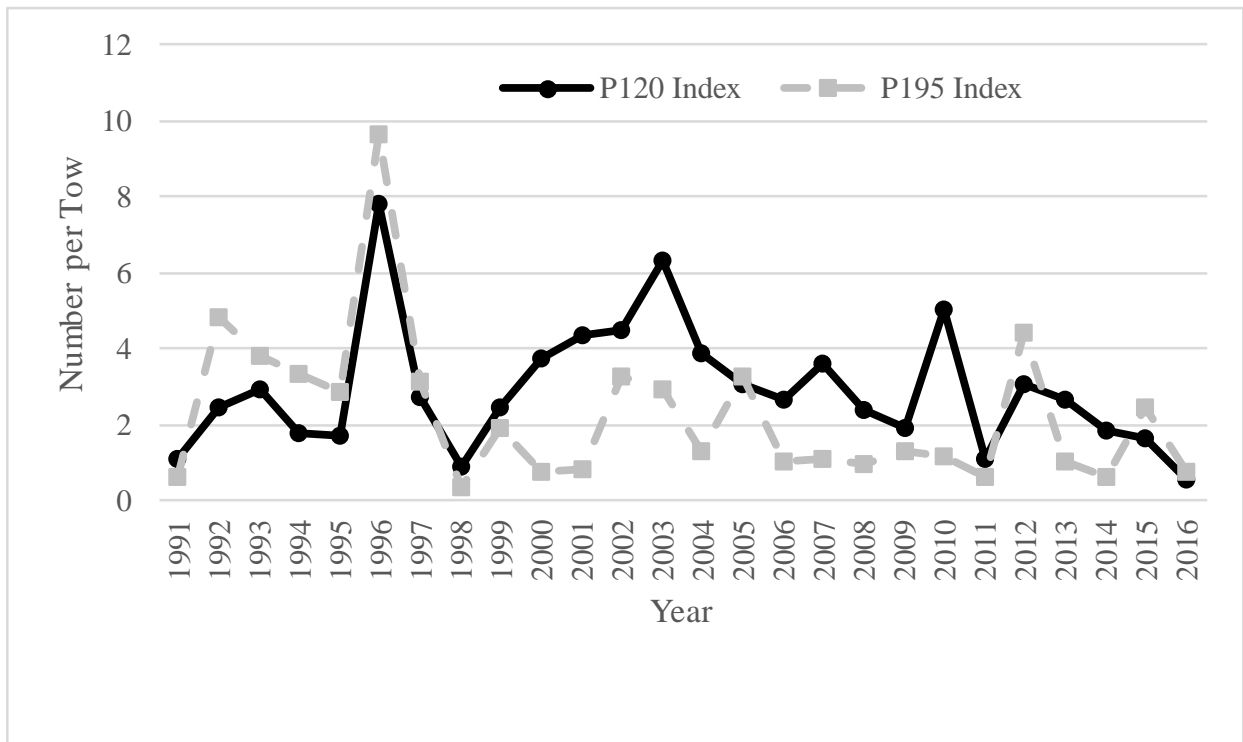


Figure 6. Annual nominal abundance index values for southern flounder (juveniles and adults) caught in the Pamlico Sound Survey (P195) and the Estuarine Trawl Survey (P120).

STATE-MANAGED SPECIES – SPOTTED SEATROUT

FISHERY MANAGEMENT PLAN UPDATE – SCHEDULE CHANGE RECOMMENDED SPOTTED SEATROUT AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	February 2012
Amendments:	None
Revisions:	None
Supplements:	Supplement A to the 2012 FMP – February, 2014
Information Updates:	None
Schedule Changes:	N/A
Next Benchmark Review:	Recommended to begin July 2018

Spotted seatrout (*Cynoscion nebulosus*) are managed under the authority of two state and one inter-state fishery management plans (FMP). The North Carolina Marine Fisheries Commission (NCMFC) currently manages spotted seatrout under the North Carolina Spotted Seatrout FMP (NCDMF 2012) and Supplement A to the 2012 FMP (NCDMF 2014a). Supplement A maintains short-term measures in the spotted seatrout fishery (40% reduction at 14-inch total length minimum size) to address several sources of uncertainty in the 2009 stock assessment through acquisition and assessment of additional data. This supplement examined sources of uncertainty in the assessment, the rationale for not implementing on schedule the North Carolina Spotted Seatrout FMP February 2014 management measures, and presented possible interim management measures. At the February 2014 NCMFC meeting the commission voted to maintain short-term management measures in the spotted seatrout fishery (Proclamation FF-38-2014: 14-inch minimum size, 75-fish commercial trip limit with weekend closures in joint waters except in Albemarle and Currituck sounds; Proclamation FF-39-2014: 14-inch minimum size, four-fish recreational bag limit). These measures will remain in effect until an amendment is completed.

As required in the approved 2012 FMP, a stock assessment was completed on schedule (2014-2015), peer reviewed, approved for management, and was presented to the NCMFC at its May 2015 business meeting. The 2014 stock assessment of spotted seatrout will be updated with data through 2016 during the upcoming FMP review process. The North Carolina Division of Marine Fisheries (NCDMF) is on schedule to review the current state FMP for spotted seatrout beginning in 2017 and determine if changes to management are needed through the FMP amendment process.

STATE-MANAGED SPECIES – SPOTTED SEATROUT

The Atlantic States Marine Fisheries Commission (ASMFC) manages spotted seatrout in all Atlantic States who have a declared interest in the species. In addition to the state FMP, the ASMFC manages spotted seatrout under the Omnibus Amendment to the Interstate Fishery Management Plans for Spanish Mackerel, Spot, and Spotted Seatrout (ASMFC 2011). The goals for the Omnibus Amendment are to bring the FMPs for the three species under the authority of the ASMFC Interstate Fishery Management Program Charter, and bringing compliance requirements to each state. Because the intent of the Omnibus amendment was to bring the ASMFC spotted seatrout FMP into compliance with the new ASMFC charter, management measures were not adjusted and the identified objectives and compliance requirements to the states of the Omnibus Amendment are the same as Amendment 1 to the ASMFC spotted seatrout FMP (ASMFC 1990) and are as follows:

- Manage the spotted seatrout fishery restricting catch to mature individuals (12-inch minimum size).
- Manage the spotted seatrout stock to maintain sufficiently-high spawning stock biomass (20% SPR).
- Develop research priorities that will further refine the spotted seatrout management program to maximize the biological, social, and economic benefits derived from the spotted seatrout population.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The management unit for the North Carolina Spotted Seatrout FMP (NCDMF 2012) includes all spotted seatrout within the coastal and joint waters of North Carolina. The unit stock, or population unit, for North Carolina’s assessment of spotted seatrout include all spotted seatrout caught in North Carolina and Virginia. Virginia landings were included in the stock assessment of spotted seatrout because of the high rate of mixing observed between North Carolina and Virginia.

Goal and Objectives

The goal of the North Carolina Spotted Seatrout FMP (NCDMF 2012) is to determine the status of the stock and ensure long-term sustainability for the spotted seatrout stock in North Carolina. To achieve this goal, it is recommended that the following objectives be met:

STATE-MANAGED SPECIES – SPOTTED SEATROUT

1. Develop an objective management program that provides conservation of the resource and sustainable harvest in the fishery.
2. Ensure the spawning stock is of sufficient capacity to prevent recruitment-overfishing.
3. Address socio-economic concerns of all user groups.
4. Restore, improve, and protect important habitats that affect growth, survival, and reproduction of the North Carolina spotted seatrout stock.
5. Evaluate, enhance, and initiate studies to increase understanding of spotted seatrout biology and population dynamics in North Carolina.
6. Promote public awareness regarding the status and management of the North Carolina spotted seatrout stock.

STATUS OF THE STOCK

Stock Status

The 2014 North Carolina spotted seatrout stock assessment (NCDMF 2014b) indicated that the spotted seatrout stock in North Carolina and Virginia is not overfished and overfishing is not occurring. Reference points (SSB and F) for determining stock status were calculated from the assessment using the SPR thresholds (20% SPR) and targets (30% SPR) defined in the spotted seatrout FMP (NCDMF 2012). The model estimated $SSB_{20\%}$ at 394 metric tons and $SSB_{30\%}$ at 623 metric tons with a model terminal year (2012) SSB estimate of 2,513,270 pounds. Based on these results, the stock is not currently overfished ($SSB_{2012} < SSB_{20\%}$) and has not been overfished during the 1991 to 2012 time period (Figure 1). Fishing mortality reference points estimated from the model were $F_{20\%}$ at 0.656 and $F_{30\%}$ at 0.422 with a terminal year estimate of F at 0.401, close to the F target, but still below, suggesting that overfishing is not occurring ($F_{2012} < F_{20\%}$; Figure 2). Based on results of the current assessment, the NCDMF classifies the status of the spotted seatrout stock as viable.

Stock Assessment

The 2014 assessment of the spotted seatrout in North Carolina and Virginia was conducted using a Stock Synthesis model that incorporated data collected from commercial and recreational fisheries, two fishery-independent surveys, and a tagging study (NCDMF 2014b). This approach differs from the previous NCDMF assessment of spotted seatrout, which was applied to data available from 1991 through 2008. The previous assessment used the ASAP2 statistical catch-at-age model and data more limited in both area and time. The previous model relied primarily upon fishery-dependent data, one fishery-independent index, and included age data only from the North Carolina portion of the stock.

The Stock Synthesis model has been thoroughly vetted through the stock assessment community and peer reviewed literature. The time period used for the assessment was 1991 through 2012 and relied on expanded fishery-independent data sources, including age data from the Virginia portion of the stock, a juvenile abundance index, and tag-return data from research conducted by North Carolina State University (Ellis 2015). The fishing year was changed from a calendar year to a biological year (defined as March 1 through February 28 or 29) to allow the model to incorporate cold stun mortalities within a single fishing year instead of across two calendar

STATE-MANAGED SPECIES – SPOTTED SEATROUT

years. The maximum age was decreased from 12 years (previous assessment) to nine as the 12-year maximum was based on scale ages not otoliths. Only ages derived from otoliths were used in the current assessment.

Tagging data from Ellis' (2015) study was included in the model but did not have a significant influence on results. Multiple model configurations were attempted to account for varying natural mortality ranging from direct tagging estimates to estimates based on water temperature correlations: however, no model configuration incorporating varying natural mortality would produce results (converge). Ellis' (2015) data did provide further evidence of the highs and lows associated with spotted seatrout natural mortalities and the need for a custom model that can incorporate these highly variable mortality rates. The NCDMF recognized the need to develop a model that will accept variable natural mortality estimates. Developing a custom model that can incorporate variable natural mortality was added as a research recommendation and the NCDMF will continue to investigate this during the next benchmark assessment.

The results of this assessment suggest the age structure of the spotted seatrout stock has been expanding during the last decade. However, an abrupt decline is evident in the model's estimate of recruitment after 2010, although this is not mirrored in the empirical survey data. Spawning stock biomass (SSB) increased to its maximum in 2007 but has since declined to close to the time series average. In 2012, estimated SSB was 2,513,270 pounds, which is greater than the currently defined threshold for assessing whether the stock is overfished ($SSB_{30\%}=868,621$ pounds; Figure 1). Fishing mortality has varied without apparent trend, but periods of high fishing mortality seem to coincide with the decline in spawning stock biomass and may be attributed to cold stun events. The 2012 estimate of fishing mortality was 0.40, which is less than the fishing mortality threshold ($F_{20\%}=0.66$), indicating that the stock is not experiencing overfishing; however, the 2012 estimate of fishing mortality (0.40) is very near the target fishing mortality of $F_{30\%}=0.42$ (Figure 2).

The current stock assessment will be updated with data through 2016 for the scheduled plan review starting in 2017.

STATUS OF THE FISHERY

Current Regulations

The NCDMF currently allows the recreational harvest of spotted seatrout seven days per week with a minimum size limit of 14-inches total length (TL) and a daily bag limit of four fish. The commercial harvest is limited to a daily limit of 75 fish with a minimum size limit of 14-inches TL). It is unlawful for a commercial fishing operation to possess or sell spotted seatrout for commercial purposes taken from Joint Fishing Waters of the state from midnight on Friday to midnight on Sunday each week; the Albemarle and Currituck sounds are exempt from this weekend closure.

STATE-MANAGED SPECIES – SPOTTED SEATROUT

Commercial Landings

Commercial landings from 2016 (253,965 pounds) approached the 10-year average for the fishery (Table 1; Figure 3). Annual landings over the last 10-year period have averaged 253,306 pounds but have varied by almost 300,000 pounds (2007 and 2011). During the early to mid-1990s, landings in the ocean and estuarine areas were more similar than in the remainder of the time series (1995-2015) in which estuarine landings have dominated. The primary gear of harvest are estuarine gill nets (set, drift, and run around).

Recreational Landings

Recreational data are collected through an angler based survey program, the Marine Recreational Information Program (MRIP), and are reported in various harvest types with associated sampling error. Estimated recreational harvest (Type A + B1) of spotted seatrout in 2016 was 691,277 pounds (PSE = 14.1%) and 388,544 fish (PSE = 13.1%), similar to the 10 year averages of 639,164 pounds and 378,560 fish (Table 1; Figure 3). Estimated recreational releases in 2016 were the third highest (1,789,836 fish; PSE = 17.0%) over the last 10-year period (Table 1). Citations awarded through the North Carolina Saltwater Fishing Tournament for spotted seatrout have varied by year since 2007 but have averaged 218 citations since requirements were changed in 2008 (Table 2). The number of awarded citations in 2016 increased from the previous year to 214 with the number of release citations awarded increasing to 20.1%, the largest proportion since the NCDMF began awarding releases in 2008.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial fish houses are sampled monthly to provide length, weight, and age data to describe the commercial fisheries. This information is used to characterize the commercial fishery for stock assessments and to monitor trends in the size and age of fish being removed from the stock. The number of fish sampled by division staff at commercial fish houses has varied over time due to annual variability in landings of the fishery, however; mean, minimum, and maximum lengths of spotted seatrout have not varied much between years for either the commercial or recreational fisheries (Table 3). The bulk of spotted seatrout landings by the commercial fishery (93%) come from the ocean and estuarine gill net fishery with gigs (5.5%) and all other gears (1.5%) accounting for the rest.

Fishery-Independent Monitoring

The NCDMF utilizes numerous independent monitoring programs to provide indices of juvenile (Program 120) and adult (Program 915) abundance to include in stock assessments. Program 120, the North Carolina Estuarine Trawl Survey, is a fishery independent multispecies monitoring program that has been ongoing since 1971 in the months of May, June and July. One of the key objectives of this program is to provide a long-term data base of annual juvenile recruitment for economically important species. This survey samples a fixed set of 104 core stations with additional stations as needed. The core stations are sampled from western

STATE-MANAGED SPECIES – SPOTTED SEATROUT

Albemarle Sound south to the South Carolina border each year without deviation two times in the months of May and June. An additional set of 27 spotted seatrout juvenile stations in Pamlico Sound and its major tributaries are sampled during the months of June and July. Data from the seatrout specific stations is used to generate an index of relative abundance of age zero spotted seatrout. The resulting Catch Per Unit Effort (CPUE) index, which is the average number of fish per tow, for the current 10-year time series remained somewhat constant with no significant trends in CPUE but with peaks in 2008, 2012, and 2013, suggesting relatively higher recruitment in those years (Figure 4). The 2016 Program 120 spotted seatrout CPUE was the lowest recorded over the last 10 years.

The NCDMF started a fishery independent gill net survey (Program 915) in 2001 to generate a long-term database of age composition and to develop indices of abundance for numerous commercial and recreationally important finfish species, including spotted seatrout. The survey utilizes a stratified random sampling scheme designed to characterize the size and age distribution for key estuarine species in Pamlico Sound and help managers assess the spotted seatrout stocks without relying solely on commercial and recreational fishery dependent data. For the most recent stock assessment, four indices were generated from data collected from the survey; spring, summer, fall, and abundance from the southern portion of the survey. All four Program 915 indices varied without trend over the respective time series (Figures 5-8). A peak was observed in 2009 in the spring (Figure 5), summer (Figure 6), and southern (Figure 8) indices. This corresponds with the peak observed in 2008 in the Program 120 age zero index (Figure 4). The fall index exhibited a peak in 2006 (Figure 8). All the Program 915 indices suggest an increase in adults in the terminal year of the assessment, 2012, to varying degrees.

Spotted seatrout collected during the independent gill net survey are sampled for length frequency and age to generate age length keys useful for assessment and stock monitoring. Since the inception of the program in 2001, 3,377 spotted seatrout have been aged from collections. Because sampling for the independent gill net survey is standardized based on gear, effort, and habitat sampled, ages from the program can be used to track cohorts as they recruit to the fishery. Healthy populations should display a range of ages throughout larger size classes and not exhibit a truncation of age classes. Over the last five years, ages of spotted seatrout collected from the independent gill net survey have been evenly spread across most size classes with above legal fish (> 14-inches or 354 mm) ranging in age from one to five years (Figure 9).

Spotted seatrout ages are also collected from numerous NCDMF fishery independent and dependent sources. To date, a total of 16,911 spotted seatrout have been aged by otoliths, the preferred method, since 1991 (Table 4). With the exception of 2003, the minimum age of sampled spotted seatrout has been age zero for every year the NCDMF has recorded this information. Maximum ages have varied every year and has ranged from age five to age nine. Modal ages, which give an indication of the age of the largest cohort in the fishery, has mostly been age one.

MANAGEMENT STRATEGY

Reduce F to maintain a 20% SPR which will increase the likelihood of sustainability through an expanded age structure and an increase in the spawning stock biomass. This strategy should provide a greater cushion for the population that would likely lead to faster recovery of the

STATE-MANAGED SPECIES – SPOTTED SEATROUT

population after cold stun events, which can lead to mass mortalities in the winter months potentially affecting the number of mature fish available to spawn the following spring. Consider revising reference points after the stock is reassessed in the next plan review based on the response of the population to the management measures selected in the initial FMP. The Director will maintain authority to intervene in the event of a catastrophic cold stun event and do what is necessary in terms of temporary closures by water body (Table 5 and 6).

RESEARCH NEEDS

The following research needs were compiled from those listed in the 2012 North Carolina Spotted Seatrout FMP. Improved management of spotted seatrout is dependent upon research needs being met. Research needs are not listed in order of priority.

- Develop a juvenile abundance index to gain a better understanding of a stock recruitment relationship – (ongoing, using program 120 since 2004)
- Research the feasibility of including measures of temperature or salinity into the stock recruitment relationship – (not completed)
- Determine batch fecundity estimates for North Carolina spotted seatrout – (ongoing; CRFL project 2F40-F035)
- Size specific fecundity estimates for North Carolina spotted seatrout – (ongoing; CRFL project 2F40-F035)
- Area specific spawning surveys could help in the delineation of area specific closures to protect females in spawning condition – (not completed)
- Investigation of the relationship of temperature with both adult and juvenile mortality – (started in 2015, monitoring temperatures in over wintering habitat of spotted seatrout: CRFL project 2F40-F024)
- Incorporate cold stun event information into the modeling of the population – (unsuccessfully attempted using stock synthesis model, will be investigated further during next benchmark stock assessment)
- Estimate or develop a model to predict the impact of cold stun events on local and statewide spotted seatrout abundance – (unsuccessfully attempted using stock synthesis model, will be investigated further during next benchmark stock assessment).
- Obtain samples (length, age, weight, quantification) of the cold stun events as they occur – (obtained samples in 2001, 2014, and 2015; length, weight, sex, age; unable to quantify extent of kills)
- Define overwintering habitat requirements of spotted seatrout – (not conducted)
- Determine factors that are most likely to influence the severity of cold stun events in North Carolina, and separate into low and high salinity areas – (Tim Ellis and the spotted seatrout Plan Development Team worked on this but were unable to incorporate into models; Ellis et. al (2017))
- Investigate the distribution of spotted seatrout in nursery and non-nursery areas – (not completed)
- Further research on the possible influences of salinity on release mortality of spotted seatrout – (ongoing; CRFL project 2F40-F017, evaluation of tagging and discard mortality component)
- Survey of fishing effort in creeks with conflict complaints – (not completed)

STATE-MANAGED SPECIES – SPOTTED SEATROUT

- Determine targeted species in nursery areas and creeks with conflict complaints – (not completed)
- Microchemistry, genetic, or tagging studies are needed to verify migration patterns, mixing rates, or origins of spotted seatrout between North Carolina and Virginia – (Tim Ellis data (2008-2013); CRFL project 2F40-F017, NC Multi Species Tagging Study 2014 – present; NCSU study CRFL grant 2F40-F022)
- Tagging studies to verify estimates of natural and fishing mortality – (Tim Ellis data (2008-2013); CRFL project 2F40-F017, NC Multi Species Tagging Study 2014 – present)
- Tagging studies to determine if there are localized populations within the state of North Carolina (e.g., a southern and northern stock) – (Tim Ellis data (2008-2013); CRFL project 2F40-F017, NC Multi Species Tagging Study 2014 - present)
- A longer time series and additional sources of fishery-independent information – (longer series available as well as Program 915 survey for rivers and southern portion of state)
- Increased observer coverage in a variety of commercial fisheries over a wider area – (ongoing)
- Expand nursery sampling to include SAV bed sampling in high and low salinity areas during the months of July through September – (not completed)
- Evaluate the role of shell hash and shell bottom in spotted seatrout recruitment and survival, particularly where SAV is absent – (not completed)
- Evaluate the role of SAV in the spawning success of spotted seatrout – (not completed)

FISHERY MANAGEMENT PLAN RECOMMENDATIONS

The Division of Marine Fisheries recommends the review of the Spotted Seatrout Fishery Management Plan begin in 2018, one year later than originally planned. This is due to staff workload for the review of the Southern Flounder Fishery Management Plan, the early review of the Estuarine Striped Bass Fishery Management plan, and the unscheduled review of the Blue Crab Fishery Management Plan. A stock assessment was completed on spotted seatrout in North Carolina and Virginia in 2014 and indicated the stock was at viable levels and removals were considered sustainable for the long-term benefit of the stock. Data through 2016 do not indicate anything to the contrary.

STATE-MANAGED SPECIES – SPOTTED SEATROUT

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STATE-MANAGED SPECIES – SPOTTED SEATROUT

TABLES

Table 1. Recreational harvest (number of fish released and weight in pounds) and releases (number of fish) and commercial harvest (weight in pounds) of spotted seatrout from North Carolina for the period 2007 - 2016.

Year	Recreational		Weight (lb)	Commercial	Total Weight Harvested (lb)
	Number of fish	Harvested		Harvested (lb)	
2007	848,682	531,614	879,306	374,722	1,254,028
2008	880,560	654,435	1,005,548	304,430	1,309,978
2009	1,213,526	608,790	954,845	320,247	1,275,092
2010	1,684,872	195,065	407,534	200,822	608,356
2011	1,916,249	215,922	403,517	75,239	478,756
2012	1,646,512	500,522	817,551	265,016	1,082,567
2013	1,427,410	369,265	649,158	367,401	1,016,559
2014	960,570	234,045	433,978	241,995	675,973
2015	1,877,785	96,430	168,533	128,762	297,295
2016	1,789,836	388,544	691,277	253,965	945,242

Table 2. Total number of awarded citations for spotted seatrout (>24 inches total length for release or > five lb landed) from the North Carolina Saltwater Fishing Tournament for the time period 2007-2016.

Year	Total Citations*	Release Citations ⁺	% Release ⁺
2007	1000	-	-
2008	428	5	1.2
2009	434	14	3.2
2010	168	16	9.5
2011	37	3	8.1
2012	143	5	3.5
2013	162	21	13.0
2014	197	18	9.1
2015	176	16	9.1
2016	214	44	20.1

*Minimum qualifying weight increased from four lb to five lb in 2008

⁺Release citations were not offered prior to 2008

STATE-MANAGED SPECIES – SPOTTED SEATROUT

Table 3. Mean, minimum, and maximum lengths (total length, mm) of spotted seatrout collected from the commercial and recreational fisheries for the period 2007-2016.

Year	Commercial				Recreational			
	Mean Length	Minimum Length	Maximum Length	Total Number Measured	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	442	57	788	6,577	407	275	704	521
2008	436	43	770	4,741	397	293	674	790
2009	425	71	706	5,238	407	230	661	779
2010	448	300	784	3,208	448	315	630	336
2011	422	229	706	970	431	313	615	638
2012	422	222	685	3,805	415	330	612	939
2013	425	46	723	4,193	428	256	598	863
2014	440	139	719	3,244	436	332	660	379
2015	465	225	786	2,672	429	325	634	152
2016	439	240	805	3,004	427	329	639	647

Table 4. Modal age, minimum age, maximum age, and number aged for spotted seatrout collected through NCDMF sampling programs from 1991 through 2016.

Year	Modal Age	Minimum Age	Maximum Age	Number Aged
1991	1	0	7	707
1992	1	0	6	594
1993	1	0	6	698
1994	1	0	9	701
1995	1	0	5	653
1996	1	0	6	1,010
1997	1	0	6	730
1998	1	0	9	781
1999	1	0	6	877
2000	1	0	7	566
2001	1	0	5	426
2002	1	0	7	715
2003	1	1	7	433
2004	1	0	6	600
2005	1	0	5	731
2006	1	0	8	974
2007	2	0	8	706
2008	1	0	7	619
2009	2	0	6	663
2010	1	0	6	646
2011	1	0	6	429
2012	1	0	5	598
2013	2	0	5	641
2014	1	0	7	555
2015	2	0	5	401
2016	1	0	5	457

STATE-MANAGED SPECIES – SPOTTED SEATROUT

Table 5. Summary of the NCMFC management strategies and their implementation status for the 2012 N.C. Spotted Seatrout FMP.

Management Strategy	Implementation Status
50% reduction in harvest needed, six fish bag, 14-inch minimum size, and weekend closure for commercial gears year round (no possession on weekends).	Accomplished; Proclamation authority
A maximum of two fish over 24 inches for recreational fishermen	Proclamation authority
The small mesh gill net attendance requirement is extended to include weekends, December through February	Accomplished
Development of a mutual aid agreement between NCDMF Marine Patrol and WRC Wildlife Enforcement Officers for Inland fishing waters	Accomplished
Move forward with the mediation policy process to resolve conflict between spotted seatrout fishermen	Conflict resolution process established under Rule 15 A NCAC 03I .0122.
Remain status quo with the assumption that the Director will intervene in the event of a catastrophic event and do what is necessary in terms of temporary closures by water body	Repealed Rule 15A NCAC 03M .0504 and used proclamation authority in 15A NCAC 03M .0512; Beginning in May 2017 re-established spotted seatrout Rule 15A NCAC 03M .0522 due to ASMFC considering retiring Interstate Spotted Seatrout FMP
More extensive research on cold stun events by NCDMF, Universities, etc.	Ongoing

Table 6. Summary of the NCMFC management strategies and their implementation status for Supplement A to the 2012 N.C. Spotted Seatrout FMP adopted in 2014.

Management Strategy	Implementation Status
2014: 14-inch minimum size limit, four recreational bag limit, 75 fish commercial trip limit, no gill nets in joint waters on weekends, unlawful for a commercial operation to possess or sell spotted seatrout taken from joint waters on weekends.	Proclamation authority
2014: 14-inch minimum size limit, three fish recreational bag limit with a December 15- January 31 closure, 25 fish commercial trip limit (no closure)	Delay in management strategy
If a cold stun occurs close spotted seatrout harvest through June 1 and retain four fish recreational bag limit and 75 fish commercial trip limit	Proclamation authority
Revisit the Spotted Seatrout FMP in three years to determine if sustainable harvest measures are working	On schedule to begin July 2017

STATE-MANAGED SPECIES – SPOTTED SEATROUT

FIGURES

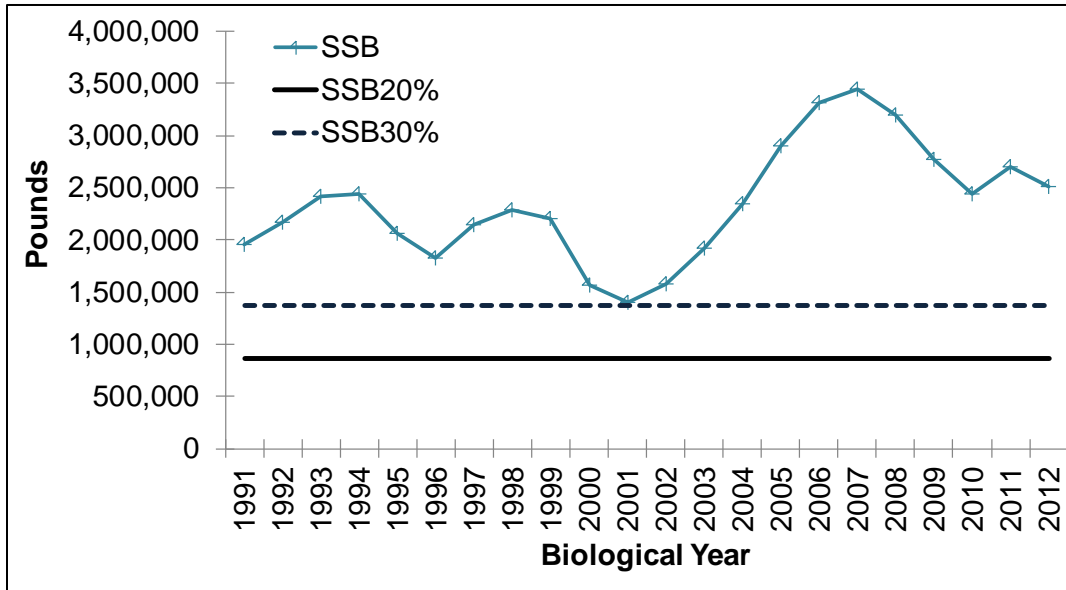


Figure 1. Annual predicted spawning stock biomass compared to estimated $SSB_{Threshold}$ ($SSB_{20\%}$) and SSB_{Target} ($SSB_{30\%}$), 1991-2012. 2012 is the terminal year for the last spotted seatrout stock assessment (NCDMF 2014).

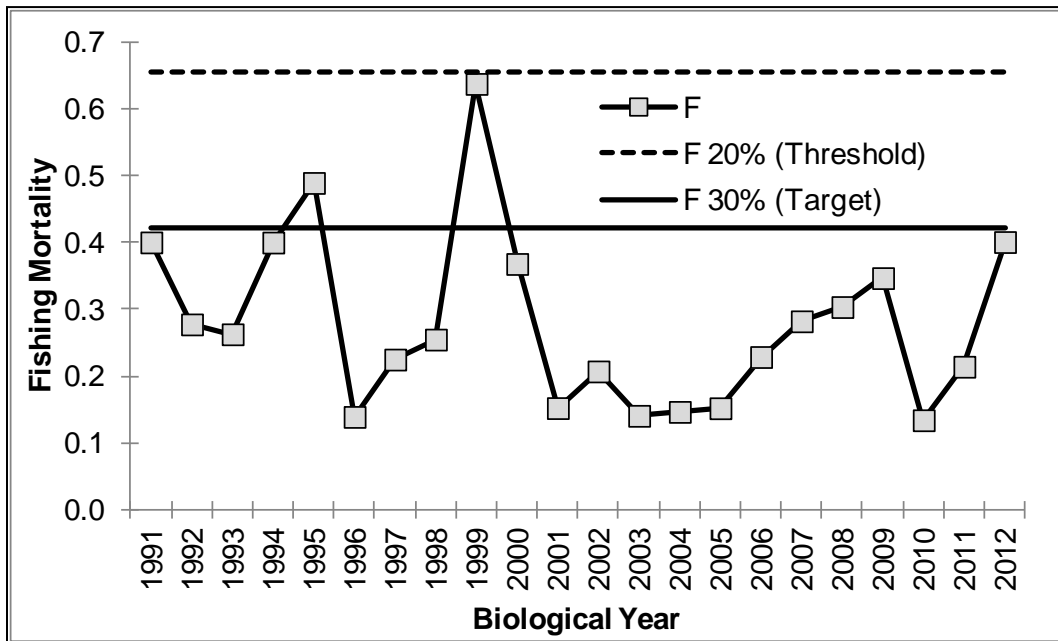


Figure 2. Annual predicted fishing mortality rates (numbers-weighted, ages 1–4) compared to estimated $F_{Threshold}$ ($F_{20\%}$) and F_{Target} ($F_{30\%}$), 1991-2012. 2012 is the terminal year for the last spotted seatrout stock assessment (NCDMF 2014).

STATE-MANAGED SPECIES – SPOTTED SEATROUT

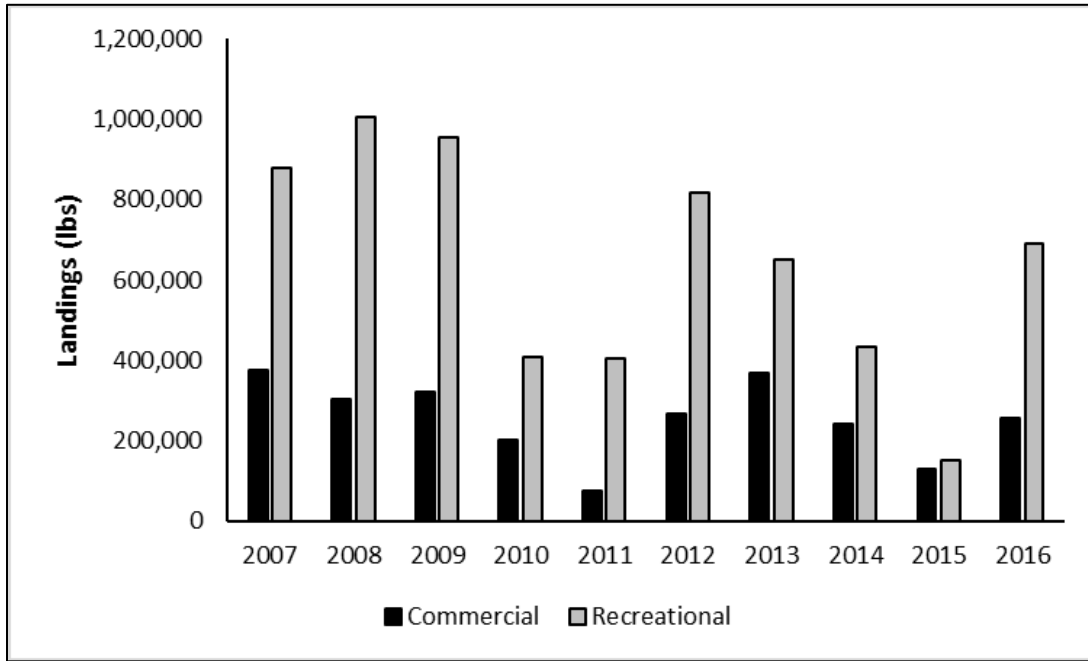


Figure 3. Commercial landings reported through the North Carolina Trip Ticket Program and recreational landings estimated from the MRIP survey (Type A + B1) for North Carolina from 2007 - 2016.

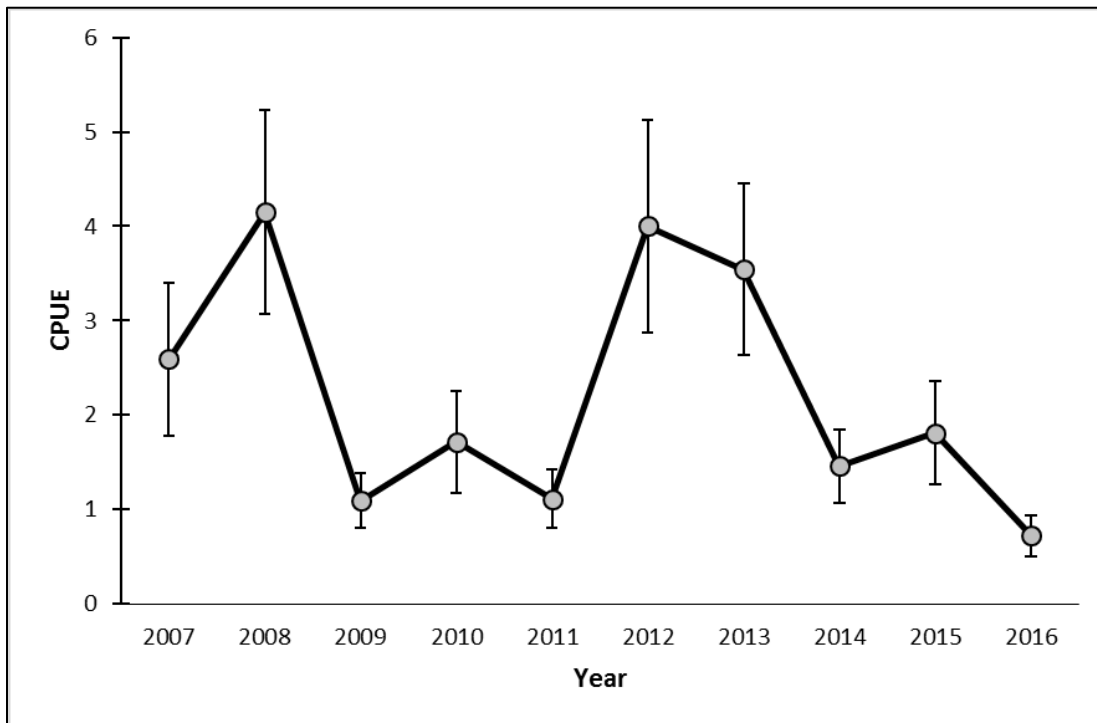


Figure 4. Catch per unit effort (CPUE; fish per-tow) from the North Carolina Estuarine Trawl Survey (Program 120) during June and July, 2007-2016. Error bars represent ± 1 standard error.

STATE-MANAGED SPECIES – SPOTTED SEATROUT

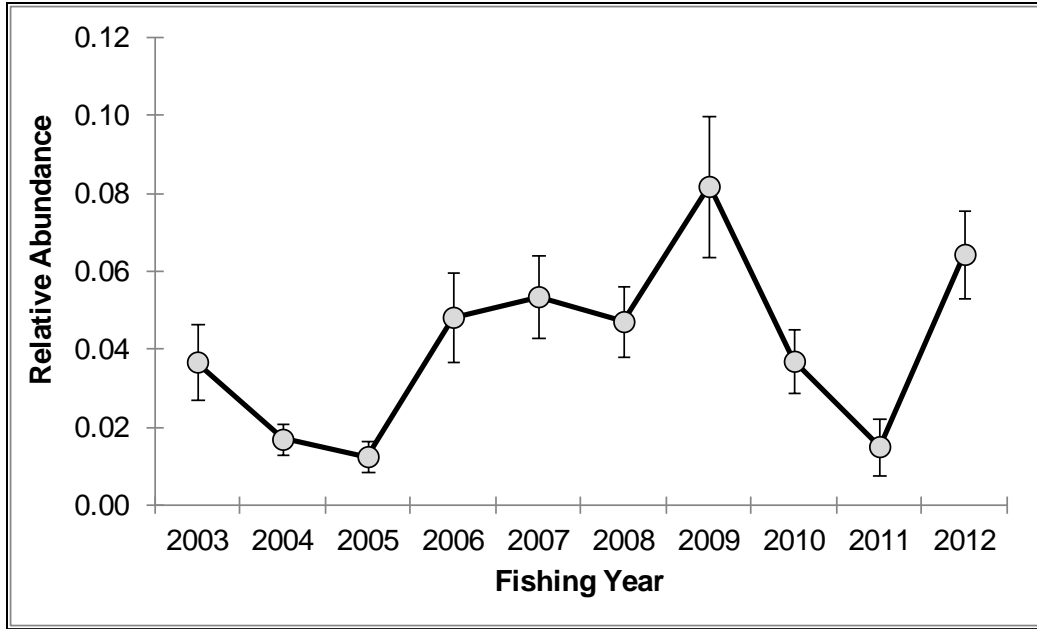


Figure 5. Generalized Linear Model (GLM) standardized index of relative abundance for spotted seatrout collected from Program 915 during spring (May–June), 2003 - 2012. Error bars represent ± 1 standard error and 2012 is the terminal year for the last spotted seatrout stock assessment (NCDMF 2014).

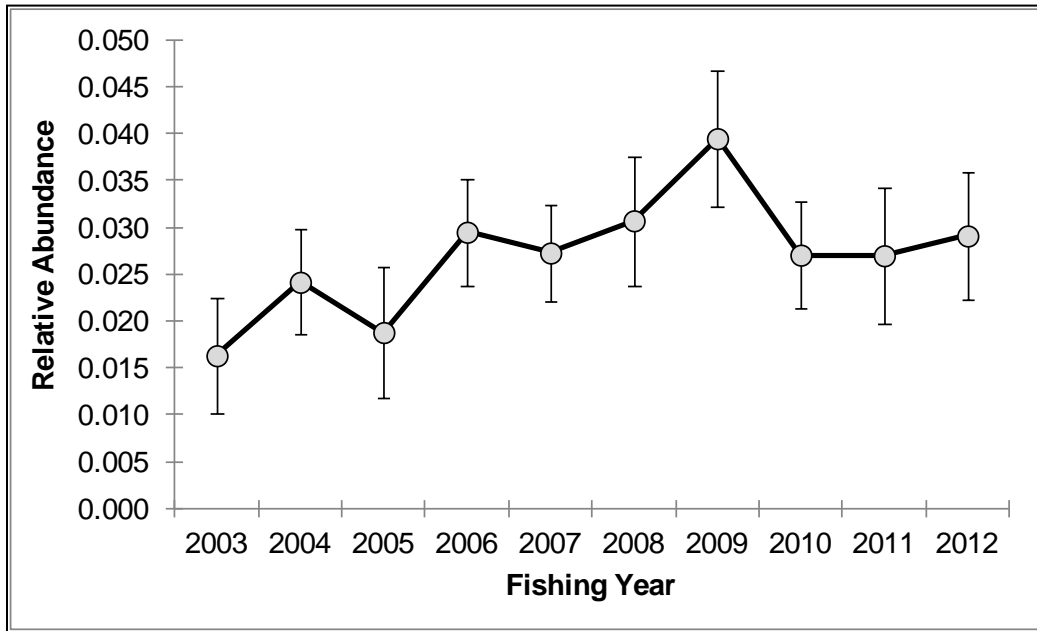


Figure 6. Generalized Linear Model (GLM) standardized index of relative abundance for spotted seatrout collected from Program 915 during summer (July–August), 2003 - 2012. Error bars represent ± 1 standard error and 2012 is the terminal year for the last spotted seatrout stock assessment (NCDMF 2014).

STATE-MANAGED SPECIES – SPOTTED SEATROUT

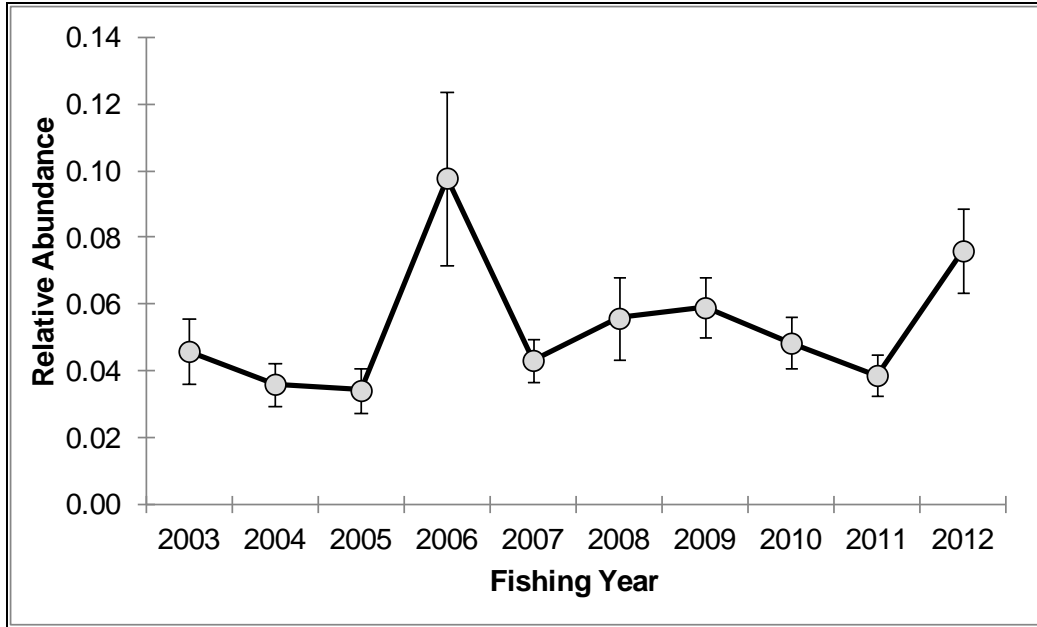


Figure 7. Generalized Linear Model (GLM) standardized index of relative abundance for spotted seatrout collected from Program 915 during fall (September–November), 2003 - 2012. Error bars represent ± 1 standard error and 2012 is the terminal year for the last spotted seatrout stock assessment (NCDMF 2014).

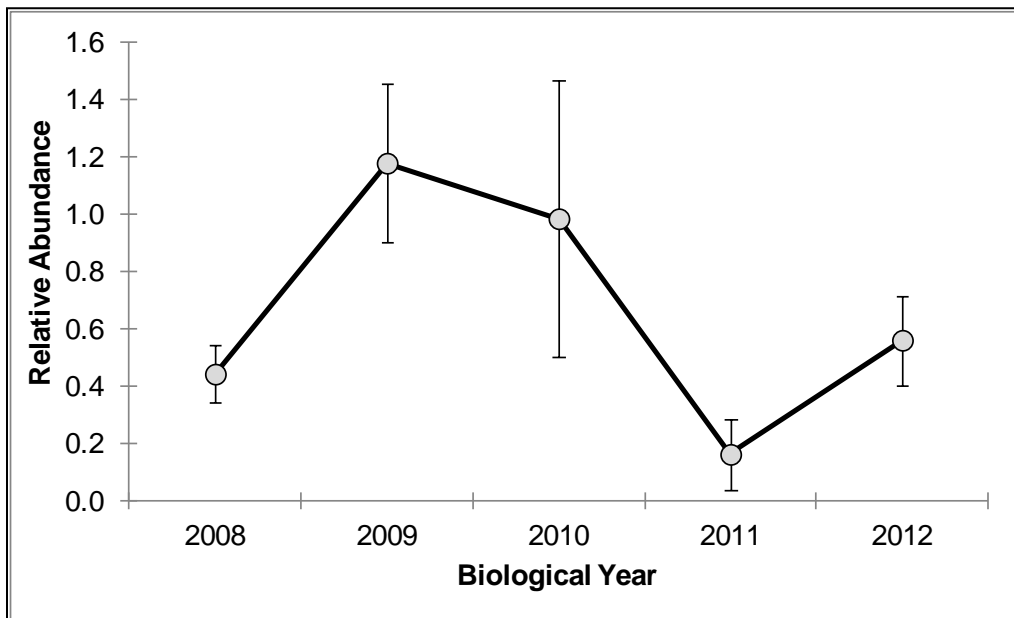


Figure 8. Generalized Linear Model (GLM) standardized index of relative abundance for spotted seatrout collected from Program 915 during spring (May - June) in the southern sampling stations, 2008 - 2012. Error bars represent ± 1 standard error and 2012 is the terminal year for the last spotted seatrout stock assessment (NCDMF 2014).

STATE-MANAGED SPECIES – SPOTTED SEATROUT

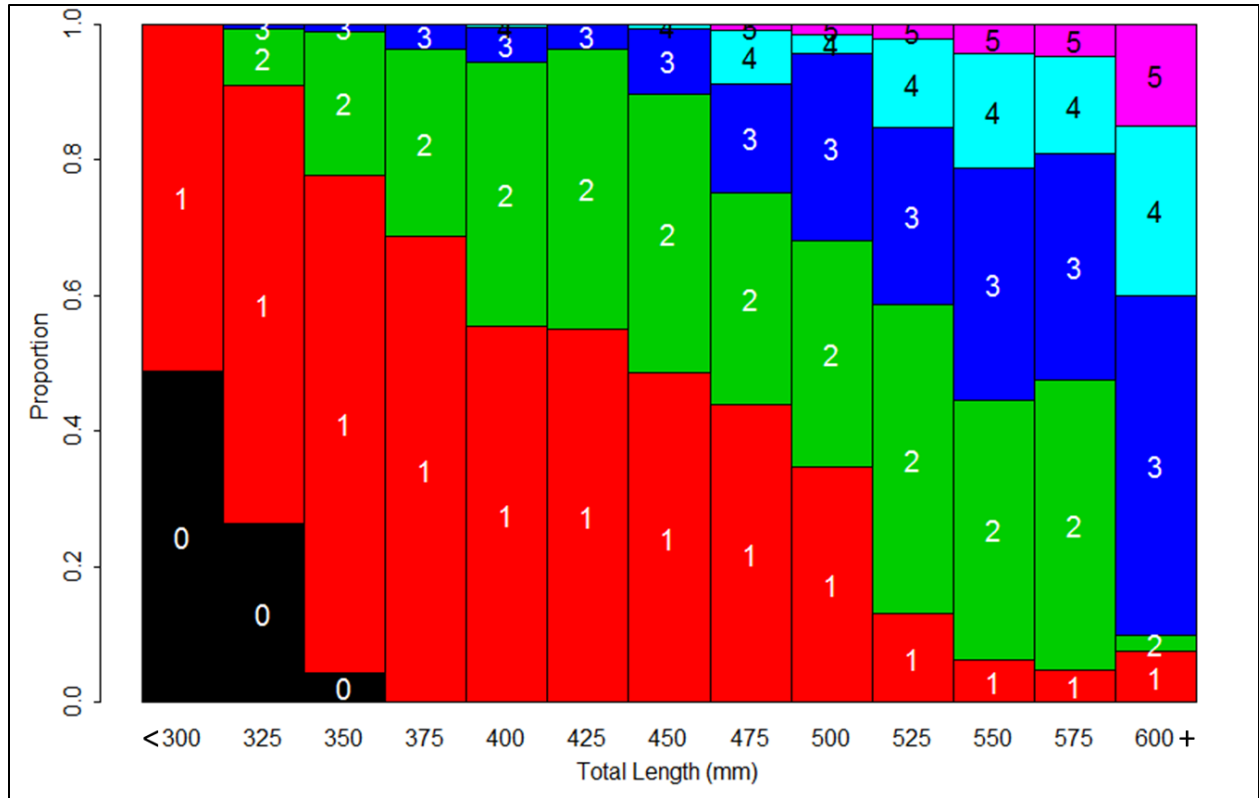


Figure 9. Proportion of ages by size class (25 mm size bins) of all spotted seatrout collected from the Fishery Independent Gill Net Survey (Program 915) and aged by NCDMF, 2012-2016.

STATE-MANAGED SPECIES – STRIPED MULLET

FISHERY MANAGEMENT PLAN UPDATE STRIPED MULLET AUGUST 2017

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	April 2006
Amendments:	Amendment 1 – November 2015
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	July 2019

The North Carolina Fishery Management Plan (FMP) for striped mullet was adopted in April 2006 and reclassified the stock as viable. The management plan established minimum and maximum landings thresholds of 1.3 million pounds and 3.1 million pounds, respectively. If landings fall below the minimum threshold, the North Carolina Division of Marine Fisheries (NCDMF) would initiate further analysis of the data to determine if the decrease in landings is attributed to stock decline or decreased fishing effort. If landings exceed 3.1 million pounds, the NCDMF would initiate analysis to determine if harvest is sustainable and assess what factors are driving the increase in harvest. The striped mullet FMP established a possession limit of 200 mullets (white and striped in aggregate) per person in the recreational fishery.

Amendment 1 to the N.C. Striped Mullet FMP was adopted in November 2015 and rules were implemented in April 2016. Amendment 1 maintained the stock classification as viable. Issues addressed in Amendment 1 included: 1) resolution of Newport River gill net attendance, 2) addressing user group conflicts, and 3) updating the management framework for the N.C. striped mullet stock. Amendment 1 updated the minimum and maximum commercial landings triggers to 1.13 and 2.76 million pounds, respectively, that would warrant a closer examination of data. Amendment 1 maintains the 200 mullet possession limit per person in the recreational fishery.

Management Unit

Coastal and joint waters of North Carolina.

STATE-MANAGED SPECIES – STRIPED MULLET

Goal and Objectives

The goal of Amendment 1 to the North Carolina Striped Mullet FMP is to manage the striped mullet fishery to preserve the long-term viability of the resource, maintain sustainable harvest, maximize social and economic value, and consider the needs of all user groups. The following objectives will be used to achieve this goal:

1. Use a management strategy that provides for conservation of the striped mullet resource and promotes sustainable harvest while considering the needs of all user groups.
2. Promote the protection, enhancement, and restoration of habitats and water quality necessary for the striped mullet population.
3. Minimize conflict among user groups, including non-fishing user groups and activities.
4. Promote research to improve the understanding of striped mullet population dynamics and ecology to improve management of the striped mullet resource.
5. Initiate, enhance, and/or continue studies to collect and analyze the socio-economic data needed to properly monitor and manage the striped mullet fishery.
6. Promote public awareness regarding the status and management of the North Carolina striped mullet stock.

STATUS OF THE STOCK

Stock Status

Stock assessment information is based on data through 2011. A population assessment of the North Carolina striped mullet stock was conducted using the Stock Synthesis model, which incorporated data from commercial fisheries and three fishery-independent surveys from 1994 to 2011. Spawning stock biomass increased from 2003 through 2007, but has since declined. Recruitment has also declined in recent years, though a slight increase was observed in 2011. Fishing mortality (F) has increased in recent years, but F in the terminal year ($F_{2011} = 0.437$) was below both the fishing mortality target ($F_{35\%} = 0.566$) and threshold ($F_{25\%} = 0.932$). Based on these results, the stock is not undergoing overfishing. A poor stock-recruit relationship resulting in unreliable biomass-based reference points prevents determining if the stock is currently overfished (NCDMF 2013).

Stock Assessment

The striped mullet stock was modeled using Stock Synthesis text version 3.24f (Methot 2000, 2011; NFT 2011; Methot and Wetzel 2013), which was also used to calculate reference points. The Stock Synthesis model can incorporate information from multiple fisheries, multiple surveys, and both length and age composition data. The structure of the model allows for a wide range of model complexity depending upon available data. The strength of the model is it

STATE-MANAGED SPECIES – STRIPED MULLET

explicitly models both the dynamics of the population and the processes by which one observes the population and its fisheries. That is, the comparison between the model and the data is kept close to the natural basis of the observations, instead of manipulating the observations into the format of a simpler model. Another important advantage is the model allows for (and estimates) selectivity patterns for each fishing fleet and survey (NCDMF 2013).

STATUS OF THE FISHERY

Current Regulations

There are no size restrictions, but as of July 1, 2006 there is a 200 mullet (white and striped aggregate) daily possession limit per person in the recreational fishery and the mutilated finfish rule was modified to exempt mullet used as bait.

Commercial Landings

Striped mullet are targeted commercially using runaround gill nets in the estuarine waters of North Carolina with most landings occurring in the fall. Since 1994 striped mullet landings have ranged from a low of 964,348 pounds in 2016 to a high of 2,829,086 pounds in 2000 (Figure 1). From 2003 to 2009 landings were stable between 1,598,617 and 1,728,607 pounds before increasing to 2,082,832 pounds in 2010. Since 2010, landings have fluctuated annually between approximately 1.5 and 2 million pounds before declining significantly in 2015 and again in 2016. Landings exceeded the upper threshold established by Amendment 1 in 2000 and fell below the lower threshold by 165,652 pounds in 2016.

Recreational Landings

The Marine Recreational Information Program is primarily designed to sample anglers who use rod and reel as the mode of capture. Since most striped mullet are caught with cast nets for bait, recreational harvest data are imprecise. Misidentification between striped mullet and white mullet is also common. Bait mullet are usually released by anglers before observation by creel clerks and therefore cannot be identified to the species level.

Harvest data from the Recreational Commercial Gear License (RCGL) were collected from 2002 to 2008. The program was discontinued in 2009 due to lack of funding. From 2002 through 2008 an average of 41,512 pounds of striped mullet were harvested per year using a RCGL (Table 1).

In May 2010, NCDMF began a mail survey to develop catch and effort estimates of recreational gigging activity. In October 2011, two additional mail surveys were implemented to develop catch and effort estimates for cast net and seine use as well as the harvest of shellfish including: crabs, clams, oysters, and scallops. While this survey does not distinguish between striped and white mullet it can still be useful in evaluating general trends. Recreational cast net effort directed toward mullet decreased between 2015 and 2016 (Table 2). Mullet harvest and total catch have generally decreased since 2012. Number of releases declined significantly between 2015 and 2016.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

The total number of striped mullet measured in fishery dependent programs between 2005 and 2016 ranged from 2,314 to 13,183, with the lowest number measured in 2016 (Table 3). Mean length varied little, generally falling between 339 and 360 mm, with the lowest mean length occurring in 2016 (339.8 mm fork length). Minimum and maximum lengths generally fell within a small range, though in 2011 the minimum was 166 mm fork length which is much lower than the minimum in other years (Table 3).

Fishery-Independent Monitoring

Modal age was two in all years except 2005 when the modal age was one (Table 4). Minimum age was zero in every year except 2010 when the minimum age was one. Maximum age ranged from six in 2012, 2014, and 2015 to 14 in 2011. From 2005 through 2008 the maximum age was 10 and in 2009 the maximum age was 13. The number of fish aged varied little from 2005 through 2015 (mean=717 aged per year), though in 2009 only 349 fish were aged. Age data from 2013 and 2015 are preliminary. Age data from 2016 are not currently available.

To provide the most relevant index from the NCDMF Striped Mullet Electrofishing Survey, data were limited to those collected during January through April, when striped mullet were most abundant in the Neuse River. Since the survey primarily catches adult striped mullet, juveniles were excluded from analysis. A sample represents all the fish collected over a 500 m transect. Striped mullet catch-per-unit-effort (CPUE) was stable at approximately 100 fish per sample from 2005 through 2009 before spiking in 2010 and 2011 to approximately 160 fish per sample (Figure 2). Striped mullet CPUE dropped significantly in 2012, potentially due to hurricanes, before increasing to near the time series average in 2013 and 2014. Striped mullet CPUE declined in 2015 to approximately 45 fish per sample, and again in 2016 to 20 fish per sample.

To provide the most relevant index from the Independent Gill Net Survey and to mirror indices included in the most recent stock assessment, data were limited to samples from shallow river areas during October-November, where and when most striped mullet occurred. The survey primarily catches adult striped mullet, so juveniles were excluded from analysis. From 2004-2012 striped mullet CPUE generally fluctuated between five to 10 striped mullet per sample before jumping to 13.5 in 2013 and 19.8 in 2014 (Figure 3). Striped mullet CPUE dropped significantly in 2015 to 3.3 and then again in 2016 to a time series low of 0.6 striped mullet per sample. It should be noted that Hurricane Matthew hit North Carolina at the beginning of October 2016 which may have affected striped mullet catch rates in the Independent Gill Net Survey.

MANAGEMENT STRATEGY

The management strategy for the striped mullet fisheries in North Carolina is to: 1) optimize resource utilization over the long-term; 2) reduce user group conflicts; and 3) promote public education. The first strategy will be accomplished by protecting critical habitats and monitoring

STATE-MANAGED SPECIES – STRIPED MULLET

stock status. To address user group conflicts, a rule change was made to limit how much of a waterway may be blocked by runaround, drift, or other non-stationary gill nets. Specific user group conflict issues will continue to be dealt with on a case-by-case basis and management actions will be implemented to address specific fishery related problems. The North Carolina Division of Marine Fisheries (NCDMF) will work to enhance public information and education. Issues addressed in formulating Amendment 1 of the management plan for North Carolina's striped mullet fishery included: 1) resolution of the Newport River gill net attendance and 2) user group conflicts, and 3) updating the management framework for the N.C. striped mullet stock. See Table 5 for a summary of management strategies and outcomes.

Minimum and maximum landings thresholds of 1.13 million and 2.76 million pounds have been established to monitor the striped mullet fishery. If landings fall below the minimum landings trigger or exceed the maximum landings trigger the NCDMF will initiate further analysis of the data to determine if a new stock assessment and/or interim management action is needed.

RESEARCH NEEDS

The following research needs were compiled from those listed in Amendment 1.

- Initiate a fishery independent adult striped mullet survey in the Core and Bogue sound areas where approximately 20 percent of the striped mullet harvest occurs – HIGH (Gill net survey will begin in 2017)
- Develop a reliable fisheries independent index of juvenile abundance – HIGH (Needed)
- Initiate a tagging to provide estimates of stock size, fishing mortality, and natural mortality that are not dependent on assumptions about steepness – HIGH (Needed)
- Increase the number of age samples from both fisheries dependent and fisheries independent sources – MEDIUM (Ongoing)
- Investigate how catchability of striped mullet by NCDMF Program 146 is affected by variations in salinity and conductivity and expand survey to other coastal rivers and tributaries – MEDIUM (Needed)
- Initiate a study to estimate fecundity and update the current maturity schedule microscopically – MEDIUM (Ongoing through NCDMF)
- Initiate a survey to estimate RCGL landings of striped mullet to estimate recreational landings, as well as social and economic elements of the striped mullet fishery – MEDIUM (Needed)
- Increase sampling of the commercial bait mullet cast net fishery to improve estimates of striped mullet and white mullet harvest – LOW (Needed)
- Restart fishery independent cast net sampling to improve estimates of the proportion of striped mullet and white mullet in this fishery – LOW (Needed)
- Analyze the data from the CRFL recreational cast net and seine survey to better characterize the recreational striped mullet fishery, including the social and economic elements – LOW (Needed)
- Improve recreational fisheries statistics provided by the Marine Recreational Information Program (MRIP) or some other program to reliably characterize the magnitude and length and age structure of recreational fisheries losses – LOW (Ongoing)
- Initiate a plankton survey covering all inlets to determine inlet use by striped mullet – LOW (Needed)

STATE-MANAGED SPECIES – STRIPED MULLET

- Investigate the disappearance of males from the population after age three – LOW (Needed)
- Initiate and acoustic tagging study to determine spatial and temporal variations in habitat use throughout the state to help provide better indices for stock assessments – LOW (Needed)
- Implement public outreach on waste reduction of striped mullet in the commercial and recreational fisheries – LOW (Needed)

FISHERY MANAGEMENT PLAN RECOMMENDATION

Commercial striped mullet landings in 2016 dropped below the lower management threshold established in Amendment 1. Landings in 2016 were the lowest since 1994 and represents a 282,695 pound decrease from the previous low in 2015. Declining commercial landings coinciding with persistent declines in fishery independent indices are concerning. Following the management strategy in Amendment 1, the NCDMF will initiate further analysis of all striped mullet data to determine if the decrease in landings is attributed to a stock decline or decreased fishing effort. When examination of data is complete the NCDMF will determine if a new stock assessment is needed and make a recommendation as to whether additional management measures are necessary. If additional management measures are necessary, they will be developed by the Striped Mullet Plan Development Team, in conjunction with an advisory committee, and approved by the North Carolina Marine Fisheries Commission (NCMFC) prior to implementation using the proclamation authority of the Fisheries Director.

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- NCDMF (North Carolina Division of Marine Fisheries). 2006. North Carolina Fishery Management Plan—Striped Mullet. NCDMF, Morehead City, North Carolina. 202 pp.
- NCDMF. 2013. Stock assessment of striped mullet (*Mugil cephalus*) in North Carolina waters. NCDMF, Morehead City, North Carolina. 161 pp.
- NFT (NOAA Fisheries Toolbox). 2011. Stock Synthesis, text version 3.21d.

STATE-MANAGED SPECIES – STRIPED MULLET

TABLES

Table 1. North Carolina RCGL number of striped mullet harvested, pounds harvested, number released, and total number caught. Estimates are from a RCGL survey conducted from 2002-2008, funding was discontinued in 2009.

Year	Number Harvested	Pounds Harvested	Number Released	Total Number
2002	66,305	64,213	6,549	72,854
2003	28,757	24,774	3,514	32,270
2004	34,736	35,947	2,875	37,611
2005	35,888	36,314	3,492	39,380
2006	38,175	37,385	5,352	43,527
2007	35,472	40,168	7,449	42,921
2008	51,465	51,785	9,207	60,672

Table 2. Number of trips, number of mullet harvested, number of mullet released, and total number of mullet caught in the recreational cast net fishery estimated from the NCDMF mail survey with associated percent standard error (PSE), 2011-2016. No distinction is made between striped and white mullet.

Year	Trips	PSE	Harvest	PSE	Releases	PSE	Total Catch	PSE
2011*	16,461	23.8	59,992	40.6	33,278	56.7	93,269	39.6
2012	121,750	6.2	391,792	11.6	208,994	12.5	600,785	9.9
2013	137,958	6.4	341,041	16.7	226,183	14.1	567,223	13.7
2014	178,622	6.6	205,243	14.5	253,208	11.9	458,452	10.6
2015	195,592	6.1	341,351	12.5	265,137	12.6	606,489	10.1
2016	171,348	6.78	227,674	20.21	196,236	14.99	423,910	13.68

*November and December data only

STATE-MANAGED SPECIES – STRIPED MULLET

Table 3. Mean length, minimum length, maximum length (mm fork length), and total number of striped mullet measured from North Carolina commercial fish house samples, 2005-2016.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2005	344.1	200	574	10,221
2006	347.5	197	563	12,108
2007	343.6	180	698	12,141
2008	358.1	213	612	13,183
2009	359.2	202	568	8,241
2010	352.6	206	577	10,991
2011	353.5	166	561	7,748
2012	356.6	200	565	12,833
2013	360.5	212	617	8,535
2014	349.7	195	610	6,517
2015	360.5	205	632	5,923
2016	339.8	226	612	2,314

Table 4. Modal age, minimum age, maximum age and total number of striped mullet in North Carolina, 2005-2015. Age data from 2016 are unavailable.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2005	1	0	10	654
2006	2	0	10	685
2007	2	0	10	699
2008	2	0	10	771
2009	2	0	13	349
2010	2	1	8	748
2011	2	0	14	633
2012	2	0	6	873
2013*	2	0	6	850
2014	2	0	7	855
2015*	2	0	6	772

*Ages based on preliminary data.

Table 5. Summary of management strategies and outcomes from the NCMFC rules adopted in April 2006.

MANAGEMENT STRATEGY	OUTCOME
Implement a recreational harvest limit of 200 mullet per person, per day – currently there are no bag restrictions for mullet.	Completed, MFC Rule April 2006 adoption 15A NCAC 03M .0502(a)(b)
Modify mutilated finfish rule to exempt mullet when used as bait.	15A NCAC 03M .0101

STATE-MANAGED SPECIES – STRIPED MULLET

FIGURES

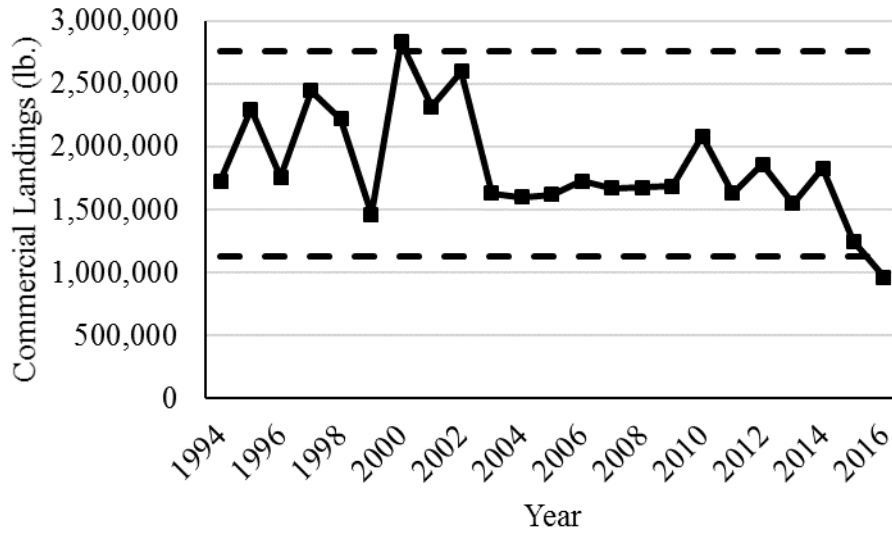


Figure 1. Commercial landings of striped mullet, 1994-2016. Dashed lines represent upper (2.76 million lb.) and lower (1.13 million lb.) landings limits that would trigger a closer examination of data. Landings limits were changed from upper and lower limits of 3.1 million and 1.3 million pounds by Amendment 1 (NCDMF 2014).

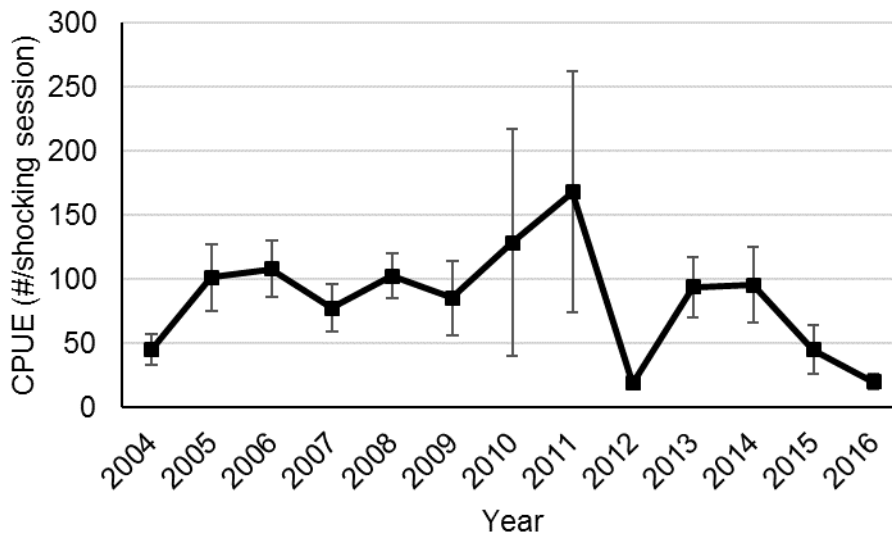


Figure 2. CPUE (number/500 m sampling session) of striped mullet from the striped mullet electrofishing survey (P146), 2004-2016. To provide the most relevant index, data were limited to those collected during January through April. Error bars represent standard error.

STATE-MANAGED SPECIES – STRIPED MULLET

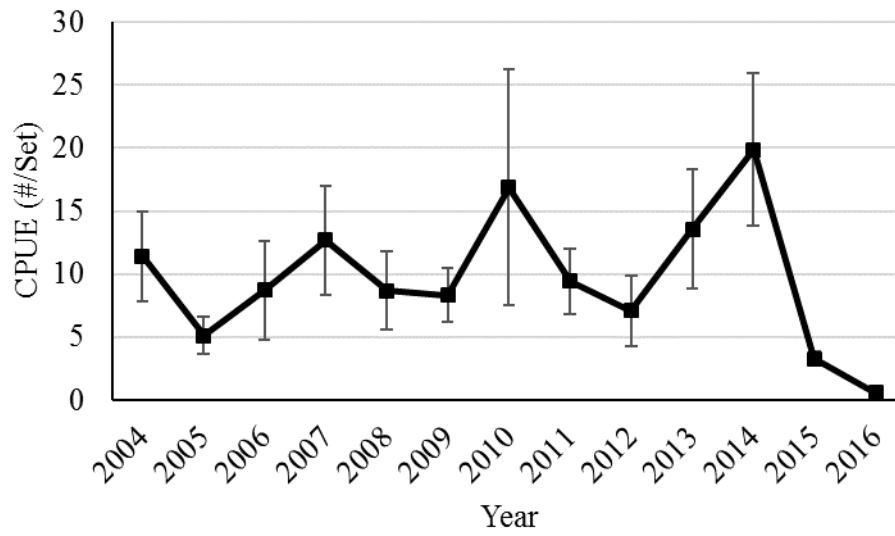


Figure 3. CPUE (number/set) of striped mullet from the Independent Gill Net survey (P915), 2004-2016. To provide the most relevant index, only shallow river area (Neuse, Pamlico, Pungo) samples collected during October-November were included.

**FISHERY MANAGEMENT PLAN UPDATE
AMERICAN SHAD
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	October 1985
Amendments:	Amendment 1 (April 1999) Amendment 3 (February 2010)
Revisions:	Technical Addendum 1 (February 2000) Addendum I (August 2002)
Supplements:	Supplement (October 1988)
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	ASMFC scheduled for 2018

The first Atlantic States Marine Fisheries Commission (ASMFC) American shad (*Alosa sapidissima*) fishery management plan (FMP) was adopted in 1985. The FMP did not require any specific management approach or monitoring programs within the management unit, asking only that states provide annual summaries of restoration efforts and ocean fishery activity. It specified four management objectives: regulate exploitation, improve habitat accessibility and quality, initiate programs to introduce alosine stocks into historic waters, and recommend and support research programs. The 1988 Supplement (ASMFC 1988) reassessed the research priorities identified in the original 1985 plan and created a new listing of research priorities.

Amendment 1 (ASMFC 1999) reported that the majority of American shad stocks were not overfished, but almost all were believed to be at or near historically low levels. Therefore, Amendment 1 required increased annual reporting requirements on juveniles, adult spawning stocks, annual fishing mortality, and habitat. A fishing mortality threshold (overfishing) was defined as a reference point of F_{30} . A fishing mortality rate of F_{30} will result in 30 percent of the maximum spawning potential in the female component of an unfished population.

Technical Addendum 1 (ASMFC 2000) modified several technical errors and provided clarification of several monitoring requirements in Amendment 1.

Addendum I (ASMFC 2002) changed the conditions for marking hatchery-reared alosines. The addendum clarifies the definition and intent of *de minimis* status for the American shad fishery. It

also further modifies and clarifies the fishery-independent and fishery dependent monitoring requirements of Technical Addendum 1.

The ASMFC coastwide stock assessment completed in 2007 found that American shad stocks were at all-time lows and did not appear to be recovering to acceptable levels. Therefore, under ASMFC's Amendment 3 to the Interstate FMP for Shad and River Herring, individual states were required to develop Implementation Plans (ASMFC 2010). Implementation Plans consisted of two parts: 1. Review and update of the fishing/recovery plans required under Amendment 1 for the stocks within their jurisdiction; and 2. Habitat plans. The updated fishing/recovery plan meets the requirements and is known as the North Carolina American Shad Sustainable Fishery Plan (SFP) (NCDMF 2011).

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The management units for American shad are all the migratory American shad stocks of the Atlantic coast of the United States. American shad and hickory shad management authority lies with the ASMFC and is coordinated by Atlantic coastal states from Maine through Florida through approved Sustainable Fishery Management Plans for American Shad. Responsibility for management action in the Economic Exclusive Zone (EEZ), located from three to 200 miles from shore, lies with the Secretary of Commerce through the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA) in the absence of a federal FMP.

Goal and Objectives

Migratory stocks of American shad have been managed under the ASMFC since 1985. These species are currently managed under Amendment 3 (American shad) and Amendment 1 (American and hickory shad) to the ASMFC FMP, Technical Addendum 1, and Addendum I. Because of the scarcity of reliable data on hickory shad populations, the ASMFC member states decided to focus Amendment I on American shad regulations and monitoring programs. However, the amendment requires states to initiate fishery-dependent monitoring programs for hickory shad while recommending continuance of current fishery-independent programs for these species. The goal of Amendment 3 is to protect, enhance, and restore Atlantic coast migratory stocks and critical habitat of American shad in order to achieve levels of spawning

stock biomass that are sustainable, can produce a harvestable surplus, and are robust enough to withstand unforeseen threats. To achieve this goal, the plan adopts the following objectives:

1. Maximize the number of juvenile recruits emigrating from freshwater stock complexes.
2. Restore and maintain spawning stock biomass and age structure to achieve maximum juvenile recruitment.
3. Manage for an optimum yield harvest level that will not compromise Objectives 1 and 2.
4. Maximize cost effectiveness to the local, state, and federal governments, and the ASMFC associated with achieving Objectives 1 through 3.

STATUS OF THE STOCK

Stock Status

The most recent coastwide stock assessment of American shad stated that populations in the Albemarle Sound and Roanoke River are stable and low, whereas a determination of stock status could not definitively be assigned for the Tar/Pamlico, Neuse and Cape Fear rivers due to limited information (ASMFC 2007). Therefore, it is recommended the status of American shad continue to be defined as concern.

Stock Assessment

The last coastwide stock assessment for American shad was completed in 2007, which found that stocks are currently at all-time lows and do not appear to be recovering. Recent declines in stock abundance were reported for Maine, New Hampshire, Rhode Island and Georgia, and for the Hudson (NY), Susquehanna (PA), James (VA) and Edisto (SC) Rivers. Low and stable stock abundance was indicated for Massachusetts, Connecticut, Delaware, Chesapeake Bay, the Rappahannock River (VA) and some South Carolina and Florida stocks. The Potomac River stock has shown rebuilding in recent years. For North Carolina the stock assessment found that American shad populations in the Albemarle Sound and Roanoke River are stable and low, whereas a determination of stock status could not definitively be assigned for the Tar-Pamlico, Neuse and Cape Fear rivers due to limited information (ASMFC 2007). It should be noted that areas south of Albemarle Sound form a zone where stocks transition from iteroparity (spawns multiple times over the course of its lifetime) to semelparity (spawns once before death), which can also impact the ability to determine stock status.

Primary causes for stock decline were identified, including overfishing, pollution and habitat loss due to dam construction. A peer review panel recommended that current restoration actions should be reviewed and new ones should be identified and applied, and suggested considering a reduction of fishing mortality, enhancement of dam passage and mitigation of dam-related fish mortality, stocking and habitat restoration.

The ASMFC has not conducted a coastwide assessment of hickory shad stock status. The stock assessment update for American shad is scheduled to begin in 2018.

STATUS OF THE FISHERY

Current Regulations

The NCMFC enacted a rule in 1995, which established a closed season for American shad and hickory shad (*Alosa mediocris*). It is unlawful to take these species by any method except hook-and-line from April 15 through December 31. The ocean intercept fishery for American shad was closed to all harvest January 1, 2005 (ASMFC 2002).

In the Albemarle, Croatan, Roanoke, and Currituck sounds and tributaries (Albemarle Sound Management Area; ASMA), floating gill nets of 5.25-inch stretch mesh (ISM) to 6.5 ISM, were limited to 1,000 yards and could only be utilized from March 3 through March 24, 2016 and must be fished at least once during a 24-hour period (no later than noon each day). The western portion of Albemarle Sound near the mouth of the Roanoke River (including Roanoke, Cashie, Middle and Eastmost Rivers) is closed to gill netting year-round. The large mesh gill net restrictions were imposed for striped bass conservation but also provided measures of protection for American shad. Gill nets of less than 3.25 ISM were not allowed due to the river herring closure. Gill nets with a mesh length of 3.25 - 4.00 ISM could not exceed 800 yards and were allowed the entire spring. Attendance for small mesh gill nets (3.0 – 4.0 ISM) was required May 18 – June 12, 2015. The ASMA was closed to all gill nets except for 3.0 – 4.0 ISM run-around, strike, drop, and drift gill nets until the area was opened September 1, 2015. Gill net attendance was removed in this area on November 20, 2015.

In areas outside of the ASMA there is a rule that limits the amount of large mesh (4.0 -6.5 ISM) gill net sets in internal coastal waters to 3,000 yards. To reduce sea turtle interactions, that rule has been suspended in most internal coastal waters and net yardage allowance has been reduced to 2,000 or 1,000 yards in the Tar/Pamlico, Neuse and Cape Fear systems. Nets can be set in lengths no greater than 100 yards and must have at least a 25-yard space between each individual length of net, except for Management Unit C (Pamlico, Pungo, Bay, and Neuse Rivers). Only single overnight sets are allowed; nets can be set one hour prior to sunset and must be retrieved within one hour of sunrise, with no sets allowed Friday, Saturday or Sunday evenings. Additionally, in certain areas of the Tar/Pamlico and Neuse rivers, gill nets with a mesh size less than 5.0 ISM must be attended at all times.

Commercial Landings

Figure 1 shows all American shad landings in North Carolina from 1972 to 2016. Landings show a decreasing trend through 1990, until average landings leveled off through 2013 with the implementation of the American Shad SFP. Commercial harvest is sporadic and cyclical and annual trends show these changes. Figure 2 describes that landings break down by the four areas of the state, as stated in the NCDMF American Shad SFP. Albemarle Sound accounts for approximately 50 percent, on average, of total state landings (Figure 2).

Recreational Landings

Recreational landings for American shad are minimal throughout the Albemarle Sound/Roanoke River, Tar/Pamlico, and Neuse Rivers. These areas accounted for approximately 3,260-11,500 pounds of harvested fish in 2015. The bulk of the North Carolina recreational fishery occurs in the Cape Fear River system where substantial effort is targeted on American shad. In 2015 there was an estimated harvest of 4,136 fish that weighed approximately 11,500 pounds.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial landings are reported from the NCDMF Trip Ticket Program (TTP). This program requires dealers to complete a trip ticket for each transaction with a fisherman and to submit these reports to the NCDMF monthly.

Table 1 includes mean, minimum and maximum lengths and total number of commercial samples pooled across all gears and areas in the state. Table 2 describes the variation in modal, minimum and maximum ages throughout the dependent sampling. The Albemarle Sound area (including Albemarle, Roanoke, Croatan and Currituck sounds and their tributaries) accounts for approximately 50 percent of the state's total harvest, contributing the highest percentage of the in-river fisheries.

Fishery-Independent Monitoring

American shad are monitored using the NCDMF IGNS and NCWRC electrofishing surveys to estimate CPUEs and relative fishing mortality in the Albemarle Sound/Roanoke River area. In other areas of the state, NCWRC conducts electrofishing surveys to estimate abundance and the relative fishing mortality. Table 3 describes the modal, minimum, and maximum age and the number of fish aged throughout 2005 through 2016 in NCDMF independent surveys, 2016 data is preliminary and under review.

MANAGEMENT STRATEGY

Shad are managed under Amendment 3 to the ASMFC Interstate FMP for Shad and River Herring. The Amendment requires states and jurisdictions to develop sustainable fishery management plans, which are reviewed by the ASMFC Technical Committee and approved by the ASMFC Shad and Herring Management Board, in order to maintain commercial and recreational fisheries past January 2013. The NCDMF American Shad SFP, effective in 2013, identified sustainability parameters for four regions of the state: Albemarle Sound/Roanoke River, Tar/Pamlico, Neuse, and Cape Fear River systems. Sustainability parameters are based on the female portion of the stock because the commercial fishery targets roe shad; roe landings can account for as much as 90 percent of the total American shad landings in a year.

The NCDMF American Shad SFP is updated annually in September by the American Shad Work Group, which consists of biologist from the NCDMF and the NCWRC, and the next year's

season is determined. Annual updates were completed for all areas to determine if any sustainability parameters were exceeding the thresholds. The Tar/Pamlico, Neuse, and Cape Fear River systems have not exceeded any of the thresholds and no management changes were made to those fisheries.

Albemarle Sound/Roanoke River:

The Albemarle Sound/Roanoke River system has three sustainability parameters: female catch per unit effort (CPUE) based on the NCDMF Albemarle Sound Independent Gill Net Survey (IGNS), CPUE based on the North Carolina Wildlife Resources Commission (NCWRC) electrofishing survey, and female relative fishing mortality (F) based on commercial landings and a three-year average of the NCDMF IGNS index. As written in the SFP, exceeding the female CPUE based on IGNS or the female relative F parameters for three consecutive years will trigger management action. The female CPUE based on the NCWRC electrofishing survey will be used in conjunction with a second index for triggering management action.

The Albemarle Sound/Roanoke River system exceeded two thresholds, the female CPUE index based on the NCWRC electrofishing survey and the female relative fishing mortality (F), during the 2013 commercial fishing season. These parameters exceeding the threshold required management actions to be implemented for the 2014 fishing season. In February 2014, the North Carolina Marine Fisheries Commission (NCMFC) chose to reduce the American shad commercial season in the Albemarle Sound/Roanoke River to March 3-24 to reduce overall commercial landings. The 2015 and 2016 commercial fishing season continued with the same seasonal dates and updates of sustainability parameters indicate that no thresholds are being exceeded. The recreational season is open year-round. Recreational fishermen can possess 10 American shad and hickory shad, in the aggregate, per person per day taken by hook-and-line or for recreational purposes and only one of the 10 shad may be an American shad.

Figure 3 shows the female CPUE based on the NCDMF IGNS. Figure 4 shows the CPUE based on the NCWRC electrofishing survey. Figure 5 shows the female relative F based on commercial landings and a three-year average of the NCDMF IGNS index.

Tar/Pamlico system:

The Tar/Pamlico system has two sustainability parameters: female CPUE based on the NCWRC electrofishing survey, and female relative F based on the NCWRC electrofishing survey. The NCDMF American shad SFP set the commercial and recreational seasons and recreational possession limit in 2013. The commercial season is open from February 15 to April 14. The recreational season is open year-round. Recreational fishermen can possess 10 American shad and hickory shad, in the aggregate, per person per day taken by hook-and-line or for recreational purposes and only one of the 10 shad may be an American shad.

Figure 6 shows the female CPUE based on the NCWRC electrofishing survey and figure 7 shows the female relative F based on the NCWRC electrofishing survey.

Neuse system:

The Neuse River system has two sustainability parameters: female CPUE based on the NCWRC electrofishing survey, and female relative F based on the NCWRC electrofishing survey. The NCDMF American shad SFP set the commercial and recreational seasons and recreational possession limit in 2013. The commercial season is open from February 15 to April 14. The recreational season is open year-round. Recreational fishermen can possess 10 American shad and hickory shad, in the aggregate, per person per day taken by hook-and-line or for recreational purposes and only one of the 10 shad may be an American shad.

Figure 8 shows the female CPUE based on the NCWRC electrofishing survey and figure 9 shows the female relative F based on the NCWRC electrofishing survey.

Cape Fear River system:

The Cape Fear River system has two sustainability parameters: female CPUE based on the NCWRC electrofishing survey, and female relative F based on the NCWRC electrofishing survey. The NCDMF American shad SFP set the commercial and recreational seasons and recreational possession limit in 2013. The commercial season is open from February 20 to April 11. The recreational season is open year-round. Recreational fishermen can possess 10 American shad and hickory shad, in the aggregate, per person per day taken by hook-and-line or for recreational purposes and only five of the 10 shad may be an American shad.

Figure 10 shows the female CPUE based on the NCWRC electrofishing survey and figure 11 shows the female relative F based on the NCWRC electrofishing survey.

The 2016 update of the SFP sustainability parameters throughout the state demonstrated that all the parameters were within the sustainable targets.

All Other Internal Coastal and Joint Fishing Waters

For all other internal coastal and joint fishing waters not included under a sustainability parameter in the NCDMF American shad SFP the following commercial and recreational measures were established. The commercial season is open from February 15 to April 14. The recreational season is open year-round. Recreational fishermen can possess 10 American shad and hickory shad, in the aggregate, per person per day taken by hook-and-line or for recreational purposes.

RESEARCH NEEDS

The following list of research needs have been identified to enhance the state or knowledge of the shad and river herring resources, population dynamics, ecology and the various fisheries for alosine species, as found in the ASMFC FMP Amendment 3 and the annual FMP Review (ASMFC 2016).

Stock Assessment and Population Dynamics

- Continue to assess current aging techniques for shad and river herring, using known-age fish, scales, otoliths and spawning marks. Known age fish will be available from larval stocking programs that mark each year class. Conduct biannual aging workshops to maintain consistency and accuracy in aging fish sampled in state programs.
- Investigate the relation between juvenile production and subsequent year class strength for alosine species, with emphasis on the validity of juvenile abundance indices, rates and sources of immature mortality, migratory behavior of juveniles, natural history and ecology of juveniles, and essential nursery habitat in the first few years of life.
- Validate estimates of natural mortality for American shad stocks.
- Establish management benchmarks for data poor river systems identified within the stock assessment.
- Estimate and evaluate sources of mortality for alosine species from bycatch, and bait and reduction fisheries.
- Determine fishery specific catch, harvest, bycatch, and discard reporting rates.
- Estimate and evaluate river specific mortality from upstream and downstream passage of adults and downriver passage of juveniles past migratory barriers.
- Determine which stocks are impacted by mixed stock fisheries (including bycatch fisheries). Methods to be considered could include otolith microchemistry, oxytetracycline otolith marking, and/or tagging.
- Evaluate assumptions critical to in-river tagging programs in Georgia, South Carolina, and Maryland that are used to estimate exploitation rate and population size.
- Develop approaches to estimate relative abundance of spawning stocks in rivers without passage facilities and in rivers with passage facilities with unknown passage efficiencies.
- Evaluate predation by striped bass and other predators as a factor of mortality for alosines. Research predation rates and impacts on alosines.
- Quantify fishing mortality (in-river, ocean bycatch, bait fisheries) for major river stocks after ocean closure of directed fisheries.
- Develop comprehensive and cost effective angler use and harvest survey techniques for use by Atlantic coastal states to assess recreational fisheries for American shad.
- Determine and update biological data inputs used in assessment modeling (fecundity-at-age, mean weight-at-age for both sexes, partial recruitment vector/maturity schedules) for American shad and river herring stocks in a variety of coastal river systems, including both semelparous and iteroparous stocks.
- Evaluate and ultimately validate large-scale hydroacoustic methods to quantify American shad escapement (spawning run numbers) in major river systems. Identify how shad respond (attract/repelled) by various hydroacoustic signals.

Habitat

- Identify ways to improve fish passage efficiency using hydroacoustics to repel alosines from turbine intakes or discharges or pheromones or other chemical substances to attract them to passage entrances. Test commercially available acoustic equipment at existing fish passage

facility to determine effectiveness. Develop methods to isolate/manufacture pheromones or other alosine attractants.

- Determine the effects of passage impediments on all life history stages of American shad including turbine mortality and river and barrier specific passage efficiencies. Highest priority would be the lowermost obstruction.
- Develop and implement techniques to determine shad and herring population targets for tributaries undergoing restoration (dam removals, fishways, supplemental stocking, etc.).
- Characterize tributary habitat quality and quantity for alosine reintroductions and fish passage development.
- Determine impacts to American shad populations from changing ocean environment
- Identify and quantify potential American shad spawning and rearing habitat not presently utilized and conduct an analysis of the cost of recovery.
- Develop appropriate Habitat Suitability Index Models for alosine species in the fishery management plan. Possibly consider expansion of species of importance or go with the most protective criteria for the most susceptible species.
- Determine factors that regulate and potentially limit downstream migration, seawater tolerance, and early ocean survival of juvenile alosines.
- Review studies dealing with the effects of acid deposition on anadromous alosines.
- Determine effects of change in temperature and pH for all life stages.
- Determine optimal and tolerance for salinity, dissolved oxygen, pH, substrate, current velocity, depth, temperature, and suspended solids.
- Determine hard limits and range levels for water quality deemed appropriate and defensible for all alosines with emphasis on freshwater migratory, spawning, and nursery areas.
- There has been little research conducted on habitat requirements for hickory shad. Although there are reported ranges of values for some variables, such as temperature or depth, there is no information on tolerances or optimal for all life stages. Research on all life stages is necessary to determine habitat requirements.
- Determine impacts of declining submerged aquatic vegetation beds on juvenile cover and rearing habitat.
- Determine impacts of thermal power generation projects (e.g., nuclear and coal) that withdraw water for cooling (potential entrainment and impingement of fish) and discharge heated water (thermal barriers to migration, habitat degradation) on estuarine juvenile rearing and migration corridors.
- Determine impacts to migrating American shad (both spawning adults and out-migrating juveniles and adults) by proposed in-stream power generation developments such as tidal stream generation that draws energy from currents.
- Determine potential threats and their level of impact to coastal American shad habitat from: marine acidification; pharmaceutical, wastewater, pesticide contamination; 58 invasive species; niche displacement; and global climate change are in need of further study.
- Determine the impacts to migrating American shad (both spawning adults and migrating juveniles) by proposed wind power generation developments in near shore ocean environments.
- Conduct fish passage research and development with the goal of improving the efficiency of existing and future installations of fish passage measures and facilities in order to restore

desired access to and utilization of critical American shad spawning and juvenile rearing habitat.

- Conduct studies to determine whether passing migrating adults upstream earlier in the year in some rivers would increase production and larval survival, and opening downstream bypass facilities sooner would reduce mortality of early emigrants (both adult and early-hatched juveniles).
- Conduct studies to determine the effects of dredging on diadromous habitat and migration.

Life History

- Conduct studies on energetics of feeding and spawning migrations of alosines on the Atlantic coast.
- Evaluate impacts of invasive species such as zebra mussels and flathead catfish on larval and juvenile survival.
- Conduct studies of egg and larval survival and development.
- Focus research on within-species variation in genetic, reproductive, morphological, and ecological characteristics, given the wide geographic range and variation at the intraspecific level that occurs in alosines.
- Ascertain how abundance and distribution of potential prey affect growth and mortality of early life stages.
- Conduct research on hickory shad migratory behavior. This may explain why hickory shad populations continue to increase while other alosines are in decline.

Stocking and Hatcheries

- Refine techniques for hormone induced tank spawning of American shad. Secure adequate eggs for culture programs using native broodstock.
- Refine larval marking techniques such that river and year class can be identified when year classes are later recaptured as juveniles or adults.

Socioeconomics

- Conduct and evaluate historical characterization of socio-economic development (potential pollutant sources and habitat modification) of selected alosine rivers along the Atlantic coast.
- Collect information from consumptive and non-consumptive users on: demographic information (e.g., age, gender, ethnicity/race), social structure information (e.g., historical participation, affiliation with NGOs, perceived conflicts), other cultural information (e.g., occupational motivation, cultural traditions related to resource's use), and community information.
- In order to improve the management-oriented understanding of historical stock trends and related assessments, the social and economic history of the river herring fisheries should be documented for time periods equivalent to the stock return level sought by the biological standards and this analysis should include documenting market trends, consumer preferences including recreational anglers, the role of product substitutes such as Atlantic herring and menhaden, and the levels of subsistence fisheries as can be obtained.

- Before recommending, re-authorizing and/or implementing stock enhancement programs for a given river system, it is recommended that state agencies or other appropriate management organization conduct ex-ante socioeconomic cost and benefit (e.g., estimate non-consumptive and existence values, etc.) analysis of proposed stocking programs

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ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – AMERICAN SHAD

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ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – AMERICAN SHAD

TABLES

Table 1. Length (FL mm) data sampled from the American shad commercial fishery throughout North Carolina, 2007-2016.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	438	322	523	1,015
2008	436	145	526	899
2009	429	242	741	923
2010	434	305	520	1,148
2011	444	245	507	1,283
2012	444	235	552	1,549
2013	453	304	571	1,574
2014	455	295	508	1,026
2015	454	329	513	851
2016	449	350	513	446

Table 2. Aging data collected from North Carolina American shad dependent sampling programs, 2007-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	6	3	8	440
2008	6	3	9	447
2009	7	4	10	435
2010	6	3	9	453
2011	6	3	8	437
2012	5	3	8	536
2013	7	3	9	471
2014	7	3	9	433
2015	7	4	8	409
2016*	5	3	8	446

*2016 aging data preliminary.

Table 3. Aging data collected from North Carolina American shad independent sampling programs from 2007-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	5	3	8	176
2008	5	3	8	188
2009	6	4	9	126
2010	6	3	8	197
2011	6	2	8	79
2012	5	3	8	156
2013	7	3	8	210
2014	6	3	8	122
2015	7	3	9	118
2016*	5	3	7	133

*2016 aging data preliminary.

FIGURES



Figure 1. Landings of American shad (*Alosa sapidissima*) in North Carolina from 1972-2016, all waterbodies combined.

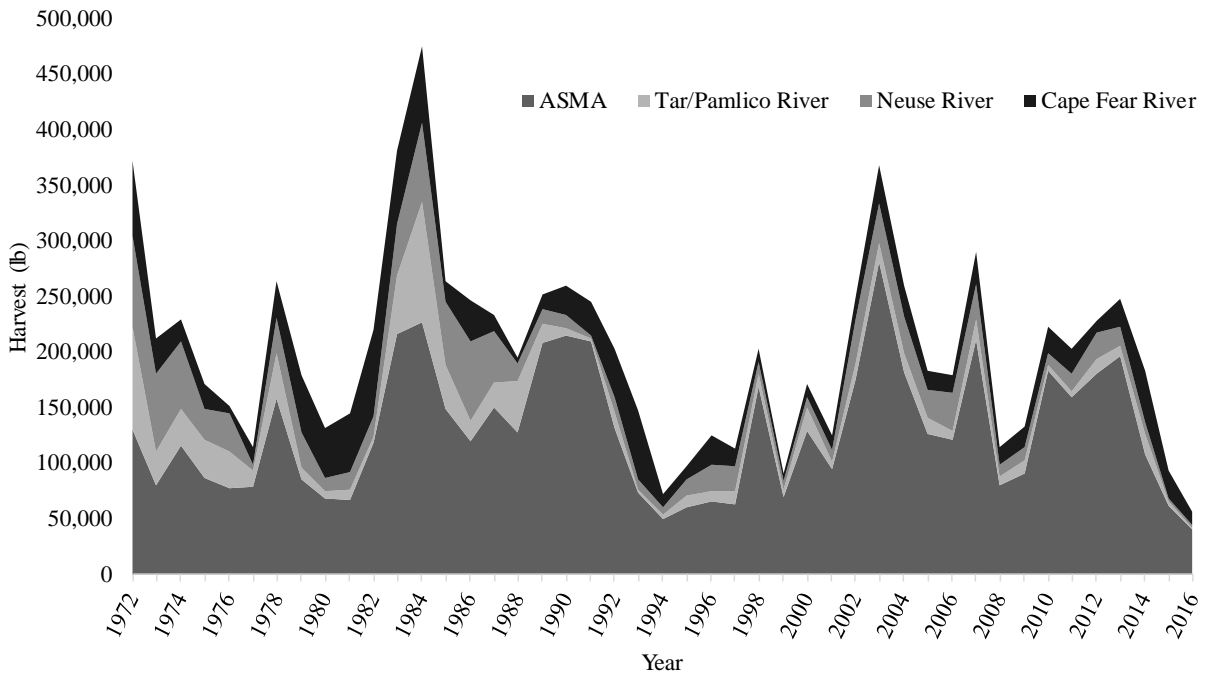


Figure 2. Landings of American shad in North Carolina by major waterbody from 1972-2016.

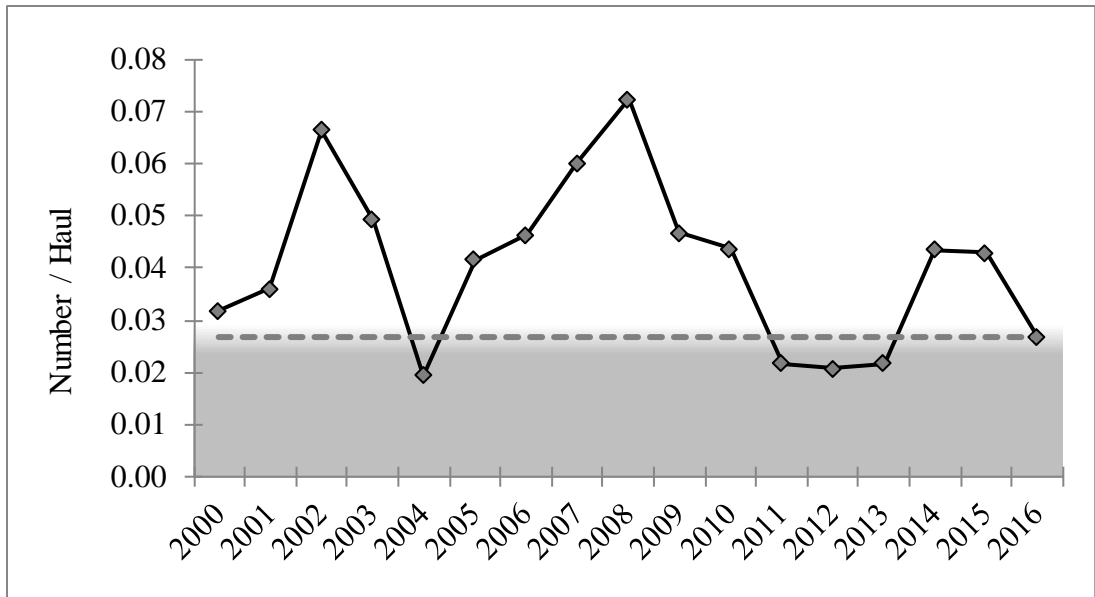


Figure 3. Albemarle Sound/Roanoke River sustainability parameter for female CPUE in the NCDMF IGNS, 2000-2016. Grey areas represent a parameter exceeding the threshold.

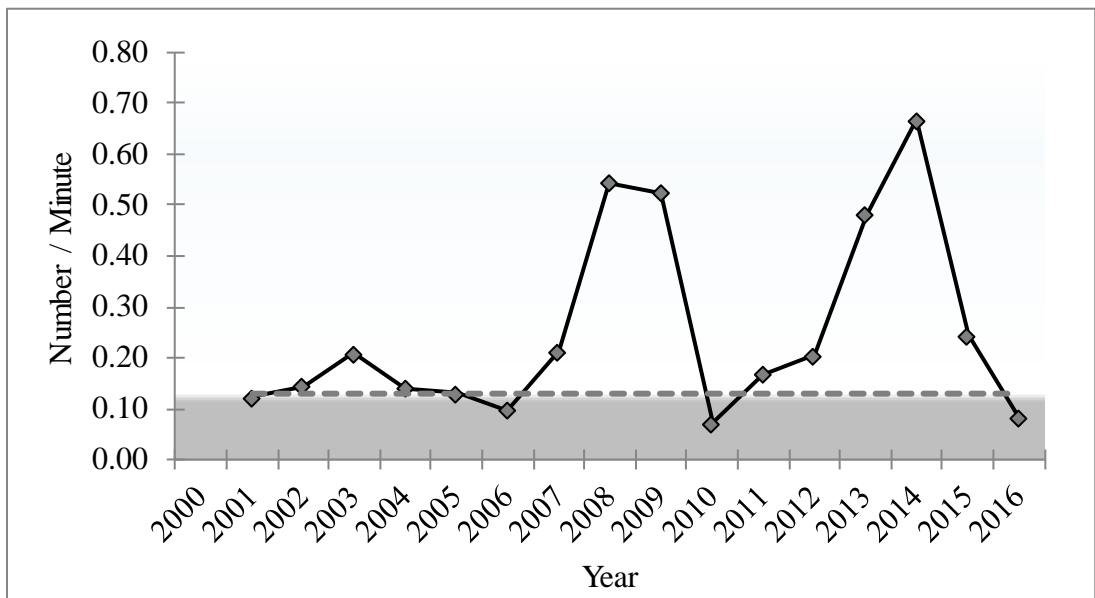


Figure 4. Albemarle Sound/Roanoke River sustainability parameter for female CPUE in NCWRC electrofishing survey, 2000-2016. Grey areas represent a parameter exceeding the threshold.

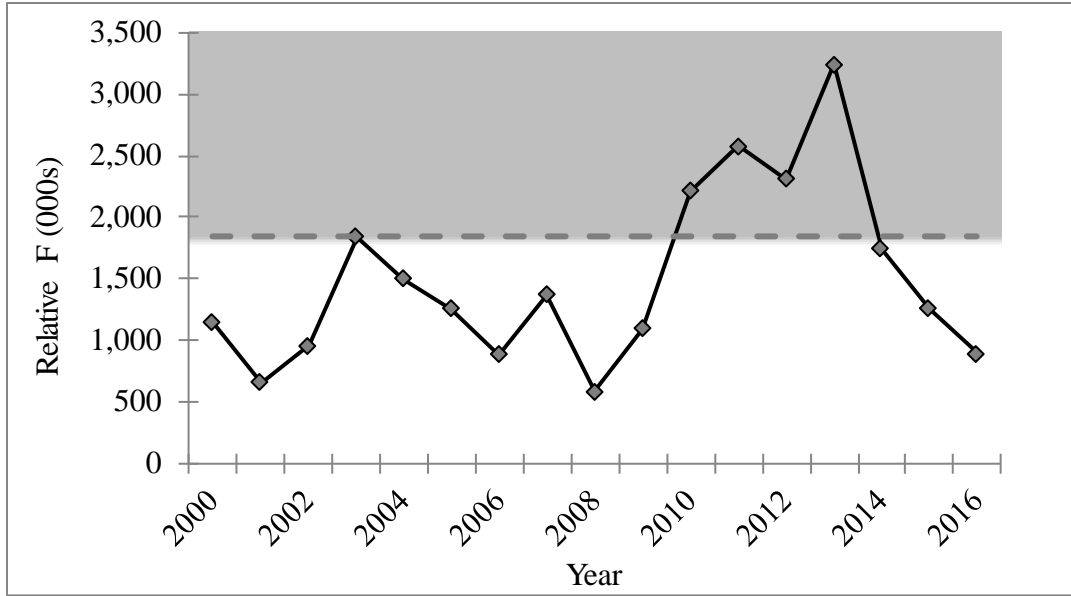


Figure 5. Albemarle Sound/Roanoke River sustainability parameter for female relative F in the NCDMF IGNS, 2000-2016. Grey areas represent a parameter exceeding the threshold.

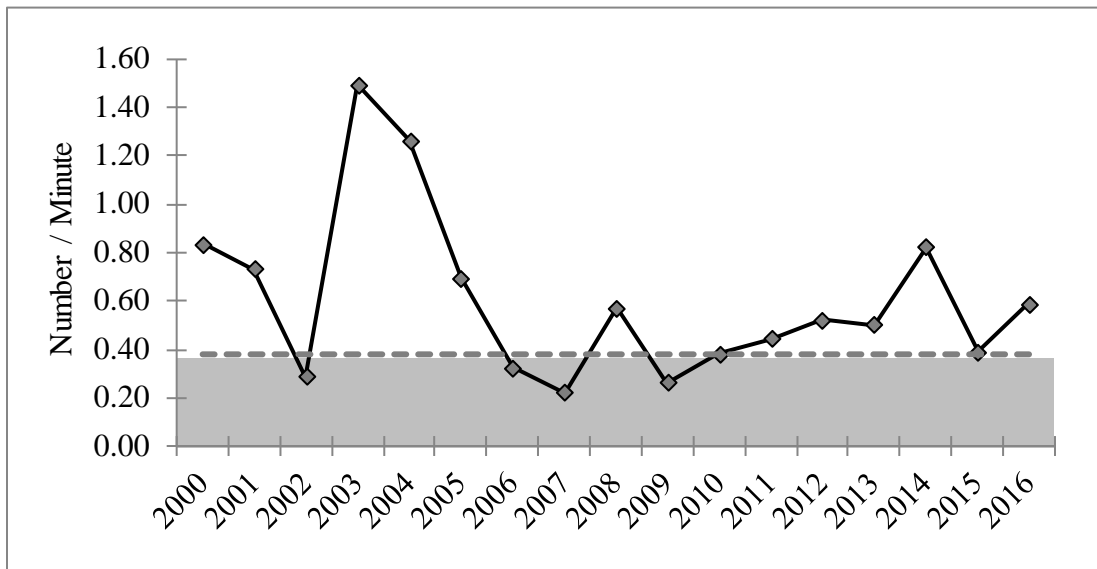


Figure 6. Tar/Pamlico River system sustainability parameter for female CPUE in NCWRC electrofishing survey, 2000-2016. Grey areas represent a parameter exceeding the threshold.

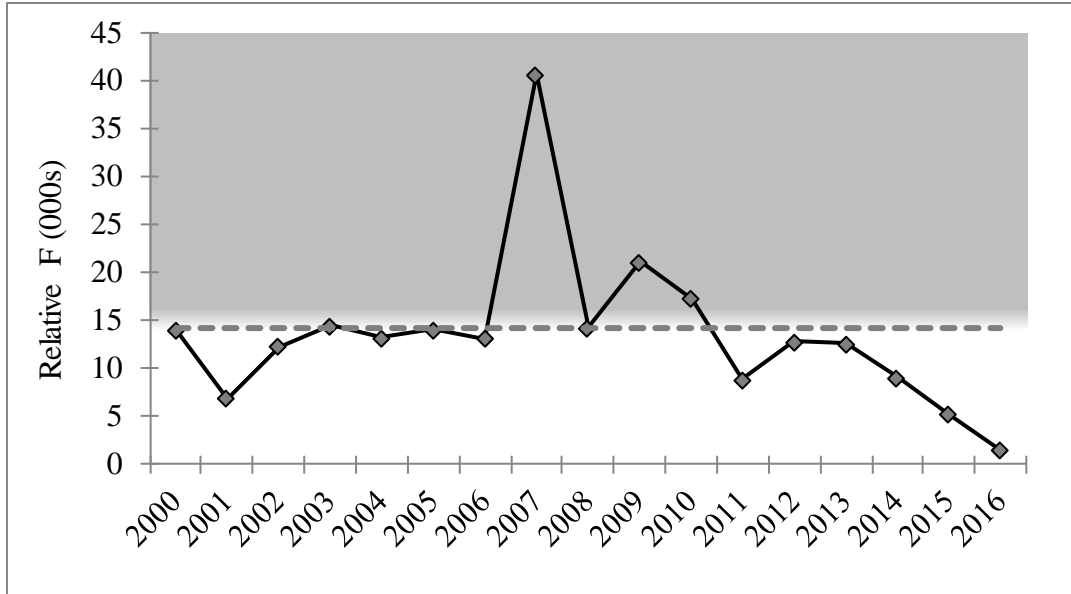


Figure 7. Tar/Pamlico River system sustainability parameter for female relative F in NCWRC electrofishing survey, 2000-2016. Grey areas represent a parameter exceeding the threshold.

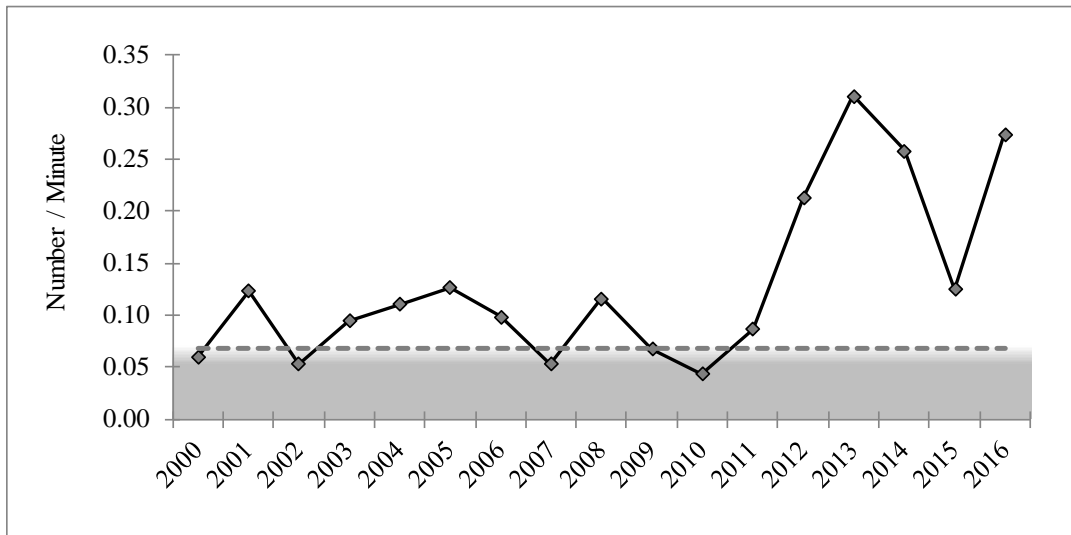


Figure 8. Neuse River system sustainability parameter for female CPUE in NCWRC electrofishing survey, 2000-2016. Grey areas represent a parameter exceeding the threshold.

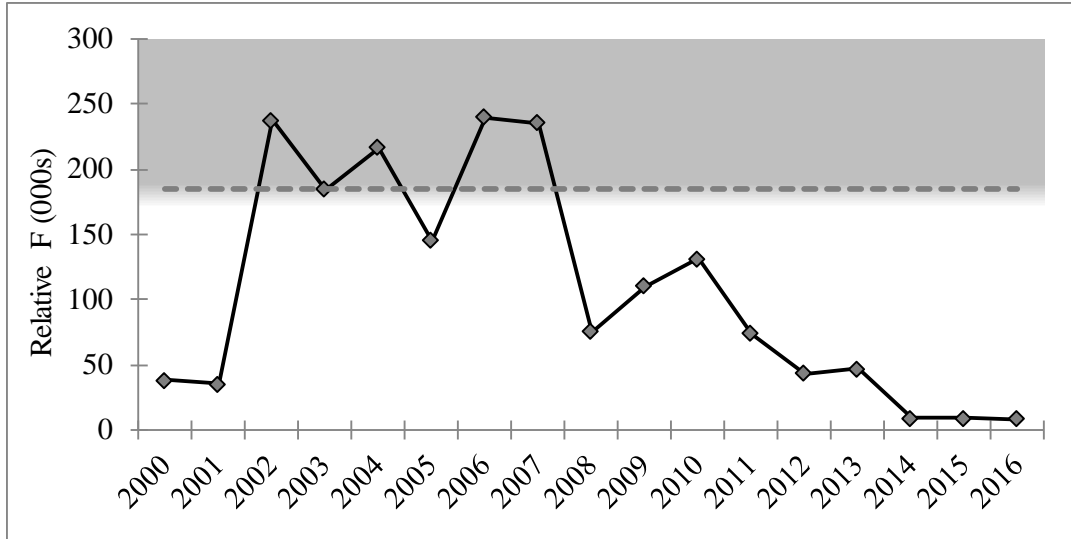


Figure 9. Neuse River system sustainability parameter for female relative F in NCWRC electrofishing survey, 2000-2014. Grey areas represent a parameter exceeding the threshold.

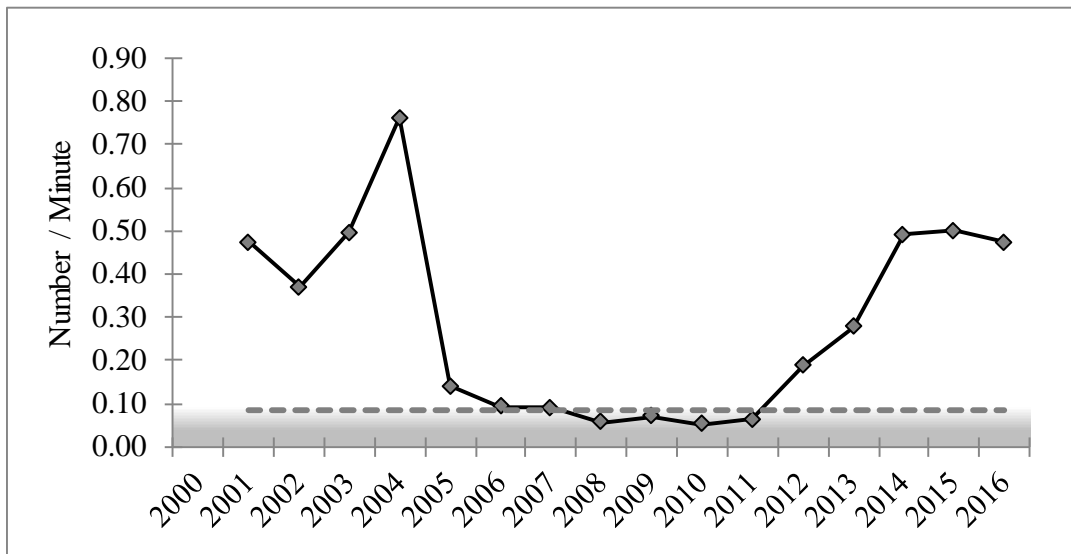


Figure 10. Cape Fear River system sustainability parameter for female CPUE in NCWRC electrofishing survey, 2000-2016. Grey areas represent a parameter exceeding the threshold.

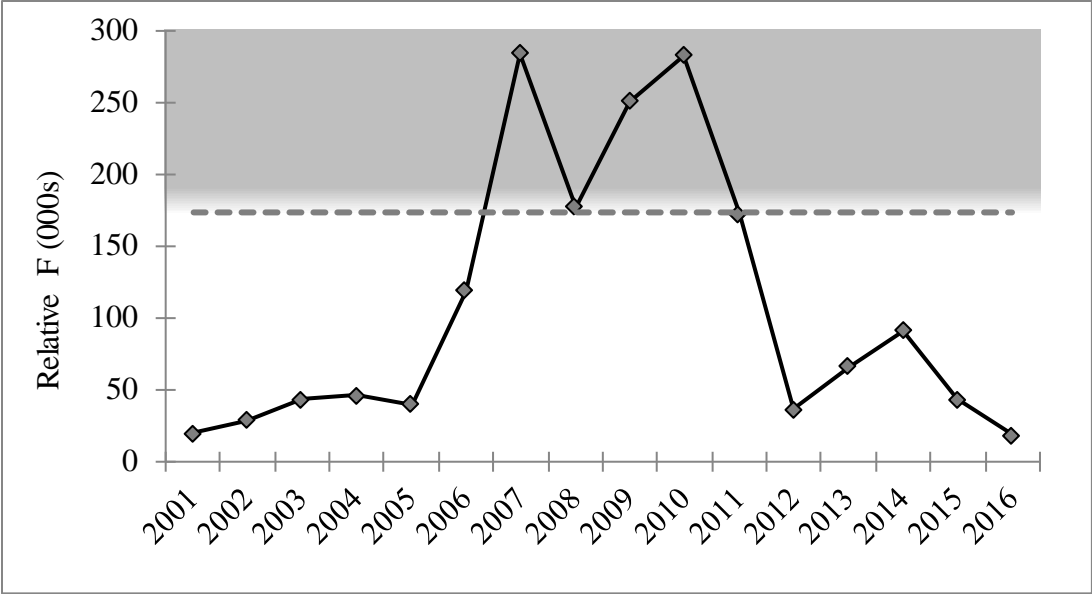


Figure 11. Cape Fear River system sustainability parameter for female relative F in NCWRC electrofishing survey, 2000-2016. Grey areas represent a parameter exceeding the threshold.

**FISHERY MANAGEMENT PLAN UPDATE
ATLANTIC CROAKER
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	October 1987
Amendments:	Amendment 1 – November 2005 Addendum I – March 2011 Addendum II – August 2014
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	May 2017

The Fishery Management Plan for Atlantic croaker was adopted in 1987 (Atlantic States Marine Fisheries Commission (ASMFC) 1987) and included states from Maryland through Florida. Upon review, the South Atlantic State/Federal Fisheries Management Board (hereinafter referred to as Board) found its recommendations to be vague and recommended that an amendment be prepared to define management measures necessary to achieve the goals of the FMP. The Interstate Fisheries Management Program Policy Board also adopted the finding that the original FMP did not contain any management measures that states were required to implement (ASMFC 2014).

In 2002, the Board directed the Atlantic Croaker Technical Committee to conduct the first coast wide stock assessment of the species in preparation of developing an amendment. The stock assessment was developed in 2003 and approved by a Southeast Data Assessment Review panel for use in management in June 2004. Amendment 1 was approved in November 2005 and fully implemented by January 1, 2006 (ASMFC 2005).

Amendment 1 expanded the management area to include the states from New Jersey through Florida. The amendment defined two Atlantic coast management regions: the south-Atlantic region, including the states Florida through South Carolina; and the mid-Atlantic region, including the states from North Carolina through New Jersey (ASMFC 2005).

Amendment 1 established biological reference points to define overfished and overfishing stock status for the mid-Atlantic region only. Amendment 1 did not require any specific measures restricting recreational or commercial harvest of Atlantic croaker, though states with more conservative measures were encouraged to maintain those regulations. Through adaptive management, the Board may revise Amendment 1, and regulatory and/or monitoring requirements could be included in the resulting addendum, along with procedures for determining *de minimis* status and implementing alternative management programs via conservation equivalency.

Amendment 1 specified triggers for initiation of a stock assessment in non-assessment years. If upon review of the data the technical committee felt there was sufficient evidence of changes in the stock, a stock assessment could be initiated in the absence of hitting the triggers. The triggers considered by the technical committee were:

1. Relative percent change in landings
 - a. A stock assessment will be triggered if the most recent year's commercial landings are less than 70 percent of the previous two year's landings.
 - b. A stock assessment will be triggered if the most recent year's recreational landings are less than 70 percent of the previous two year's average landings.
2. Biological Data Monitoring:
 - a. The technical committee will compare the most recent year's mean length data from the recreational fishery to the average of the last two years' mean lengths.
 - b. The technical committee will compare the most recent year's mean size (length and weight) data from the commercial fishery to the average of the last two years' mean size (length and weight) data.
 - c. The technical committee will monitor the overall age composition (proportion at age) and calculate the mean size at age for the age groups that are present in the state samples.
3. Effort vs. Landings (commercial)
 - a. Catch Per Unit Effort (CPUE) considerations for the near future: as effort data increases in quality, the trigger should change from a commercial landings basis to commercial CPUE by gear type. At this time, the technical committee will monitor effort (e.g. trips or days fished) vs. landings, on a gear type basis, to track parallel trends.
4. The technical committee will continue to derive a MRFSS CPUE, on a directed trip basis, to examine state-by-state catch rates on an annual basis.
5. State and regional surveys

Addendum I to Amendment 1 was initiated in August 2010. Addendum I consolidated the stock into one management unit and established a procedure by which the board may approve peer-reviewed biological reference points without a full administrative process, such as an amendment or addendum (ASMFC 2011).

Addendum II to Amendment 1 was initiated in February 2014 and was approved in August 2014. Addendum II establishes the use of the Traffic Light Approach (TLA) as a precautionary management framework in the management of Atlantic croaker. The management framework

utilizing the Traffic Light Approach replaces the management triggers as stipulated in Addendum I (ASMFC 2014). The harvest component of the Atlantic croaker TLA is composed of composite commercial and recreational harvest data. The population, or adult abundance, component of the Atlantic croaker TLA is composed of a composite of fishery-independent survey indices (NOAA Fisheries (NOAA) and Southeast Area Monitoring and Assessment Program (SEAMAP)). If thresholds for both population characteristics achieve or exceed thresholds for a three-year period management measures are enacted. Reaching the 30 percent threshold requires moderate management measures, and reaching the 60 percent threshold requires elevated management measures. Should a threshold be reached the appropriate percent reduction in harvest and state-by-state measures to achieve the reduction will be recommended by the technical committee and approved by the Board. The overall harvest reduction would be proportional to the magnitude of exceeding the trigger. Management options include size limits, bag/trip limits, seasonal closures, and gear restrictions. Management measures would remain in place for three years, and thresholds would not be applied to the harvest characteristics in assessing the fishery for three years, as this data may be influenced by management action. The TLA is reviewed in July each year.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

New Jersey through the east coast of Florida.

Goal and Objectives

The goal of Amendment 1 is to utilize interstate management to perpetuate the self-sustaining Atlantic croaker resource throughout its range and generate the greatest economic and social benefits from its commercial and recreational harvest and utilization over time. The four objectives of Amendment 1 are:

1. Manage the fishing mortality rate for Atlantic croaker to provide adequate spawning potential to sustain long-term abundance of the Atlantic croaker population.
2. Manage the Atlantic croaker stock to maintain the spawning stock biomass above the target biomass levels and restrict fishing mortality to rates below the threshold.

3. Develop a management program for restoring and maintaining essential Atlantic croaker habitat.
4. Develop research priorities that will further refine the Atlantic croaker management program to maximize the biological, social, and economic benefits derived from the Atlantic croaker population.

STATUS OF THE STOCK

Stock Status

Stock status is based on the data and results of the 2010 stock assessment (ASMFC 2010). Atlantic croaker is not experiencing overfishing and likely not overfished. Biomass has been increasing and the age-structure of the population has been expanding since the late 1980s, it is unlikely the stock is in trouble. A benchmark stock assessment was completed in 2017 but did not pass peer review and will not be used for management.

Stock Assessment

A statistical catch-at-age model was used to assess Atlantic croaker (ASMFC 2010). This model combines the catch-at-age data from the commercial and recreational fisheries with information from fishery-independent surveys and biological information such as growth and natural mortality rates to estimate the size of each age class and the exploitation rate of the population. Biological reference points in the 2010 stock assessment are ratio based and apply to the entire stock. Overfishing is occurring if F/F_{MSY} is greater than one and the stock is considered overfished if $SSB/(SSB_{MSY}(1-M))$ is less than one.

Based on the 2010 peer-reviewed stock assessment, Atlantic croaker is not experiencing overfishing. Biomass has been increasing and fishing mortality decreasing since the late 1980s. Biomass conclusions are based on information from the data compiled for the assessment, namely increasing indices of relative abundance and expanding age structure in the catch and indices. Model estimated values of fishing mortality (F), spawning stock biomass (SSB), and biological reference points are too uncertain to be used to determine overfished stock status. Stock status cannot be assessed with confidence until the discards of Atlantic croaker from the South Atlantic shrimp trawl fishery can be adequately estimated and incorporated into the stock assessment (ASMFC 2014). A benchmark stock assessment, completed in 2017, did not pass peer review and will not be used for management.

To evaluate the status of the stock between stock assessments, the Traffic Light Analysis established under Addendum II is reviewed annually in years when an assessment is not already being conducted. Management triggers were not tripped in 2014 since both population characteristics (harvest and abundance) were not above the 30 percent threshold for 2012-2014 (Figures 1-3). However, analysis shows declining trends in fishery-independent indices and commercial and recreational harvest. The Traffic Light Analysis has not been updated in recent years due to work on the stock assessment completed in 2017. The South Atlantic State/Federal

Fisheries Management Board is scheduled to receive the updated Traffic Light results in August 2017.

STATUS OF THE FISHERY

Current Regulations

There are no commercial or recreational regulations on Atlantic croaker in North Carolina.

Commercial Landings

Four gear types (gill nets, fly nets, flounder trawl, and haul seines) are used in directed commercial trips and harvest of Atlantic croaker, and account for approximately 99 percent of the total landings. Commercial harvest of Atlantic croaker in North Carolina ranged from 1,819,066 to 14,429,197 pounds between 1994 and 2016, with the lowest landings occurring in 2015 (Figure 4). Landings have averaged 7,676,242 pounds from 1994-2016. In general, commercial harvest has decreased since 2003 but landings did increase slightly from 2013 to 2014 and from 2015 to 2016. The landings increase in 2016 comes despite continued low landings and effort in the flynet and haul seine fisheries, both of which are traditionally high volume Atlantic croaker fisheries. Atlantic croaker commercial landings are currently supported primarily by consistent landings in the ocean gill net fishery. Atlantic croaker are a component of the scrap or bait fishery in North Carolina but this component generally makes up a small percentage of landings.

Recreational Landings

Atlantic croaker are targeted by shore based anglers and those fishing from private vessels during the summer and fall. Recreational harvest of Atlantic croaker in North Carolina ranged from 99,298 to 241,993 pounds between 2007 to 2016 and was estimated at 141,571 pounds in 2016, a decrease of 49,237 pounds from 2015 (Table 1). While recreational harvest has fluctuated there has generally been a decreasing trend. However, the number of releases has generally increased since 2007. Releases decreased by 330,465 individuals from 2015 to 2016.

Number of Atlantic croaker measured during the Marine Recreational Information Program (MRIP) sampling has generally remained stable from 2007 to 2016 (Table 2). Mean length of Atlantic croaker in 2016 was 235 mm and has fluctuated little since 2007. Similarly, minimum and maximum lengths have also fluctuated little since 2007. Though, maximum length of 319 mm in 2016 was by far the lowest value since 2007.

MONITORING PROGRAM DATA

Fishery Dependent Monitoring

The number of Atlantic croaker lengths obtained from fishery dependent sources from 2005 through 2016 ranged from 6,492 in 2016 to 20,239 in 2010 (Table 3). Mean length varied little

ranging from 267.2 mm to 312.1 mm. Minimum length ranged from 113 mm to 192 mm. Maximum length ranged from 385 mm to 500 mm.

Fishery Independent Monitoring

The Pamlico Sound Survey (P195) samples 54 randomly selected stations (grids) in June and September. Stations are randomly selected from strata based upon depth and geographic location. Tow duration is 20 minutes, using double rigged demersal mongoose trawls (9.1 m headrope, 1.0 X 0.6 m doors, 2.2-cm bar mesh body, 1.9-cm bar mesh cod end and a 100-mesh tailbag extension). Data from this survey is used to produce juvenile abundance indices (JAI) for Atlantic croaker which is incorporated into ASMFC stock assessments and reported annually to ASMFC as part of compliance reports. The Atlantic croaker juvenile abundance index from the Pamlico Sound Survey (June only fish <140 mm) from 2005 through 2016 has been variable (Table 4). The JAI has ranged from 82.7 individuals per tow in 2009 to 1,175.4 individuals per tow in 2010. There has been a decreasing trend since 2012 with a JAI in 2016 of 369.8 individuals per tow. The mean JAI over the last 12-years of the time series is 401.4 individuals per tow.

The number of Atlantic croaker aged in North Carolina from 2005 through 2016 has ranged from 237 in 2011 to 1,071 in 2014 (Table 5). The modal age has ranged from zero in 2008, and 2016 to five in 2007. While the modal age has varied, in seven of the last 12 years it was one or two. Minimum age was zero in every year while maximum age ranged from seven to 15. From 2005-2010 the maximum age was between 13 and 15 and from 2011-2016 the maximum age was between six and nine.

MANAGEMENT STRATEGY

Per Addendum II to Amendment 1, the Traffic Light Approach is used as a precautionary management framework for Atlantic croaker. The Traffic Light Approach provides guidance in lieu of a current stock assessment for Atlantic croaker. Under this management program, if the amount of red in the Traffic Light for both population characteristics (adult abundance and harvest) meet or exceed the threshold for the specified three-year period, then management action is required. The Traffic Light has not been updated with 2015 or 2016 data because of work on the stock assessment completed in 2017. See Table 6 for a summary of management strategies. Management triggers were not tripped in 2014 since both population characteristics (harvest and adult abundance) were not above the 30 percent threshold for 2012-2014. A benchmark stock assessment was completed in 2017 but did not pass peer review and will not be used for management. The South Atlantic State/Federal Fisheries Management Board is scheduled to receive the updated Traffic Light results in August 2017.

RESEARCH NEEDS

There are no research or monitoring programs required of the states except for the submission of an annual compliance report. However, several coastwide and state specific research recommendations have been identified and ranked through the ASMFC FMP and stock assessment process.

- Encourage fishery dependent biological sampling, including extraction of ageing structures, to improve age length keys. Age length keys should be representative of all gear types in the fishery. Supplement underrepresented length bins with additional ageing samples to avoid the necessity of weighting length-at-age estimates by length frequencies – HIGH (Ongoing through NCDMF fishery dependent sampling)
- Obtain gear specific effort information and improve fishery dependent catch and effort statistics and catch size and age structure – HIGH (Ongoing through NCDMF fishery dependent sampling)
- Recover detailed historical landings data from NOAA as indicated by historical summaries – HIGH (Needed)
- Develop size, age, and sex specific relative abundance estimates from fishery independent and fishery dependent data – HIGH (Ongoing)
- Identify and evaluate environmental covariates in stock assessment models – HIGH (Needed)
- Conduct studies on fecundity and reproductive dynamics and develop maturity schedules – HIGH (Ongoing in North Carolina)
- Conduct studies on growth and age structure throughout species range – HIGH (Ongoing in North Carolina)
- Conduct collaborative coast wide genetics and tagging studies to determine migratory patterns, stock identification, and stock mixing – HIGH (Needed)
- Develop and implement state-specific commercial scrap fisheries monitoring programs to evaluate relative importance of croaker scrap landings – MODERATE (Ongoing through NCDMF fishery dependent sampling)
- Conduct studies on discard mortality from varying gears in recreational and commercial fisheries – MODERATE (Needed in North Carolina)
- Assess and monitor the effects of bycatch reduction devices (BRD's) on croaker catch – MODERATE (Ongoing in North Carolina)
- Monitor fisheries with significant croaker bycatch and determine extent of unutilized bycatch and F on fish less than age 1 – MODERATE (Ongoing in North Carolina)
- Determine the onshore versus offshore components of the croaker fishery – MODERATE (Ongoing through NCDMF fishery dependent sampling)
- Increase observer coverage of commercial discards – MODERATE (Ongoing in North Carolina)
- Expand fishery-independent surveys and subsample for individual weights and ages, especially in the southern range – MODERATE (Ongoing through NCDMF fishery independent surveys)
- Continue monitoring juvenile croaker populations in major nursery areas – MODERATE (Ongoing through NCDMF fishery independent surveys)
- Develop coast wide juvenile croaker indices to clarify stock status – MODERATE (Ongoing)
- Incorporate bycatch estimates into croaker assessment models – MODERATE (Ongoing)
- Analyze croaker yield per recruit (YPR) to establish a minimum size that maximizes YPR – MODERATE (Needed)
- Identify essential habitat requirements – MODERATE (Ongoing in North Carolina)
- Re-examine historical ichthyoplankton studies of the Chesapeake Bay for an indication of the magnitude of estuarine spawning – MODERATE (Needed)

- Determine the optimum utilization (economic and biological) of a long term fluctuating croaker population – MODERATE (Needed)
- Evaluate socioeconomic aspects of croaker fisheries – MODERATE (Needed)
- Determine species interactions and predator-prey relationships between croaker (prey) and predator species targeted in more valued fisheries – LOW (Ongoing in North Carolina; work by Binion, NCSU)
- Assess the impacts of any dredging activity (i.e., for beach re-nourishment) on all life history stages of croaker – LOW (Needed)

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TABLES

Table 1. North Carolina recreational harvest of Atlantic croaker with landings in number, pounds, and number released, 2007-2016. Percent Standard Error (PSE) is given for each.

Year	Harvest Number	PSE	Weight	PSE	Number Released	PSE
2007	461,162	17.6	131,185	18.8	1,608,120	12.7
2008	317,940	15.7	132,731	17.1	1,419,019	12.1
2009	368,990	16.7	131,742	16.5	1,912,670	11.0
2010	478,156	12.4	241,993	12.4	1,598,139	8.9
2011	246,676	12.9	99,298	13.2	1,798,230	10.7
2012	288,813	11.5	105,530	11.9	1,255,216	8.7
2013	411,882	14.6	141,880	13.6	1,984,701	9.8
2014	541,657	13.3	227,949	14.6	2,713,787	11.7
2015	471,869	12.3	190,808	13.0	2,477,625	10.4
2016	368,203	19.7	141,571	21.7	2,147,160	14.6
Average	395,535		154,469		1,891,467	

Table 2. Total number measured, mean, minimum, and maximum length (mm) of Atlantic croaker measured by MRIP sampling in North Carolina, 2007-2016.

Year	Number Measured	Mean Length	Minimum Length	Maximum Length
2007	113	201	103	348
2008	188	244	141	392
2009	210	224	145	402
2010	330	248	157	427
2011	255	239	148	363
2012	230	233	124	358
2013	267	229	151	392
2014	215	236	105	357
2015	142	237	147	352
2016	219	235	135	319

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – ATLANTIC CROAKER

Table 3. Mean length, minimum length, maximum length (mm), and total number of Atlantic croaker measured from North Carolina commercial fish house samples, 2005-2016.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2005	312.1	192	500	19,896
2006	298.1	188	487	18,679
2007	301.4	147	494	13,261
2008	294.1	174	495	13,274
2009	289.1	192	486	19,217
2010	287.8	151	452	20,239
2011	297.0	162	422	15,033
2012	286.7	188	454	10,508
2013	284.4	172	437	8,538
2014	267.2	113	423	10,946
2015	276.5	137	394	9,168
2016	275.1	187	385	6,492

Table 4. Number of tows (N), Atlantic croaker juvenile (<140 mm) abundance index (CPUE; number per tow) for June, with Percent Standard Error (PSE), from the Pamlico Sound Survey, 2005-2016.

Year	N	CPUE	PSE
2005	52	225.7	20
2006	54	131.5	16
2007	51	113.4	20
2008	54	312.4	22
2009	54	82.7	17
2010	54	1,175.4	17
2011	54	90.5	19
2012	54	1,149.2	14
2013	54	571.0	14
2014	54	324.1	16
2015	54	270.6	13
2016	54	369.8	11

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – ATLANTIC CROAKER

Table 5. Total number aged, modal, minimum, and maximum age of Atlantic croaker in North Carolina, 2005-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2005	3	0	14	597
2006	1	0	13	658
2007	5	0	15	321
2008	0	0	15	739
2009	1	0	14	709
2010	4	0	13	703
2011	1	0	8	237
2012	2	0	7	349
2013	1	0	8	577
2014	2	0	8	1,070
2015	1	0	9	993
2016	0	0	6	474

Table 6. Summary of management strategies and needs.

Management Strategy	Implementation Status
Establish Traffic Light method for monitoring the stock in non-assessment years	Addendum 2 to Amendment 1, approved August 2014. Replaced triggers established by Amendment 1
Change management unit to single coast wide stock (New Jersey to east coast of Florida) and set new biological reference points	Addendum 1 to Amendment 1, approved March 2011
Establish triggers to be used in monitoring stock in non-assessment years	Amendment 1 to the Interstate Fisheries Management Plan for Atlantic croaker, approved November 2005
ASMFC annual state compliance reports submitted in July each year	Amendment 1 to the Interstate Fisheries Management Plan for Atlantic croaker, approved November 2005
Encourage the use of circle hooks to minimize recreational discard mortality	Needed
Consider approval of <i>de minimis</i> requests from Delaware, South Carolina, Georgia, and Florida	Ongoing
Consider basic research and monitoring information needed for informed management in light of budgetary constraints	Ongoing

FIGURES

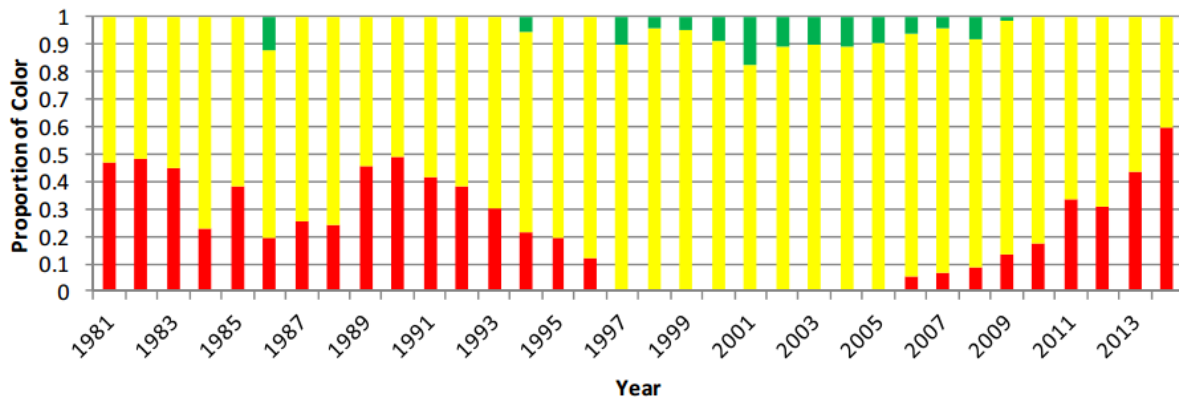


Figure 1. Annual color proportions for the harvest composite Traffic Light Analysis of Atlantic croaker recreational and commercial landings, 1981-2014 (ASMFC 2016).

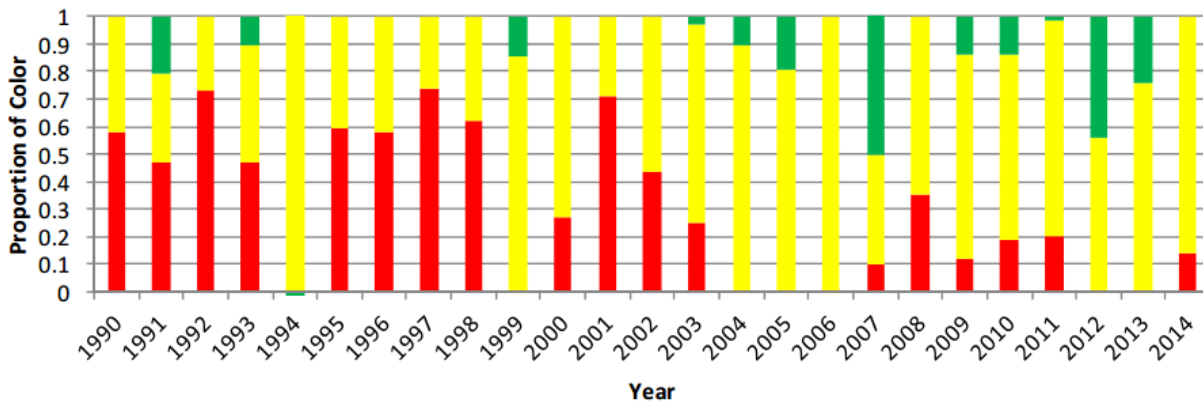


Figure 2. Adult croaker Traffic Light Analysis composite characteristic index (NOAA and SEAMAP surveys), 1990-2014 (ASMFC 2016).

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – ATLANTIC CROAKER

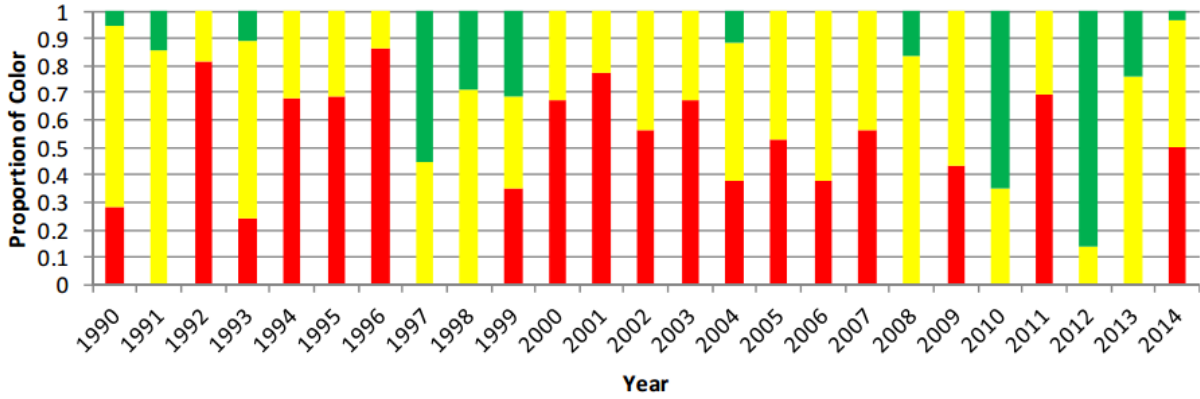


Figure 3. Juvenile croaker Traffic Light Analysis composite characteristic index (Pamlico Sound Survey and Virginia Institute of Marine Science Survey), 1990-2014 (ASMFC 2016).

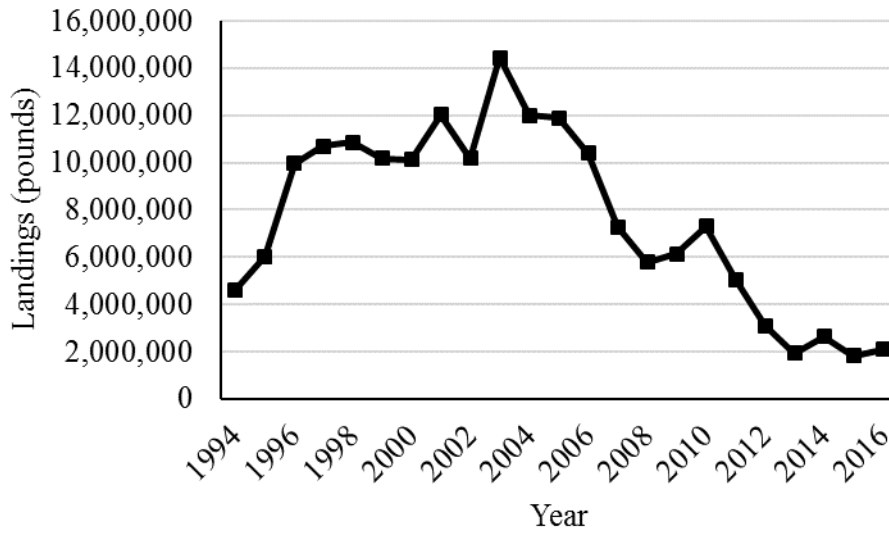


Figure 4. North Carolina commercial landings of Atlantic croaker, 1994-2016.

**FISHERY MANAGEMENT PLAN UPDATE
ATLANTIC MENHADEN
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	August 1981
Amendments:	Amendment 1 – July 2001 Addendum I – August 2004 Addendum II – October 2005 Technical Addendum I – February 2006 Addendum III – November 2006 Addendum IV – November 2009 Addendum V – November 2011 Amendment 2 – December 2012 Technical Addendum I – May 2013 Addendum I – August 2016
Revisions:	Revision – October 1992
Supplements:	Supplement – October 1986
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	2020

The revised Atlantic States Marine Fisheries Commission (ASMFC) Atlantic Menhaden Fishery Management Plan (FMP) was approved in 1992. The revised FMP was the result of an updated stock assessment. In 2001, Amendment 1 to the FMP was approved. This Amendment adopted a new stock assessment and new overfishing definition, as well as required mandatory reporting for all menhaden purse seine fisheries. Addendum I to Amendment 1 was approved in August 2004 to modify the biological reference points, stock assessment schedule and revise the habitat section. The 2003 stock assessment used a new model with a fecundity-based biological reference point to determine stock status. Addendum II was approved by the ASMFC Atlantic Menhaden Management Board in 2005 and established a five-year annual cap on reduction fishery landings in Chesapeake Bay and was implemented in 2006. Addendum II also established a research program to determine the menhaden population abundance in the Chesapeake Bay and to address localized depletion. Passed in November of 2006, Addendum III mirrored the intent and provisions of Addendum II, but incorporated 2005 landings data and allowed for the transfer of under-harvest to the following year’s harvest. The ASMFC Atlantic Menhaden Management

Board then approved Addendum IV in November of 2009 which extended the Chesapeake Bay reduction fishery harvest cap, established through Addendum III, for an additional three years (2011 to 2013). In 2010, the ASMFC Atlantic Menhaden Management Board tasked the Atlantic Menhaden Technical Committee (TC) to develop alternative reference points. In addition, the Policy Board directed the Multispecies TC to work with the Menhaden TC to explore reference points that account for predation. Addendum V was approved in November 2011 and established a new interim fishing mortality threshold and target (based on maximum spawning potential or MSP) with the goal of increasing abundance, spawning stock biomass, and menhaden availability as a forage species. The new threshold and target equated to a MSP of 15% and 30%, respectively.

The development of Amendment 2 established a 170,800 MT (376,549,545 pounds) total allowable catch (TAC) beginning in 2013 that continued until completion of and Board action on the 2015 benchmark stock assessment. The TAC was based on a 20% reduction from the 2009 to 2011 three-year average of total coastwide catch. Additionally, a bycatch allowance of 6,000 pounds per vessel per day was established when states met their TAC. The Board adopted new biological reference points for biomass based on MSP, with the goal of increasing abundance, spawning stock biomass, and menhaden availability as a forage species. In 2013, Technical Addendum I to Amendment 2 established a set aside program for episodic events. The 2015 Atlantic menhaden stock assessment update indicated menhaden are not overfished and overfishing is not occurring, which resulted in Board action to increase the TAC for both 2015 and 2016 to 187,880 MT (414,204,498 pounds), a 10% increase. Addendum I, approved in August 2016, modified the bycatch allowance to authorize two individuals fishing stationary gear from the same vessel to land 12,000 pounds per day. In October 2016, the Atlantic Menhaden Board increased the TAC by 6.45% setting the 2017 TAC at 200,000 MT (440,924,560 pounds).

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The management unit is defined as the Atlantic menhaden resource throughout the range of the species within U.S. waters of the northwest Atlantic Ocean from the estuaries eastward to the offshore boundary of the U.S. Exclusive Economic Zone (EEZ). The Atlantic states from Maine through Florida are included in the management unit.

Goal and Objectives

The goal of Amendment 2 is to manage the Atlantic menhaden fishery in a manner that is biologically, economically, socially and ecologically sound, while protecting the resource and those who benefit from it. The amendment is designed to minimize the chance of a population decline due to overfishing, reduce the risk of recruitment failure, reduce impacts to species which are ecologically dependent on Atlantic menhaden, and minimize adverse effects on participants in the fishery.

STATUS OF THE STOCK

Stock Status

The ASMFC stock status of Atlantic menhaden in 2016 is “rebuilt/sustainable”. Based on the current adopted benchmarks, the Atlantic menhaden stock status is not overfished and overfishing is not occurring (SEDAR 2015). The biological reference point used to determine the fecundity target is defined as the mature egg production one would expect when the population is being fished at the threshold fishing mortality rate. Fishing mortality rates have remained below the revised overfishing threshold ($F_{26\%MSP} = 1.26$) since the 1960s and below the target ($F_{57\%MSP} = 0.38$) since 2003. Fishing mortality is now 42% below the target. Population fecundity, a measure of reproductive capacity, was estimated to be well above both the threshold (86 trillion eggs) and the target (189 trillion eggs) in recent years. In 2013, fecundity is estimated to have been 71% higher than the threshold value. This means that the spawning stock in 2013 appears to be more than adequate to produce the target number of eggs, and thus the population is not overfished.

Stock Assessment

The 2015 benchmark stock assessment for Atlantic menhaden was initiated in late 2012 (SEDAR 2015). The TC initiated the benchmark stock assessment to identify and evaluate all available data sources and explore alternative model configurations as recommended by the 2009 peer review panel. In this benchmark assessment, significant changes were made to growth, maturity, natural mortality, indices of relative abundance, and the selectivity of fisheries. Additionally, this benchmark assessment incorporates a “fleets-as-areas” base model configuration, such that the reduction and bait fisheries were divided into northern and southern regions, creating four separate fleets.

STATUS OF THE FISHERY

Current Regulations

No regulatory changes were made in 2016 that affected menhaden.

Effective January 1, 2013, a law was passed making it unlawful to harvest menhaden with a purse seine net deployed by a mother ship and one or more runner boats within North Carolina’s three-mile jurisdiction.

Commercial Landings

North Carolina's Atlantic menhaden landings have been on a decline, especially since the last menhaden processing factory closed in 2005. Landings have remained relatively constant since 2012 (Table 1). The average landings over the last 10 years were 1,181,546 pounds. Since 2013, landings have been regulated under the TAC initiated in Amendment 2. North Carolina has landed on average 33% of the state allocated portion of the TAC, the majority of which is used for bait in the blue crab and recreational fisheries. The decline in commercial landings is possibly due to the removal of the purse seine fishery and loss of processing facilities. Gill nets were the most common gear used to harvest menhaden throughout the state.

Recreational Landings

Data are not available for recreational landings.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial fishing activity is monitored in a variety of North Carolina Division of Marine Fisheries (NCDMF) fishery-dependent sampling programs (P400s series) for compliance with ASMFC requirements. Monitoring includes the sink net fishery, winter trawl fishery, estuarine gill net fishery, and sciaenid pound net fishery. Commercial landings of Atlantic menhaden are monitored through the NCDMF Trip Ticket Program. Table 2 describes the mean, minimum, and maximum lengths of Atlantic menhaden sampled from the North Carolina fishery-dependent monitoring. Mean lengths in the menhaden commercial fishery have remained fairly consistent from 2009 to 2015.

Fishery-Independent Monitoring

Atlantic menhaden are sampled in a variety of NCDMF independent surveys for compliance with ASMFC requirements. However, NCDMF surveys were not used in the most recent benchmark stock assessment. Atlantic menhaden are sampled in the North Carolina Estuarine Trawl Survey, Pamlico Sound Survey, the Juvenile Anadromous Survey, and the Striped Bass Independent Gillnet Study.

MANAGEMENT STRATEGY

In May 2015, the ASMFC Atlantic Menhaden Management Board approved a TAC for the 2015 and 2016 fishing seasons at 187,880 metric tons (414,204,498 pounds) per year, a 10% increase from the 2014 TAC. The increase was in response to the positive findings of the 2015 Atlantic menhaden benchmark assessment which indicated the resource is not overfished and overfishing is not occurring. In October 2016, the Atlantic Menhaden Board increased the TAC by 6.45% setting the 2017 TAC at 200,000 MT (440,924,560 pounds). The Board also committed to moving forward with the development of an amendment to establish ecological based reference

points that reflect Atlantic menhaden's role as a forage species. The amendment will additionally consider changes to the current state-by-state allocation scheme established by Amendment 2.

RESEARCH NEEDS

- Develop a coastwide fishery independent index of adult abundance at age. One possible methodology being an air spotter survey with ground truthing of biological data (eg. size and age composition). In all cases, a sound statistical design is essential. Statisticians should be involved in the design development and review. Trial surveys may be necessary. [highest priority]
- Conduct Management Strategy Evaluation (MSE)) [highest priority]
- Conduct multi-object decision analysis (MODA) [highest priority]
- Continue to develop an integrated length and age based model.
- Continue to improve methods for incorporation of natural mortality (e.g., multi-species statistical catch-at-age mode).
- Continue current level of sampling from bait fisheries, particularly in the Mid-Atlantic and New England. Analyze sampling adequacy of the reduction fishery and effectively sample areas outside of that fishery (e.g., work with industry and states to collect age structure data and biological data outside the range of the fishery).
- Conduct a comprehensive fecundity study.
- Place observers on boats to collect at-sea samples from purse-seine sets, or collect samples at dockside during vessel pump-out operations (as opposed to current top of hold sampling) to address sampling adequacy.
- Investigate relationship between fish size and school size in order to address selectivity (specifically addressing fisher behavior related to harvest of specific school sizes).
- Investigate relationship between fish size and distance from shore (addressing selectivity).
- Evaluate alternative fleet configurations for the removal and catch-at-age data.
- Conduct studies on spatial and temporal dynamics of spawning (how often, how much of the year, batch spawning, etc.).
- Conduct studies on productivity of estuarine environments related to recruitment.

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TABLES

Table 1. North Carolina Atlantic menhaden annual commercial landings based on North Carolina Trip Ticket Program, 2007-2016.

Year	Landings (lb)	Total Allowable Catch (lb)
2007	1,134,167	
2008	645,231	
2009	2,124,733	
2010	1,299,130	
2011	3,529,967	
2012	538,783	
2013	454,172	1,818,580
2014	794,658	1,818,580
2015	896,891	2,020,645
2016	397,725	2,020,645

Table 2. Atlantic menhaden fork length (FL)(mm) data from NCDMF sampled from the North Carolina commercial fishery-dependent sampling program (P400s), 2006-2015.

Year	Mean Fork Length FL (mm)	Minimum Fork Length FL (mm)	Maximum Fork Length FL (mm)	Total Number Measured (number)
2007	206	109	399	1,450
2008	205	100	325	1,602
2009	230	100	309	1,240
2010	226	147	319	613
2011	236	95	323	1,920
2012	220	70	362	2,355
2013	237	124	385	3,187
2014	225	130	324	4,249
2015	232	141	470	3,095
2016	248	112	333	1,595

**FISHERY MANAGEMENT PLAN UPDATE
ATLANTIC STURGEON
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	November 1990
Amendments:	Amendment 1 July 1998 Technical Addendum #1 October 2000 Addendum I January 2001 Addendum II May 2005 Addendum III November 2006 Addendum IV September 2012
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	August 2017

Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Sturgeon was developed by the Atlantic States Marine Fisheries Commission (ASMFC) with a goal to restore Atlantic sturgeon spawning stocks to a population level which will provide for sustainable fisheries, and ensure viable spawning populations. Addendum I was completed to allow importation of non-indigenous Atlantic sturgeon and permit the development of private aquaculture facilities. Addendum II required the compliance with ASMFC Terms, Limitations, Enforcement and Reporting Requirements for each exemption to the harvest and possession moratoria as outlined in Section 4 of the FMP. It also allowed for Lapaz Inc. to import Atlantic sturgeon fingerlings, produce fish, and sell the meat. Further exemption was provided to Acadian Sturgeon and Caviar to import fish to North Carolina. Addendum III compliments Addendum II and provides authority for LaPaz Inc. to import Atlantic sturgeon from Supreme Sturgeon and Caviar for commercial aquaculture. Addendum IV is the Atlantic Sturgeon Habitat Addendum.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery

regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

Atlantic Ocean and adjacent estuaries and coastal rivers from Maine through Florida.

Goal and Objectives

The goal is to restore Atlantic sturgeon spawning stocks to population levels which will provide for sustainable fisheries, and ensure viable spawning populations (ASMFC 1998). Amendment 1 to the Atlantic Sturgeon FMP was approved in July 1998. In order to achieve this goal the plan sets forth the following objectives:

1. Establish 20 protected year classes of females in each spawning stock;
2. Close the fishery for a sufficient time period to reestablish spawning stocks and increase numbers in current spawning stocks;
3. Reduce or eliminate bycatch mortality;
4. Determine the spawning sites and provide protection of spawning habitats for each spawning stock;
5. Where feasible, reestablish access to historical spawning habitats for Atlantic sturgeon; and
6. Conduct appropriate research as needed.

STATUS OF THE STOCK

Stock Status

Reported coastwide landings peaked in 1890 at 3.4 million kg (7,495,717 pounds) and declined precipitously thereafter. Currently, populations of Atlantic sturgeon throughout their range are either extirpated or at historically low abundance. Recruitment is variable at low levels in all regions. The stock is considered overfished but overfishing is not occurring. The target fishing mortality (F) rate was defined as that level of F that generated an eggs-per-recruit (EPR) equal to 50% of the EPR at $F = 0.0$ (i.e., virgin stock). This rate (F_{50}) equals 0.03 (annual harvest rate of 3%) for a restored population. This target is far below recent estimates of F prior to enactment of fishing moratoria, which ranged from 0.01-0.12 for females and 0.15-0.24 for males in the Hudson River. These numbers may not apply to southern stocks, where more signs toward recovery are being seen.

Stock Assessment

The 1998 Atlantic sturgeon assessment relied on data from Maine, the Hudson River, Delaware Bay, South Carolina and Georgia. EPR and yield-per-recruit (YPR) models were used to estimate a target F rate and potential yield in number of recent age-1 abundance (recruitment) estimates. Mortality rates associated with targeted fisheries were estimated for the Hudson River population through a catch-at-age analysis. The spawning stock biomass (SSB) is undocumented for all river systems. The stock assessment report presented a comprehensive review of the current status of Atlantic sturgeon in the U.S. From this review, it is obvious that overfishing seriously depleted the Atlantic sturgeon by the early 1900s. Since that time, some stocks are believed to have been extirpated, while others have persisted at very low levels. Catches of juveniles suggest that sporadic spawning is occurring in some of the larger rivers throughout the historic range, but because of the migratory nature of juvenile Atlantic sturgeon, the origin of these juveniles older than age-2 is uncertain. Although time series are sparse for most river stocks, declines in abundance have been noted. The ASMFC has identified members to initiate a new benchmark stock assessment and has completed the initial data workshops. The estimated completion for a peer reviewed stock assessment is August 2017.

STATUS OF THE FISHERY

Current Regulations

Coastwide commercial and recreational moratorium.

Commercial Landings

No landings recorded since 1991.

Recreational Landings

No recreational fishery.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

The North Carolina Division of Marine Fisheries (NCDMF) provides at sea observer coverage for the estuarine gill net fisheries throughout North Carolina.

North Carolina developed a Section 10 Incidental Take Permit for the estuarine waters of North Carolina relative to gill net fishing. Through this process North Carolina developed a zero inflated poisson general linear model that estimated bycatch in the gill net fisheries. This model divided the state estuarine waters into management units and estimated takes (live and dead) within each of these units, by season, and mesh size. Results from this model are available in the Application for an Incidental Take Permit submitted to the National Oceanic and Atmospheric Administration (NOAA) Fisheries in December 2012 by the NCDMF.

A total of 304 Atlantic sturgeon have been encountered in the North Carolina on-board observer program since 2003. These sturgeon have ranged from 270 to 1,580 mm Fork Length (FL) and averaged 671 mm FL (Table 1). Two-hundred fifty-one of the 304 sturgeon have been encountered in the Albemarle Sound Management Unit. An additional 67 Atlantic sturgeon were observed through the alternate platform observer program during 2013, 2014, 2015, and 2016. These trips are conducted from division-owned vessels where the observers do not ride with the fisherman but observe from a distance. These fish ranged in size from 390 to 1,219 mm FL and averaged 686 mm TL. Fifty-eight of the 67 sturgeon encountered were observed in the Albemarle Sound Management Unit.

Fishery-Independent Monitoring

The NCDMF currently has three independent gill net surveys that encounter and tag Atlantic sturgeon. The Albemarle Sound Independent Gill Net Survey (IGNS) is a stratified random gill net survey that employs gill nets with mesh sizes that range from 2.5 inch stretch mesh (ISM) through 7 ISM (0.5 ISM increments) and 8 ISM and 10 ISM of floating and sinking nets. Gill nets are fished in 40 yard shots totaling 960 yards per set. Each set is fished for approximately 24-hours before retrieval. Nets were fished from January through May, November, and December each year from 1991 through 2016. Lengths of sturgeon collected have ranged from 153 to 1,498 mm FL, and averaged 518 mm FL (Table 2). Six fish were collected with a fork length greater than 1,000 mm, and only three of 1,697 fish collected were adults. Catch per unit effort (CPUE) shows an increasing trend over the entire time series but annual CPUE are variable (Figure 1).

The Fishery Independent Assessment Survey (FIAS) is conducted in Pamlico Sound, Pungo, Pamlico, and Neuse rivers, and consists of gill net sets, ranging in mesh size from 3.0 ISM through 6.5 ISM (0.5 ISM increments) and are fished for approximately 12 hours before retrieval. The Pamlico Sound portion has been conducted since 2001 and the rivers portion since 2003. A total of 53 sturgeon have been collected in Pamlico Sound and an additional 84 have been collected in the Pamlico, Pungo, and Neuse rivers. Average lengths are larger than those seen in the Albemarle, indicating capture of more sub-adult fish than young-of-year fish (Tables 3, 4). Two adults have been collected in the Pamlico Sound Survey and two adults have been collected in the Rivers Survey.

The Southern Independent Gill Net Survey is modeled after the (FIAS) but with periods of reduced soak times. The areas fished include the New and Cape Fear rivers. Two-hundred forty yards were fished per sample and 120 samples were completed per year. The areas fished include the coastal ocean waters off the New and Cape Fear rivers. Two-hundred and seventy yards were fished per sample. Effort has been ongoing since 2008. Sampling was discontinued in the Ocean on July 1, 2015. Eleven fish have been collected in the Cape Fear River IGNS and they ranged from 569 to 929 mm FL. No adult Atlantic sturgeon have been collected in this survey.

During 2010, the NCDMF joined a multi-state grant entitled “Research and Management of Endangered and Threatened Species in the Southeast: Riverine Movements of Shortnose and Atlantic Sturgeon” cooperating with South Carolina Department of Natural Resources, The University of Georgia, and North Carolina State University (NCSU). Funding was provided

through NOAA Fisheries, Section 6. Ninety-Four Atlantic sturgeon were tagged with acoustic transmitters from 2011 through 2013 in the Cape Fear River and Albemarle Sound. These fish ranged from 772 to 1,753 mm FL and averaged 928 mm FL (Table 5).

MANAGEMENT STRATEGY

Atlantic coastal states implemented a moratorium on harvest and possession of Atlantic sturgeon in 1998. Furthermore, harvest is not permitted in the exclusive economic zone. The best available data indicate that river-specific populations are appropriate management units. It is recommended that the moratorium remain in place for each population until it can be documented that the spawning population includes at least 20 year classes of adult females (half the number of year classes that probably existed in unfished populations). Given that female Atlantic sturgeon do not mature until about 20 years of age, the moratorium can be expected to remain in place for several decades from when harvest of a given population ended. As populations increase during restoration, bycatch of sturgeon will increase; hence, managers should ensure that mechanisms are in place to monitor the level of bycatch and make reductions if necessary.

In 2012, NOAA Fisheries listed the Carolina Distinct Population Segment of Atlantic sturgeon as an endangered species under the 1973 Endangered Species Act (ESA). This listing determination drastically influenced the management strategy in North Carolina. The largest influence was the requirement of the NCDMF to obtain a Section 10 Incidental Take Permit to allow the estuarine gill net fisheries to continue. Without the Section 10 Permit, interactions in the fishery would have been illegal. Any future fishery for Atlantic sturgeon will only be possible if NOAA Fisheries removes Atlantic sturgeon from the ESA. However, additional protections provided through the ESA listing should increase the potential recovery.

RESEARCH NEEDS

Biological/Captive Propagation

- Standardize and obtain baseline data on population status for important sturgeon rivers. Data should include assessment of stock status in various rivers, size and composition of the spawning population, reproductive success and juvenile production;
- Develop long-term marking/tagging procedures to provide information on individual tagged Atlantic sturgeon for up to 20 years;
- Establish success criteria in order to evaluate the effectiveness of stocking programs;
- Determine size at maturity for North, Mid- and South Atlantic sturgeon;
- Monitor catch/effort and size/age composition of landings of any future authorized directed fisheries;
- Determine length at age by sex for North, Mid- and South Atlantic stocks;
- Determine maturity at age by sex for North, Mid- and South Atlantic stocks;
- Determine fecundity at age, length, and weight for North, Mid-, and South Atlantic stocks;
- Characterize size and condition of Atlantic sturgeon by gear and season taken as bycatch in various fisheries;

- Establish environmental tolerance levels (dissolved oxygen, pH, temperature, etc.) for different life stages;
- Establish coastal tagging projects to delineate migratory patterns (this measure is being implemented by the USFWS and member states.);
- Expand tagging of juveniles in major spawning rivers to allow estimates of rates of loss to bycatch;
- Establish a tag recovery clearinghouse and database for consolidation and evaluation of tagging and tag return information including associated biological, geographic, and hydrographic data (this measure is being implemented by the USFWS through the Maryland Fisheries Resources Office located in Annapolis, Maryland.);
- Encourage shortnose sturgeon researchers to include Atlantic sturgeon research in their projects;
- Establish methods for the recovery of tags and associated information (this measure is being implemented through ASMFC/USFWS cooperative efforts.);
- Evaluate existing groundfish survey data to determine what can be learned about at-sea migratory behavior;
- Conduct basic culture experiments to provide information on: a) efficacy of alternative spawning techniques, b) egg incubation and fry production techniques, c) holding and rearing densities, d) prophylactic treatments, e) nutritional requirements and feeding techniques, and f) optimal environmental rearing conditions and systems;
- Determine the extent to which Atlantic sturgeon are genetically differentiable among rivers;
- Conduct research to identify suitable fish sizes, and time of year for stocking cultured fish;
- Conduct and monitor pilot-scale stocking programs before conducting large-scale efforts over broad geographic areas;
- Determine effects of contaminants on early life stages;
- Develop methods to determine sex and maturity of captured sturgeon;
- Develop sperm cryopreservation techniques and refine to assure availability of male gametes;
- Refine induced spawning procedures;
- Develop the capability to capture wild broodstock and develop adequate holding and transport techniques for large broodstock;
- Conduct studies to identify tissue(s) suitable for genetic analyses and the techniques for their collection and storage. In those states which permit future harvest of Atlantic sturgeon, material for genetic analysis should be collected from up to 50% of the fish landed in the commercial fisheries. In states with no future directed fisheries, federal and state programs which encounter sturgeon should be encouraged to collect specified tissues for genetic analysis;
- Standardize collection procedures to obtain biological tissues, and identify a suitable repository to archive all materials;
- Conduct research to determine the susceptibility of Atlantic sturgeon to sturgeon adenovirus and white sturgeon iridovirus. Methods should be developed to isolate the sturgeon adenovirus and an Atlantic sturgeon cell line should be established for infection trials;
- Conduct research to identify the major pathogens of Atlantic sturgeon and a cell line for this species should be developed.

Social

- To evaluate the social impacts the needed data might include the following for consumptive and non-consumptive users: demographic information (e.g. age, gender, ethnicity/race, etc.), social structure information (e.g. historical participation, affiliation with NGOs, perceived conflicts, etc.), other cultural information (e.g. occupational motivation, cultural traditions related to resource's use), and community information.
- A cost and benefit analysis of possible stocking protocols is needed.

Monitoring population trends through juvenile abundance indices, characterizing the incidence of bycatch and mortalities in various fisheries and conducting tag/recapture studies for estimates of bycatch loss are being addressed through current sampling. It should be noted that any sampling or research that encounters Atlantic sturgeon whether incidental or targeted now require Section 10 permits through NOAA Fisheries or a Section 7 consultation if funded through a federal grant program. These permit requirements directly influence the data collection abilities of the NCDMF, potentially impacting the completion of research recommendations.

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TABLES

Table 1. Atlantic Sturgeon length data (inches) collected from the North Carolina Division of Marine Fisheries Onboard Observer Program from 2007-2016.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Collection Number
2007				0
2008	639	480	845	18
2009				0
2010				0
2011	763	464	1,386	4
2012	651	464	900	10
2013	643	492	920	29
2014	684	405	1,524	42
2015	683	270	995	54
2016	682	420	1,580	54

Table 2. Atlantic Sturgeon length data (inches) collected from the Albemarle Sound Independent Gill Net survey from 2007-2016.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Collection Number
2007	528	230	770	66
2008	543	257	840	124
2009	629	391	800	55
2010	579	395	812	32
2011	604	393	1,498	47
2012	574	296	1,060	64
2013	556	275	1,395	139
2014	609	355	1,180	69
2015	587	355	980	86
2016	537	251	935	123

Table 3. Atlantic Sturgeon length data (inches) collected from the Pamlico Sound Independent Gill Net survey from 2007-2016.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Collection Number
2007	531	654	1,495	5
2008	663	643	947	2
2009	967	967	967	1
2010	606	200	698	4
2011				0
2012	1,415	1,415	1,415	1
2013				0
2014				0
2015	N/A	N/A	N/A	1
2016	756	747	765	2

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – ATLANTIC STURGEON

Table 4. Atlantic Sturgeon length data (inches) collected from the Pamlico, Pungo, and Neuse Rivers Independent Gill Net survey from 2005 through 2016.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Collection Number
2007	516	400	714	3
2008	532	532	532	1
2009	706	716	716	1
2010				0
2011	2,300	2,300	2,300	1
2012	625	625	625	1
2013				0
2014	N/A	N/A	N/A	1
2015	612	365	1,435	23
2016	723	464	975	8

Table 5. Atlantic Sturgeon length data (inches) collected through section 6 funding in the Cape Fear River and Albemarle Sound, North Carolina, 2011-2013.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Number
2011	960	630	1,620	45
2012	948	772	1,753	21
2013	862	605	1,162	28
Total	928	772	1,753	94

FIGURES

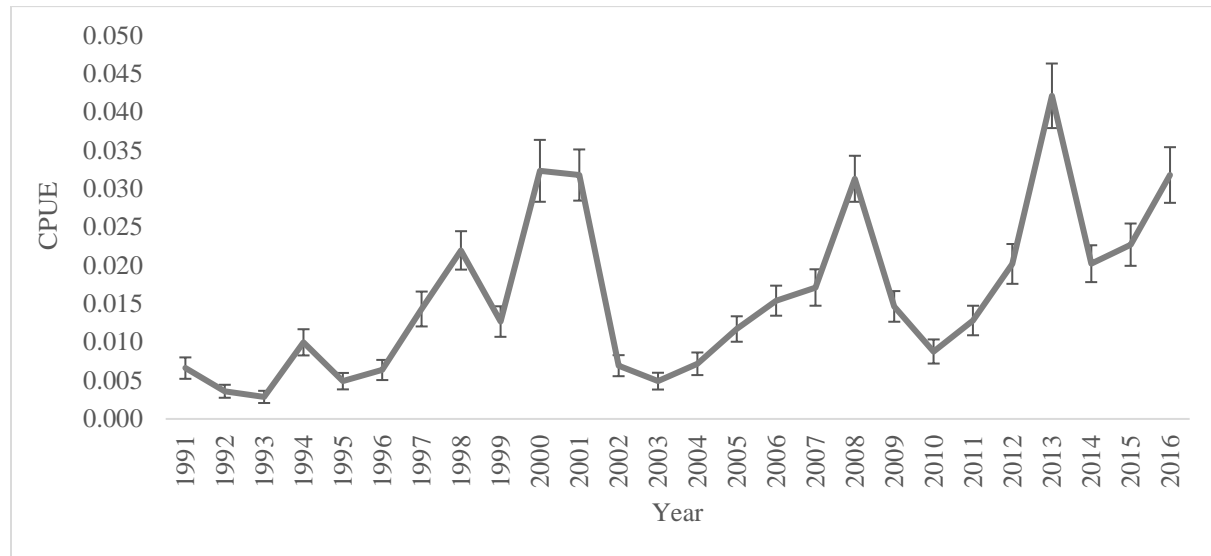


Figure 1. Catch per unit effort of Atlantic sturgeon collected from the Albemarle Sound Independent Gill Net Survey from 1991 through 2016.

**FISHERY MANAGEMENT PLAN UPDATE
BLACK DRUM
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	June 2013
Amendments:	None
Revisions:	None
Supplements:	None
Information Updates:	February 2016
Schedule Changes:	None
Next Benchmark Review:	February 2020

The Atlantic States Marine Fisheries Commission (ASMFC) formed a Black Drum Working Group and conducted a series of webinars and conference calls in February and March 2011, compiling data on the status of black drum from New Jersey to Florida. The North Carolina Division of Marine Fisheries' (NCDMF) designated species lead for black drum was a member of the working group and responsible for providing relevant North Carolina information. General trends in these black drum fishery dependent and independent data sources and the feasibility of developing a coastwide stock assessment were presented to the Interstate Fisheries Management Program Policy Board in August 2011. The Policy Board accepted the working group's recommendation to initiate an Interstate Fisheries Management Plan (FMP) for black drum. In November 2011, the Management Board also voted to initiate the FMP and a stock assessment concurrently. A Public Information Document outlining the ASMFC's intent to develop an Interstate FMP for black drum was released and sent out for public comment in February 2012. In October 2012, the Management Board approved the Draft FMP for black drum for public comment. Public hearings were held in April and March 2013 to solicit comments on a range of issues from the Draft FMP, including management goals and objectives; recreational and commercial management measures; flexibility to react to new assessment information; *de minimis* levels and exemptions; monitoring requirements and recommendations; and recommended measures for implementation by National Oceanic and Atmospheric Administration (NOAA) Fisheries in federal waters. In April 2013, the Black Drum Technical Committee met for a data workshop to compile fishery independent and dependent data to be used in the first coastwide benchmark stock assessment for black drum.

In June 2013, the ASMFC adopted the Interstate FMP for Black Drum and required all states to maintain their current regulations for black drum and implement a maximum possession limit and minimum size limit (of no less than 12 inches) by January 1, 2014. States were also required to further increase the minimum size limit (to no less than 14 inches) by January 1, 2016. In response to the ASMFC requirement, the North Carolina Marine Fisheries Commission implemented a 14- to 25-inch total length slot size limit (with one fish over 25 inches), 10-fish recreational bag limit and a 500-pound commercial trip limit effective January 1, 2014.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The ASMFC FMP includes all states from Florida to New Jersey. The management unit is defined as the black drum (*Pogonias cromis*) resource throughout the range of the species within U.S. waters of the northwest Atlantic Ocean from the estuaries eastward to the offshore boundaries of the U.S. Exclusive Economic Zone (EEZ) (ASMFC 2013).

Goal and Objectives

The goal of the Black Drum FMP is to provide an efficient management structure to implement coastwide management measures. The objectives of the FMP include:

1. Provide a flexible management system to address future changes in resource abundance, scientific information, and fishing patterns among user groups or area.
2. Promote cooperative collection of biological, economic, and sociological data required to effectively monitor and assess the status of the black drum resource and evaluate the management efforts.
3. Manage the black drum fishery to protect both young individuals and established breeding stock.
4. Develop research priorities that will further refine the black drum management program to maximize the biological, social, and economic benefits derived from the black drum population.

STATUS OF THE STOCK

Stock Status

The ASMFC stock status of black drum in 2016 is “rebuilt/sustainable”. The 2015 ASMFC Black Drum Stock Assessment determined that the stock is not overfished and not experiencing overfishing. Prior to the completion of the stock assessment the stock status was listed as “unknown”.

Stock Assessment

Variable catch history in state surveys and fisheries, coupled with complex migratory patterns, made the use of traditional statistical catch-at-age models difficult. A data-poor modeling approach was used for the first coastwide benchmark stock assessment (ASMFC 2015). Data-poor models estimate reference points based on historical catch data and life history information. A Depletion-Based Stock Reduction Analysis (DB-SRA) model was used to estimate biomass and maximum sustainable yield (MSY). Median MSY was estimated to be 2.12 million pounds and the median overfishing limit (OFL) is estimated to be 4.12 million pounds (see Management Strategy section below). While the median biomass has declined steadily from the 1900s, the median biomass in 2012 was well above the level needed to produce maximum sustainable yield (B_{MSY} ; 47.26 million pounds; Figure 2). The DB-SRA results determined that black drum is not overfished and not experiencing overfishing based on the black drum life history, indices of abundance, and history of exploitation (ASMFC 2016).

STATUS OF THE FISHERY

Current Regulations

Minimum Size Limit

- It is unlawful to possess black drum less than 14-inches total length or greater than 25-inches total length, except that one (1) black drum over 25-inches total length may be retained.

Harvest Limits

- It is unlawful to possess more than ten (10) black drum per person per day by hook and line or for recreational purposes.
- It is unlawful for any commercial fishing operation, regardless of the number of persons, license holders or vessels involved, to possess more than 500 pounds of black drum per trip.

Commercial Landings

Black drum is primarily caught as bycatch in several North Carolina commercial fisheries; however, they are predominately landed in the estuarine gill net and pound net fisheries. The commercial harvest of black drum has been highly variable over the last 10 years (Table 1; Figure 1). On average 113,823 pounds of black drum were landed annually from 2007 to 2016.

Commercial landings have ranged from a low of 51,103 pounds in 2015 to a high of 301,998 pounds in 2008. Commercial landings increased 76% from 2015 to 2016.

Recreational Landings

Recreational landings of black drum in 2016 (238,012 pounds) were below the 10-year average (269,359 pounds) and have increased since 2014. The recreational harvest has also been highly variable over the last 10 years (Table 2; Figure 1). The harvest (pounds of fish) increased 106% from 2015 to 2016. Recreational releases (number of fish) increased 1% from 2015 to 2016.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial black drum landings are monitored through the North Carolina trip ticket program. Under this program, licensed fishermen can only sell commercial catch from coastal fishing waters to licensed NCDMF fish dealers. The dealer is required to complete a trip ticket every time a licensed fisherman lands fish. Trip tickets capture data on gears used to harvest fish; area fished, species harvested, and total weights of each species/market grade category. Trip tickets are submitted to NCDMF on the 10th of the month following the month in which the landings occurred. Landings are available approximately 30 to 45 days after they are submitted from the dealers.

Commercial fishing activity is monitored through fishery dependent sampling conducted under Title III of the Interjurisdictional Fisheries Act and has been ongoing since 1982. Biological samples (lengths, aggregate weights) are obtained from several NCDMF commercial fisheries dependent sampling programs (P400s series). Black drum lengths and aging structures are collected at local fish houses. After sampling a portion of the catch, the total weight of the catch by species and market grade are obtained for each trip, either by using the trip ticket weights or some other reliable estimate.

Since the implementation of the 14- to 25-inches slot limit in 2014, the mean total length (TL) of commercially harvest black drum has increased; however, mean TL dropped slightly in 2016. The mean TL has ranged from 13- inches to 19-inches (Table 3). In 2016, the minimum TL was 10-inches and the maximum TL was 47-inches. Undersized black drum have continued to be harvested since the implementation of the 14-minimum size limit established in 2014, this is likely due to fishermen being unaware of changes in regulations, fish being misidentified as sheepshead, and/or fishermen confusing the minimum size limits of black drum and sheepshead. The minimum size limit of sheepshead is 10-inches fork length (FL) and was implemented in 2015.

The Marine Recreational Intercept Program (MRIP) is the primary survey used to collect data on angler harvest and effort. MRIP provides estimates of catch and effort at a regional level from the recreational fishing community and consists of two components, the Access-Point Angler Intercept Survey (APAIS) and the Coastal Household Telephone Survey (CHTS). The CHTS uses a random digit dialing telephone survey approach to collect marine recreational fishing effort information from residential households located in coastal counties. Individual catch and discard data for

calculation of catch rate at the species level are collected through APAIS, an onsite intercept survey conducted at fishing access-sites (e.g., boat ramps, beaches, piers, marinas, etc.). Creel clerks collect intercept data year-round (in two-month waves) by interviewing anglers completing fishing trips in one of four fishing modes (man-made structures, beaches, private boats, and for-hire vessels). Individual lengths (inches-TL) and weights (pounds) are recorded for each individual specimen sampled. Results from both component surveys are combined at the state, area, fishing mode and wave level to provide estimates of the total number of fish caught, released, and harvested; the weight of the harvest; the total number of trips; and total participation in marine recreational fishing.

The mean TL of recreational harvested black drum ranged from a low of 10-inches in 2011 to a maximum of 17-inches in 2015 and 2016 (Table 4). In 2016, the minimum TL dropped one inch and the maximum TL increased three inches.

Fishery-Independent Monitoring

A fishery independent gill net survey was initiated by the NCDMF in May of 2001. The survey utilizes a stratified random sampling scheme designed to characterize the size and age distribution for key estuarine species in Pamlico Sound. By continuing a long-term database of age composition and developing index of abundance for black drum this survey will help managers assess the black drum stocks without relying solely on commercial and recreational fishery dependent data. Additionally, data collected is used to help improve bycatch estimates, evaluate the success of management measures, and look at habitat usage.

The annual weighted black drum CPUE from the independent gill net survey has ranged from a high of 3.52 in 2002 to a low of 0.38 in 2012 (Table 5; Figure 3). In 2016, the CPUE was 1.33, above the time-series average. Proportional Standard Error (PSE) has ranged from 12 to 39. This survey was used in the ASMFC benchmark stock assessment for black drum as annual index of relative abundance for sub-adult and adult black drum.

Black drum age structures are collected from various fishery independent (scientific surveys) and dependent (fisheries) sources throughout the year. In 2016, 662 black drum were aged; the majority (73%) of the age structures were collected from independent sources and may not be representative of fish caught in North Carolina's recreational and commercial fisheries (Table 6). Ages ranged in from 0 to 12 years.

MANAGEMENT STRATEGY

Data poor models such as the one used for 2015 ASMFC Black Drum Stock Assessment are designed to estimate reference points based on historical catch data and the life history of a particular species. Due to the uncertainty of the inputs and the nature of data poor methods the ASMFC stock assessment subcommittee (SASC) recommended that a precautionary maximum sustainable yield (MSY) estimate of 2.12 million pounds with an interquartile range of 1.60 to 3.05 million pounds as the recommended target reference point (Figure 2). The threshold MSY or overfishing limit (OFL) was set at 4.12 million pounds. The SASC also recommended that future assessments include a “rumble-strip” (traffic light) approach that has been implemented by

the Mid-Atlantic Fisheries Management Council for other data poor species. This method allows managers to examine a set of indicators that detect major changes in harvest and F that could trigger a reassessment of the reference points.

Each year the ASMFC Plan Review Team (PRT) Black Drum monitors each states' compliance with FMP during its annual review. States must demonstrate that the compliance criteria of the FMP are satisfied and submit an annual report concerning its fisheries and management programs. Following the review of the 2014 and 2015 fishing year, the PRT determined that all states were compliant with the FMP. The ASMFC Interstate Fisheries Management Program Policy Board also determined that given the findings of the 2015 assessment, no additional changes to the management of black drum were needed.

See Table 7 for current management strategies and implementation status of the ASMFC Black Drum FMP.

RESEARCH NEEDS

The FMP outlines research needs for black drum. The ASMFC black drum PRT will annually review and prioritize the research needs annually as part of the ASMFC FMP review process. The research recommendations outlined in the 2015 Black Drum Stock Assessment include:

- Age otoliths that have been collected and archived – HIGH (ongoing).
- Collect information to characterize the size composition of fish discarded in recreational fisheries – HIGH (ongoing).
- Collect information on the magnitude and sizes of commercial discards. Obtain better estimates of bycatch of black drum in other fisheries, especially juvenile fish in the southern Atlantic states – HIGH (ongoing).
- Increase biological sampling in commercial fisheries to better characterize the size and age composition of commercial fisheries by state and gear – HIGH (ongoing).
- Increase biological sampling in recreational fisheries to better characterize the size and age composition by state and wave – HIGH (ongoing).
- Obtain estimates of selectivity-at-age for commercial fisheries by gear, recreational harvest, and recreational discards – HIGH (ongoing).
- Continue all current fishery-independent surveys and collect biological samples for black drum on all surveys – HIGH (ongoing).
- Develop fishery-independent adult surveys. Consider long line and purse seine surveys. Collect age samples, especially in states where maximum size regulations preclude the collection of adequate adult ages – HIGH (ongoing).
- Conduct reproductive studies, including: age and size-specific fecundity, spawning frequency, spawning behaviors by region, and movement and site fidelity of spawning adults – MEDIUM (needed).
- Conduct a high reward tagging program to obtain improved return rate estimates. Continue and expand current tagging programs to obtain mortality and growth information and movement at size data – MEDIUM (needed).
- Improve sampling of night time fisheries – MEDIUM (needed).
- Conduct studies to estimate catch and release mortality rates in recreational fisheries. – MEDIUM (needed).

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TABLES

Table 1. North Carolina commercial black drum landings (pounds), number of dealers and ex-vessel value, 2007-2016 (NCTTP).

Year	Dealers	Ex-Vessel Value	Pounds
2007	134	\$50,320	148,231
2008	156	\$104,937	301,998
2009	151	\$64,875	148,994
2010	128	\$32,805	69,194
2011	132	\$26,432	56,083
2012	157	\$54,133	94,352
2013	151	\$79,480	127,170
2014	120	\$32,387	51,217
2015	117	\$43,158	51,103
2016	127	\$82,084	89,886

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – BLACK DRUM

Table 2. North Carolina recreational black drum harvest pounds, harvest number and number released and PSE=Proportional Standard Error, 2007-2016 (MRIP).

Year	Harvest Weight		Harvest Number		Released Alive	
	Pounds	PSE	Number	PSE	Number	PSE
2007	220,454	19	209,372	22	226,463	27
2008	524,138	27	359,702	21	188,680	25
2009	121,038	20	92,058	23	69,484	29
2010	305,517	35	122,709	21	102,348	21
2011	151,407	18	211,396	18	104,286	21
2012	243,965	18	139,363	16	91,895	20
2013	713,047	27	363,466	21	121,306	28
2014	60,406	26	24,058	28	361,514	26
2015	115,609	30	35,529	29	559,251	30
2016	238,012	28	71,708	24	566,785	36

Table 3. Commercial black drum total length (TL) data from NCDMF fishery-dependent sampling programs (P400s), 2007-2016.

Year	Mean TL (inches)	Minimum TL (inches)	Maximum TL (inches)	Total Measured (number)
2007	14	7	50	1,919
2008	15	7	50	2,695
2009	16	7	48	1,060
2010	17	8	49	658
2011	13	7	33	1,204
2012	15	6	37	1,123
2013	16	5	36	866
2014	17	10	47	381
2015	19	10	44	310
2016	17	10	47	811

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – BLACK DRUM

Table 4. Recreational black drum total length (TL) data from Marine Recreational Intercept Program (MRIP), 2007-2016. MRIP data was provided as centerline length.

Year	Mean TL (inches)	Minimum TL (inches)	Maximum TL (inches)	Total Measured (number)
2007	11	7	20	191
2008	13	7	48	363
2009	12	8	25	191
2010	14	7	29	258
2011	10	7	24	567
2012	13	7	26	237
2013	13	7	26	154
2014	16	13	23	33
2015	17	11	25	75
2016	17	10	28	114

Table 5. Annual weighted black drum CPUE (all ages combined) from the North Carolina Pamlico Sound Independent Gill Net Survey. N=number of samples; CPUE=Catch per unit effort (black drum per gill net set); SE=Standard Error; PSE=Proportional Standard Error.

Year	N	CPUE	SE	PSE
2001	237	1.91	0.41	21
2002	320	3.52	0.46	13
2003	320	1.16	0.30	26
2004	320	0.46	0.09	20
2005	304	0.49	0.13	27
2006	320	0.78	0.09	12
2007	320	0.76	0.16	21
2008	320	0.87	0.16	18
2009	320	0.79	0.16	20
2010	320	0.54	0.18	33
2011	298	0.84	0.15	18
2012	308	0.38	0.07	18
2013	308	0.42	0.07	17
2014	308	0.76	0.17	22
2015	306	1.04	0.41	39
2016	308	1.33	0.21	16

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – BLACK DRUM

Table 6. Summary of black drum age samples collected from both dependent (commercial and recreational fisheries) and independent (surveys) sources from 2011-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2011	0	0	60	140
2012	1	0	3	327
2013	2	0	4	187
2014	1	0	31	409
2015	0	0	4	400
2016	1	0	12	662

Table 7. Summary of ASMFC management strategies and their implementation status for Black Drum Fishery Management Plan.

Management Strategy	Implementation Status
<i>HARVEST MANAGEMENT</i>	
Implement a maximum possession limit and size limit (of no less than 12 inches) by January 1, 2014	Accomplished (other states)
Implement a maximum possession limit and size limit (of no less than 14 inches) by January 1, 2016	Proclamation FF-73-2013

FIGURES

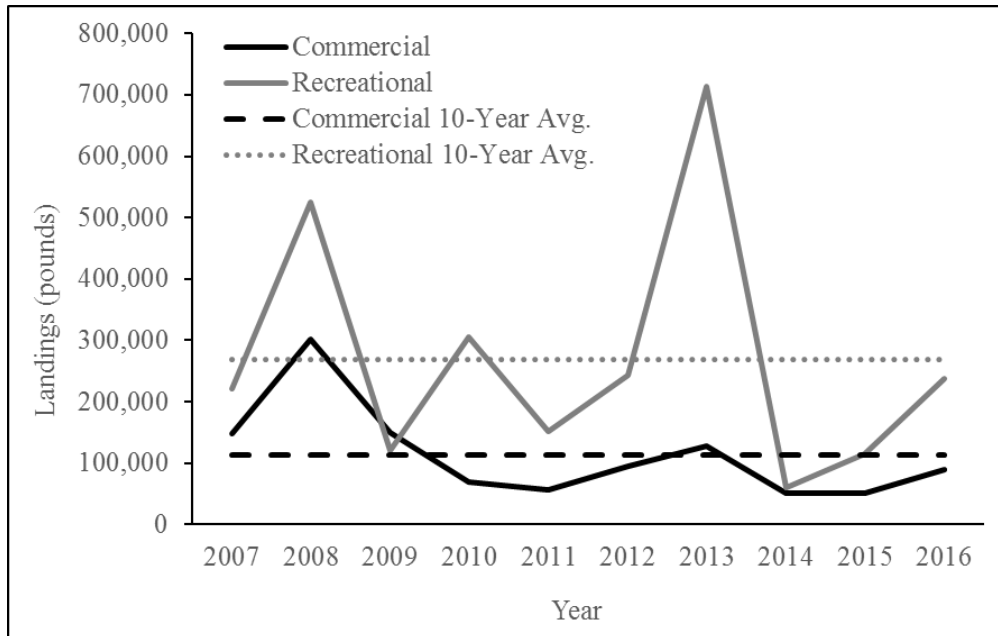


Figure 1. North Carolina commercial from the NCTTP and MRIP black drum landings (pounds), 2007-2016.

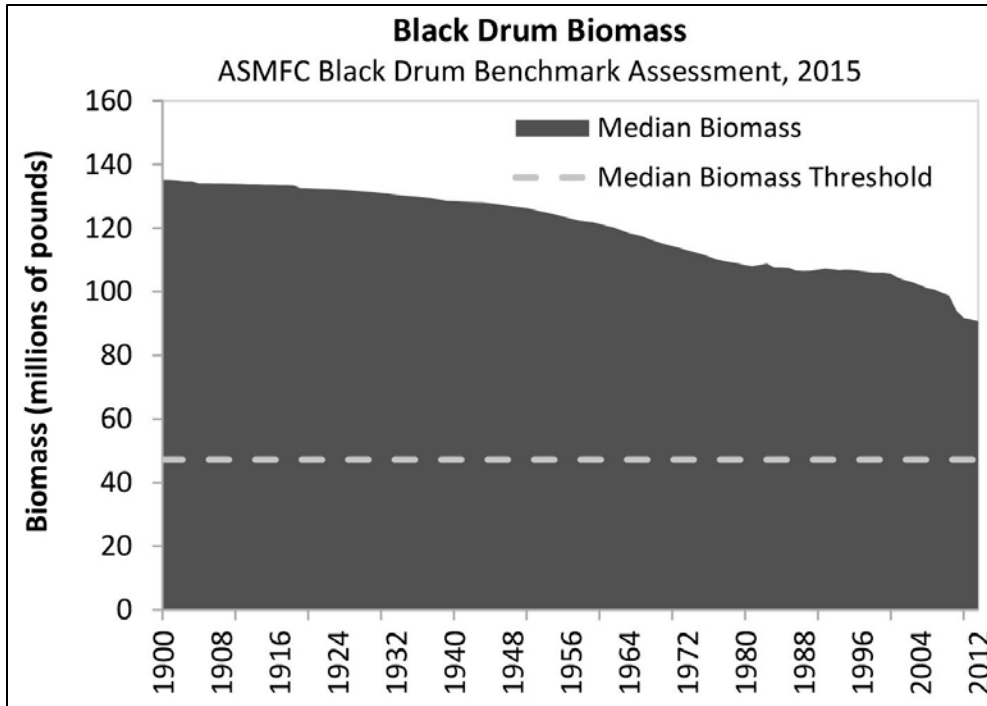


Figure 2. Depletion-Based Stock Reduction Analysis (DB-SRA) median biomass and threshold, 1900-2012 (ASMFC 2015).

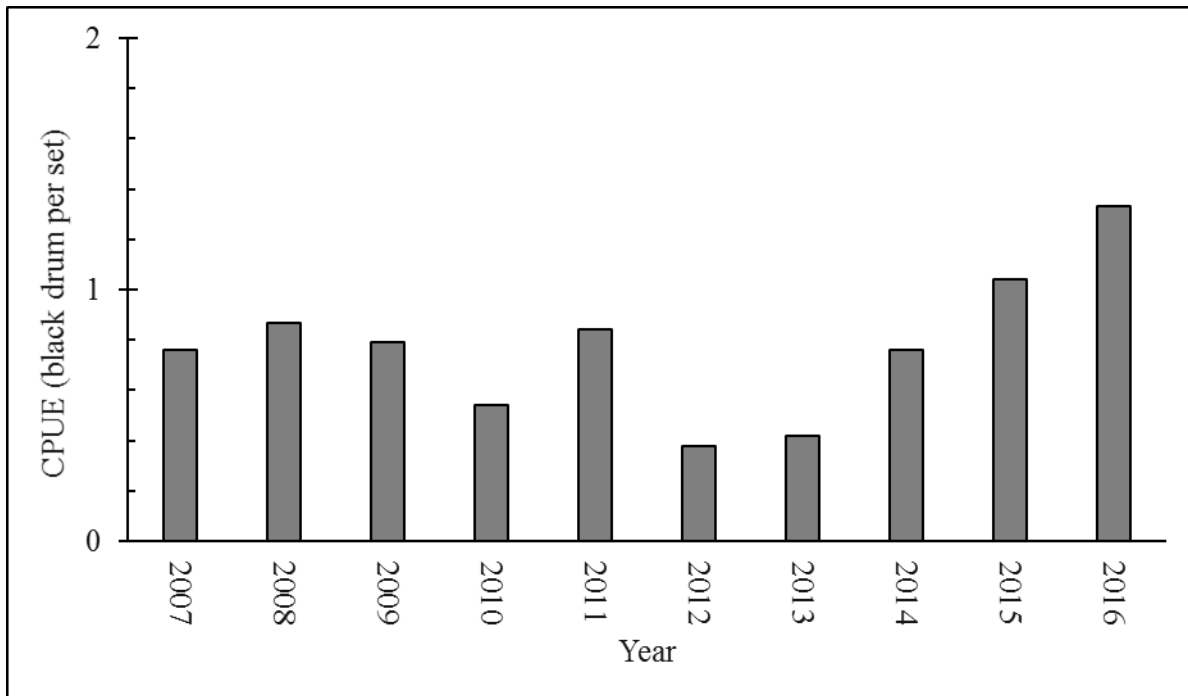


Figure 3. Annual weighted black drum CPUE (number captured for ages combined) from the North Carolina Pamlico Sound Independent Gill Net Survey, 2007-2016.

**FISHERY MANAGEMENT PLAN UPDATE
BLACK SEA BASS NORTH OF CAPE HATTERAS
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	Incorporated into the Summer Flounder FMP through Amendment 9 in 1996
Amendments:	Amendment 9 in 1996 Amendment 10 in 1997 Amendment 11 in 1998 Amendment 12 in 1999 Framework 1 in 2001 Addendum IV in 2001 Addendum VI in 2002 Amendment 13 in 2003 Framework 5 in 2004 Addendum XII in 2004 Addendum XIII in 2004 Addendum XVI in 2005 Amendment 16 in 2007 Framework 7 in 2007 Addendum XIX in 2007 Addendum XX in 2009 Amendment 15 in 2011 Addendum XXI in 2011 Addendum XXII in 2012 Amendment 19 (Recreational Accountability Amendment) in 2013 Addendum XXIII in 2013 Addendum XXV in 2014 Amendment 17 in 2015 Framework 8 in 2015 Amendment 18 in 2015 Addendum XXVII in 2016
Revisions:	None
Supplements:	None
Information Updates:	None

Schedule Changes: None

Next Benchmark Review: A new benchmark stock assessment was completed in 2017. No future benchmark stock assessment has been scheduled.

Because of their presence in, and movement between, state waters (0 to 3 miles) and federal waters (3 to 200 miles), the Mid-Atlantic Fisheries Management Council (MAFMC) manages black sea bass (*Centropristis striata*) north of Cape Hatteras cooperatively with the Atlantic States Marine Fisheries Commission (ASMFC). The two management entities work in conjunction with the National Oceanic and Atmospheric Administration (NOAA) Fisheries as the federal implementation and enforcement entity. The Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP) and amendments use output controls (catch and landings limits) as the primary management tool, with landings divided between the commercial (49 percent) and recreational (51 percent) fisheries. The FMP also includes minimum fish sizes, bag limits, seasons, gear restrictions, permit requirements, and other provisions to prevent overfishing and ensure sustainability of the fisheries. Recreational bag and size limits and seasons are determined on an ad-hoc state and regional basis in state waters and coastwide measures in federal waters. The commercial quota is divided into state-by-state quotas.

Specific details for each Amendment include:

Amendment 9 - incorporated black sea bass into the Summer Flounder FMP; established black sea bass management measures including commercial quotas, recreational harvest limits, size limits, gear restrictions, permits, and reporting requirements.

Amendment 10 – modified commercial minimum mesh requirements; continued commercial vessel moratorium; prohibited transfer of summer flounder at sea; established a special permit for the summer flounder party/charter sector.

Amendment 11 - modified certain provisions related to vessel replacement and upgrading, permit history transfer, splitting, and permit renewal regulations.

Amendment 12 - revised the Summer Flounder, Scup, and Black Sea Bass FMP to comply with the Sustainable Fisheries Act and established a framework adjustment process; established quota set-aside for research for summer flounder, scup and black sea bass; established state-specific conservation equivalency measures; allowed the rollover of the winter scup quota; revised the start date for the scup summer quota period; established a system to transfer scup at sea.

Framework 1 – established quota set-aside for research for summer flounder, scup and black sea bass.

Addendum IV – provided that upon the recommendation of the relevant monitoring committee and joint consideration with the Mid-Atlantic Fishery Management Council, the Mid-Atlantic Fishery Management Board will decide the state regulations rather than forward a recommendation to the NOAA Fisheries Northeast Fisheries Science Center (NEFSC); made

states responsible for implementing the Mid-Atlantic Fishery Management Boards decisions on regulations.

Addendum VI – provided a mechanism for initial possession limits, triggers, and adjusted possession limits to be set during the annual specification setting process without the need for further Emergency Rules.

Amendment 13 - revised black sea bass commercial quota system; addressed other black sea bass management measures; established multi-year specification setting of quota for summer flounder, scup and black sea bass; established region-specific conservation equivalency measures for summer flounder; built flexibility into process to define and update status determination criteria for each plan species. Amendment 13 also removed the necessity for fishermen who have both a Northeast Region (NER) black sea bass permit and a Southeast Region (SER) snapper/grouper permit to relinquish their permits for a six-month period prior to fishing south of Cape Hatteras during the northern closure.

Framework 5 – established multi-year specification setting of quota for summer flounder, scup, and black sea bass.

Addendum XII - continued the use of a state-by-state allocation system, managed by the ASMFC on an annual coastwide commercial quota.

Addendum XIII – modified the Summer Flounder, Scup, and Black Sea Bass FMP so that Total Allowable Landings for summer flounder, scup, and/or black sea bass can be specified for up to three years.

Addendum XVI – established guidelines for delayed implementation of management strategies.

Amendment 16 - standardized bycatch reporting methodology.

Framework 7 – built flexibility into process to define and update status determination criteria for each plan species.

Addendum XIX – continued the state-by-state black sea bass commercial management measures, without a sunset clause; broadened the descriptions of stock status determination criteria contained within the Summer Flounder, Scup, and Black Sea Bass FMP to allow greater flexibility in those definitions, while maintaining objective and measurable status determination criteria for identifying when stocks or stock complexes covered by the fishery management plan are overfished.

Addendum XX – set policies to reconcile commercial quota overages to address minor inadvertent quota overages; streamlined the quota transfers process and established clear policies and administrative protocols to guide the allocation of transfers from states with underages to states with overages; allowed for commercial quota transfers to reconcile quota overages after a years end.

Amendment 15 - established annual catch limits and accountability measures.

Addendum XXI – allowed more flexibility in setting recreational measures for the 2011 fishing year and proposed state-by-state or regional management measures for the 2011 black sea bass fishery.

Addendum XXII – divided the recreational black sea bass coastwide allocations into state-by-state management for 2012 only.

Amendment 19 (Recreational Accountability Amendment) – modified the accountability measures for the MAFMC recreational fisheries.

Addendum XXIII – established regional management for the 2013 recreational black sea bass fishery.

Addendum XXV – established regional management for the 2014 recreational black sea bass and summer flounder fishery.

Amendment 17 – implemented standardized bycatch reporting methodology.

Framework 8 – allowed the black sea bass recreational fishery to begin on May 15 of each year, instead of May 19, to provide additional fishing opportunities.

Amendment 18 – eliminated the requirement for vessel owners to submit “did not fish” reports for the months or weeks when their vessel was not fishing; removed some of the restrictions for upgrading vessels listed on federal fishing permits.

Addendum XXVII to the Summer Flounder, Scup and Black Sea Bass FMP, continued regional management of the recreational summer flounder fishery, extended ad hoc regional management of the black sea bass recreational fishery for the 2016 and 2017 fishing year and addressed the discrepancies in recreational summer flounder management measures within Delaware Bay.

Specific details for each amendment under development include: None

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

U.S. waters in the western Atlantic Ocean from Cape Hatteras northward to the U.S.-Canadian border.

Goal and Objectives

The objectives of the Summer Flounder, Scup and Black Sea Bass FMP are to:

1. Reduce fishing mortality in the summer flounder, scup and black sea bass fisheries to assure that overfishing does not occur;
2. Reduce fishing mortality on immature summer flounder, scup and black sea bass to increase spawning stock biomass;
3. Improve the yield from these fisheries;
4. Promote compatible management regulations between state and federal jurisdictions;
5. Promote uniform and effective enforcement of regulations;
6. Minimize regulations to achieve the management objectives stated above.

The 2011 Omnibus Amendment contains Amendment 15 to the Summer Flounder, Scup and Black Sea Bass FMP. The amendment is intended to formalize the process of addressing scientific and management uncertainty when setting catch limits for the upcoming fishing year(s) and to establish a comprehensive system of accountability for catch (including both landings and discards) relative to those limits, for each of the managed resources subject to this requirement. Specifically: (1) Establish allowable biological catch control rules, (2) Establish a MAFMC risk policy, which is one variable needed for the allowable biological catch control rules, (3) Establish annual catch limits, (4) Establish a system of comprehensive accountability, which addresses all components of the catch, (5) Describe the process by which the performance of the annual catch limit and comprehensive accountability system will be reviewed, (6) Describe the process to modify the measures above in 1-5 in the future.

Addendum XXVII to the Summer Flounder, Scup and Black Sea Bass FMP, continued regional management of the recreational summer flounder fishery, extended ad hoc regional management of the black sea bass recreational fishery for the 2016 and 2017 fishing year and addressed the discrepancies in recreational summer flounder management measures within Delaware Bay.

STATUS OF THE STOCK

Stock Status

The 2017 black sea bass benchmark stock assessment included data through 2015 and indicated that the stock was not overfished and overfishing was not occurring in 2015. No black sea bass benchmark stock assessment has been scheduled.

Stock Assessment

The 2017 black sea bass benchmark stock assessment estimated fishing mortality and stock sizes using a spatially explicit age-based statistical catch at age model calculated by using the Age Structured Assessment Program. This indicated that the fishing mortality rate was below the threshold reference point and the spawning stock biomass was above the target reference point so the stock was not overfished and overfishing was not occurring as outlined by the biological reference points.

STATUS OF THE FISHERY

Current Regulations

Commercial: 11-inch total length minimum size limit in Atlantic Ocean and internal coastal waters north of Cape Hatteras. Landings windows are set by proclamation with variable harvest limits by gear and time-period (see most recent North Carolina Division of Marine Fisheries (NCDMF) proclamation).

Recreational: 12 ½-inch total length minimum size limit and 15-fish creel limit in Atlantic Ocean and internal coastal waters north of Cape Hatteras. Season for the recreational fishery includes May 15 to September 21 and October 22 to December 31.

Commercial Landings

Most black sea bass landings from north of Cape Hatteras were from trawls, although fish pots and rod and reel gears caught small numbers. Landings generally declined since 2007 but increased notably from 2014 to 2016 (Figure 1). The low landings in 2012-2013 were partly due to the closure of Oregon Inlet to large vessels (such as trawlers) and the consequent transfer of most of North Carolina's quota allocation to Virginia and other states. In 2014 and 2015, more winter trawl vessels returned to North Carolina to land catches rather than transferring quota to Virginia and other states. Trends in commercial trips have generally followed landings trends (Figure 1). Trips include the number of trip ticket records with landings of black sea bass reported. Trips may represent more than one day of fishing, especially for trawling.

Recreational Landings

Recreational harvest of black sea bass from north of Cape Hatteras generally declined since 2006 with the exception of a peak in 2011 (Table 1).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Three NCDMF sampling programs collect biological data on commercial and recreational fisheries that catch black sea bass north of Cape Hatteras. Program 433 (Winter Trawl Fishery) and Program 438 (Offshore Live Bottom Fishery) are the primary programs that collect harvest length data. Other commercial sampling programs focusing on fisheries that do not target black sea bass rarely collect biological data. NCDMF sampling of the recreational fishery through the Marine Recreational Information Program collects harvest length data.

There were no clear trends in commercial length data in 2007 to 2016 (Table 2). Annual mean lengths were fairly consistent for the time-series. Annual maximum length slightly increased in 2016 from recent years. The number of fish measured in 2016 was the second highest in the time-series. Otoliths have been collected since 2013 but age data are not yet available.

There were some potential trends in length data in the recreational fishery but sample size was low throughout 2007-2016 (Table 3). Mean lengths were fairly consistent, although higher earliest in the time-series. The maximum annual length slightly increased in 2016. The number of measurements declined but increased in 2016. Age data were not collected for black sea bass north of Cape Hatteras from recreational fisheries.

Fishery-Independent Monitoring

NCDMF independent sampling programs rarely encounter black sea bass north of Cape Hatteras (Table 4). Most of the sample numbers came from Program 120 (Estuarine Trawl Survey), which typically collects a few samples of black sea bass juveniles from inshore waters each year. However, it is not clear that samples collected inshore north of Cape Hatteras are from the northern stock of black sea bass; this combined with the small sample numbers means that these data cannot be used in an abundance index. NCDMF currently does not have independent sampling programs in ocean waters north of Cape Hatteras.

MANAGEMENT STRATEGY

Management of black sea bass (north of Cape Hatteras) has been based on results from NOAA Fisheries NEFSC stock assessments. Results from the 2017 benchmark stock assessment are being used to guide management. Projections based on stock assessments are used to set the coastwide quota level each year. Amendments to the FMP are undertaken as issues arise that require action.

RESEARCH NEEDS

The following research needs were reviewed (existing needs) or developed (new) during the 2017 Stock Assessment Workshop by the Southern Demersal Working Group and the MAFMC Scientific and Statistical Committee. Text in parentheses indicates known progress made to address needs.

- The panel recommends multiple age-structured models be evaluated for use in a future model such as a simple separable model with smoothing on F among years (some progress has been made, evaluation of catch curves is a routine diagnostic), a more complex, spatially structured model with six month time step within independent stock areas in spring and mixing in winter with natal homing, if data area adequate to support such a model (some progress has been made using area exchange and SS3 models), and consideration should be given to including tag return data in an age-structured (and possibly spatially-structured) assessment model (tag results were considered for use in area exchange models but explored more in SS3 models).
- The panel recommends evaluation of a species specific survey, such as a pot survey to provide increased information on abundances and biological characteristics (some research has been done but was terminated by MAFMC due to program design).
- Continue and expand the tagging program to provide increased age information and increased resolution on mixing rates among putative populations (no additional designed tagging projects were conducted).
- Continue and expand genetic studies to evaluate the potential of population structure north of Cape Hatteras (some genetic work evaluated for the Gulf of Maine by Northeastern University).
- Continue research on rate, timing and occurrence of sex-change in this species. Recent research findings discussed at the stock assessment review committee lead to the hypothesis that protogyny is not obligate in this species – some individuals may never have been female before maturing as a male (NEFSC and Rutgers University continue research).
- The validity of the age data used in the assessment requires further evaluation, in particular the reliability of scale-based ageing needs to be determined. A scale-otolith intercalibration exercise might be of utility (the working paper within the latest assessment explores this issue).
- Expand on previous genetic studies with smaller spatial increments in sampling (progress unknown).
- Consider the impact of climate change on black sea bass, particularly in the Gulf of Maine (progress unknown).
- Evaluate population sex change and sex ratio, particularly comparing dynamics among communities (progress unknown).
- Study black sea bass catchability in a variety of survey gear types (progress unknown).
- Investigate and document social and spawning dynamics of black sea bass (progress unknown).

- Increased work to understand habitat use in sea bass and seasonal changes (progress unknown).
- Evaluate use of samples collected by industry study fleets (progress unknown).

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TABLES

Table 1. Recreational hook and line harvest of black sea bass north of Cape Hatteras in numbers of fish from Marine Recreational Information Program data 2007-2016.

Year	Harvest (numbers)
2007	8,517
2008	9,353
2009	3,307
2010	10,850
2011	30,975
2012	3,975
2013	8,002
2014	696
2015	1,966
2016	864

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – BLACK SEA BASS (NORTH)

Table 2. Summary of length (total length, mm) and age data for black sea bass north of Cape Hatteras from NCDMF commercial fishery sampling programs. “ND” represents no data available.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	386	235	670	3,336	ND	ND	ND	ND
2008	375	234	656	6,379	ND	ND	ND	ND
2009	381	233	662	3,991	ND	ND	ND	ND
2010	378	226	635	5,254	ND	ND	ND	ND
2011	377	228	631	2,976	ND	ND	ND	ND
2012	373	260	586	1,145	ND	ND	ND	ND
2013	378	229	611	1,696	ND	ND	ND	ND
2014	382	214	622	3,889	ND	ND	ND	ND
2015	392	219	618	7,261	ND	ND	ND	ND
2016	401	236	719	6,623	ND	ND	ND	ND

Table 3. Summary of length (total length, mm) and age data for black sea bass north of Cape Hatteras from NCDMF recreational fishery sampling program. “ND” represents no data available.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	429	280	553	26	ND	ND	ND	ND
2008	358	273	501	48	ND	ND	ND	ND
2009	379	293	611	48	ND	ND	ND	ND
2010	356	276	529	29	ND	ND	ND	ND
2011	361	273	568	36	ND	ND	ND	ND
2012	384	304	511	14	ND	ND	ND	ND
2013	350	238	518	15	ND	ND	ND	ND
2014	378	314	523	8	ND	ND	ND	ND
2015	382	325	511	10	ND	ND	ND	ND
2016	361	309	542	21	ND	ND	ND	ND

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – BLACK SEA BASS (NORTH)

Table 4. Summary of length (total length, mm) and age data for black sea bass north of Cape Hatteras from NCDMF fishery-independent sampling programs. “ND” represents no data available.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	229	157	362	4	ND	ND	ND	ND
2008	131	110	157	8	ND	ND	ND	ND
2009	96	40	130	13	ND	ND	ND	ND
2010	148	42	247	19	ND	ND	ND	ND
2011	173	69	249	30	ND	ND	ND	ND
2012	198	122	333	379	ND	ND	ND	ND
2013	195	32	328	359	ND	ND	ND	ND
2014	180	76	301	110	ND	ND	ND	ND
2015	110	103	117	2	ND	ND	ND	ND
2016	165	165	165	1	ND	ND	ND	ND

FIGURES

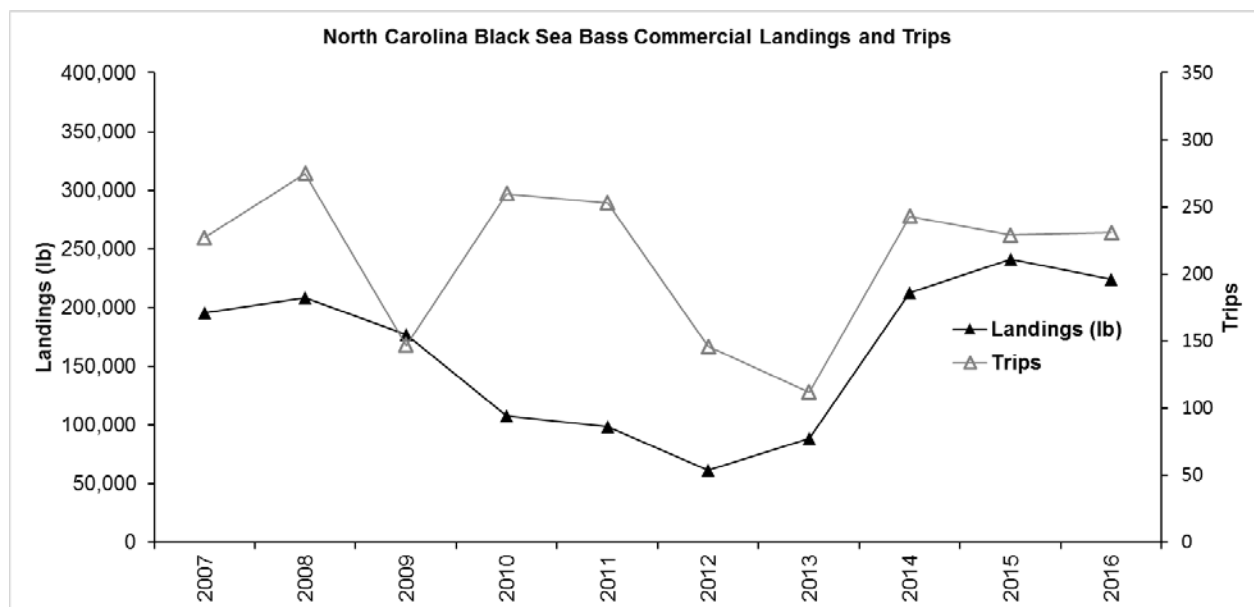


Figure 1. North Carolina commercial landings (total pounds, lb) and trips for black sea bass north of Cape Hatteras 2007-2016.

**FISHERY MANAGEMENT PLAN UPDATE
BLUEFISH
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	October 1989 (Atlantic States Marine Fisheries Commission)
Amendments:	Amendment 1 – 1999 Framework 1 – 2001 Amendment 2 – 2007 Amendment 3 – 2011 Addendum I – 2012 Amendment 4 – 2013 Amendment 5 – 2015
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	July 2020

The ASMFC/MAFMC bluefish Fishery Management Plan (FMP) is the first plan developed jointly by an interstate commission (Atlantic States Marine Fisheries Commission or ASMFC) and a federal fishery management council (Mid-Atlantic Fishery Management Council or MAFMC). The ASMFC and the MAFMC jointly manage bluefish under Amendment 1 to the bluefish FMP. Amendments 2-5 implemented federal measures that were added to all of the MAFMC FMPs. Amendment 1 initiated a 10-year rebuilding schedule to eliminate overfishing and allow for stock rebuilding to a level which would support harvest at or near maximum sustainable yield by the year 2010 or earlier. The stock was declared rebuilt in 2009.

The FMP allows a state-by-state commercial quota system and a coastwide recreational harvest limit to reduce fishing mortality. The ASMFC and MAFMC adjust both annually by the specification setting process that is detailed in Amendment 1. Amendment 1 outlines a series of permitting and reporting requirements such as the requirement of operator permits for commercial, party, and charter boats; vessel permits for commercial, party and charter boats, as well as, dealer permits. The monitoring committee is responsible for reviewing the best available

data on an annual basis and recommending commercial and recreational management measures designed to ensure that the resource does not exceed the target fishing mortality rate.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015). The FMP allows an annually adjusted, state-by-state commercial quota system and recreational harvest limits to reduce fishing mortality.

In 2005, the stock assessment review committee approved the use of an age structured assessment program (ASAP) for bluefish. The bluefish stock successfully rebuilt under the management program in Amendment 1, but the MAFMC and ASMFC were exploring ways to address uncertainties involved in the stock assessment. More specifically, the most recent benchmark assessment revealed gaps in age length keys used in the ASAP model, and therefore, the assessment results should be used with caution (NEFSC 2005). The purpose of Addendum I was increase the number of aging samples available for the stock assessment and extend the geographic range of age samples to develop a coastwide age-length key. States that account for more than five percent of total coastwide bluefish harvest (recreational and commercial combined) are required to collect a minimum of 100 bluefish ages (50 from January through June, 50 from July through December). These states are: Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and North Carolina.

In 2015, the stock assessment review committee approved a new benchmark stock assessment model for bluefish. Based on the 2015 benchmark stock assessment and peer review conducted by the Northeast Regional 60th stock assessment workshop, bluefish are not overfished and not experiencing overfishing.

Management Unit

The FMP defines the management unit as bluefish occurring in U.S. waters of the western Atlantic Ocean and is considered a single stock of fish. States with a declared interest in the bluefish FMP include all member states, with the exception of Pennsylvania and the District of Columbia.

Management issues are addressed through the ASMFC bluefish Management Board and the MAFMC Demersal committee. The ASMFC Bluefish Technical Committee provides technical advice. A joint ASMFC/MAFMC Technical Monitoring Committee conducts annual plan monitoring and provides framework adjustment recommendations. The ASMFC Stock Assessment Subcommittee addresses stock assessment matters.

Goal and Objectives

On July 26, 2000, the National Marine Fisheries Service published the final rule to implement the measures contained in Amendment 1 of the ASMFC/MAFMC bluefish FMP. The goal of Amendment 1 is to conserve the bluefish resource along the Atlantic Coast, specifically to: 1) increase understanding of the stock and fishery; 2) provide highest availability of bluefish to U.S. fishermen; while maintaining, within limits, traditional uses of bluefish; 3) provide for cooperation among the coastal states, the various regional marine fishery management councils, and federal agencies involved along the coast to enhance the management of bluefish throughout its range; 4) prevent recruitment overfishing; and 5) reduce the waste in both the commercial and recreational fisheries.

STATUS OF THE STOCK

Stock Status

A new benchmark stock assessment was completed in 2015 and indicates that bluefish are not experiencing overfishing and are not overfished.

Stock Assessment

The 2015 benchmark stock assessment (using 2014 catch data) indicate that bluefish are not overfished and overfishing is not occurring, based on the biological reference points developed for review in the 2015 stock assessment review committee. Estimates from the model using state and federal indices show a decreasing trend in fishing mortality, an increasing trend in population biomass, and an increasing trend in population numbers from 1998 to 2006 followed by a decline in 2007 (88 million fish), and increases in 2013 (72 million fish) and 2014 (82 million fish) (Figure 1).

STATUS OF THE FISHERY

Current Regulations

There is a recreational bag limit of 15 fish per day. Only five of the 15 fish bag limit can be greater than 24-inches total length.

Commercial Landings

Bluefish landings have fluctuated annually since landings have been recorded (Figure 2). Landings have been on a relatively stable trend since 1994. Bluefish landings reached the second lowest point in the time series in 2015. The clear majority of bluefish are harvested from the ocean gill net fishery, followed by the estuarine gill net fishery.

Recreational Landings

Recreational landings for bluefish have been relatively stable since the 1990's (Figure 3). Most of bluefish are harvested from the ocean by anglers fishing from the beach or man-made structures such as piers, jetties, and bridges. Bluefish are one of the most frequently harvested fish in North Carolina.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Bluefish are sampled from a variety of commercial fishery surveys, including the estuarine long haul, ocean trawl, pound net, ocean gill net, estuarine gill net and ocean beach seine fisheries in North Carolina. Trip ticket information is obtained of the total catch in the trip. Information on the location(s) of the catch should be obtained in as much detail as possible (e.g. water body, nearest landmark, marker number, etc.). Questions for the fisherman include: What gear or gears were used, gear parameters, (i.e. mesh size, number of meshes deep, twine size, etc.), time fished with each gear, location and depth of water fished. Biological information on landed catch of bluefish is collected, including: fork length (mm) and aggregate weight (kg) by market grade.

A total of 58,492 were measured from 2007 to 2016 (Table 1). Mean fork length (mm) has ranged from 348 mm to 461 mm with a minimum of 131 mm and maximum of 886 mm seen in the measurements.

Fishery-Independent Monitoring

Bluefish are found in several of NCDMF sampling programs, including the juvenile trawl (P120), the Pamlico Sound trawl (P195), and the Pamlico Sound independent gillnet (P915), and Long-line (P365) surveys. The Division's Pamlico Sound Independent Gill Net Survey was initiated in May of 2001 and has sampled continuously since. This survey catches more bluefish than any other independent surveys. This survey provides fishery independent indices of relative abundance by size class, which when applied to the appropriate age-length keys can produce annual catch-at-age estimates. These estimates will provide essential data for input into future stock assessments. The Catch per Unit of Effort (CPUE) or number of bluefish per set has ranged from 2.7 in 2015 to 7.8 in 2007 during the last 16 years (Figure 4).

The majority of bluefish age samples are obtained from the Pamlico Sound Independent Gillnet Survey. Bluefish ages range from 0 to 11 years old, with modal ages ranging from 1 to 3 years old (Table 2).

MANAGEMENT STRATEGY

Bluefish are managed under Amendment 1 to the Fishery Management Plan for the bluefish fishery and Addendum I. The Commission and Council approved Amendment 1 to the FMP in 1998. Amendment 1 allocates 83 percent of the resource to recreational fisheries and 17 percent to commercial fisheries. However, the commercial quota can be increased up to 10.5 million

pounds if the recreational fishery is projected to not land its entire allocation for the upcoming year. The commercial fishery is controlled through state-by-state quotas based on historic landings from 1981-1989. The recreational fishery is managed using a 15-fish bag limit.

A coastwide biological sampling program to improve the quantity and quality of information used in future bluefish stock assessments was approved and implemented in 2012 through Addendum I. A 2013 review the inaugural biological sampling program found the geographic range, distribution of sampling times, and program design are effectively capturing age data. A new benchmark stock assessment was completed in 2015.

The ASMFC/MAFMC FMP allocates 32 percent of the Atlantic Coast total bluefish quota to North Carolina. The FMP for bluefish welcomes individual states to implement management measures in addition to those required by the FMP or FMP amendments. The scope of North Carolina's bluefish proclamation authority is limited to actions which comply with the management requirements incorporated in Federal Fishery Management or Atlantic States Marine Fisheries Commission plans (15A NCAC 03M .0512). North Carolina continues to maintain a 15-fish recreational bag limit on bluefish that has been in place since June 19, 2001. An additional restriction that only five of the 15 fish can be greater than 24-inches total length, did not fall within the proclamation authority of the NCDMF Director, and required a North Carolina rule change. This management measure had full support of recreational anglers and advisory committees, was passed unanimously by the N.C. Marine Fisheries Commission (4/23/2002), and the rule (15A NCAC 03M .0511) went into effect 4/01/2003.

RESEARCH NEEDS

- Continue research on species interactions and predator-prey relationships. Investigate the feasibility of alternative survey methods that target bluefish across all age classes to create a more representative fishery-independent index of abundance
- Initiate sampling of offshore populations in winter months
- Initiate coastal surf zone seine study to provide more complete indices of juvenile abundance
- Develop additional adult bluefish indices of abundance (e.g., broad spatial scale longline survey or gillnet survey)
- Expand age structure of SEAMAP index
- Investigate species associations with recreational angler trips targeting bluefish (on a regional and seasonal basis) to potentially modify the MRIP index used in the assessment model
- Explore age- and time-varying natural mortality from, for example, predator prey relationships; quantify effects of age- and time-varying natural mortality in the assessment model
- Continue to evaluate the spatial, temporal, and sector-specific trends in bluefish growth and quantify their effects in the assessment model
- Continue to examine alternative models that take advantage of length-based assessment frameworks. Evaluate the source of bimodal length frequency in the catch (e.g., migration, differential growth rates)
- Modify thermal niche model to incorporate water temperature data more appropriate for bluefish in a timelier manner [e.g., sea surface temperature data & temperature data that cover the full range of bluefish habitat (SAB and estuaries)]

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TABLES

Table 1. Summary of length data sampled from the bluefish commercial fishery.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	387	142	833	7,089
2008	416	131	826	6,359
2009	461	145	860	5,784
2010	422	146	886	5,388
2011	406	155	843	4,653
2012	348	134	862	5,731
2013	359	158	830	5,819
2014	371	192	858	5,485
2015	352	180	778	5,333
2016	353	195	840	6,851

Table 2. Bluefish age data collected from all sources combined, 2007-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2007	2	0	11	432
2008	1	0	10	656
2009	3	0	10	489
2010	3	0	8	527
2011	3	0	9	552
2012	1	0	9	811
2013	0	0	9	741
2014	1	0	9	792
2015	1	0	9	530
2016	1	0	11	598

FIGURES

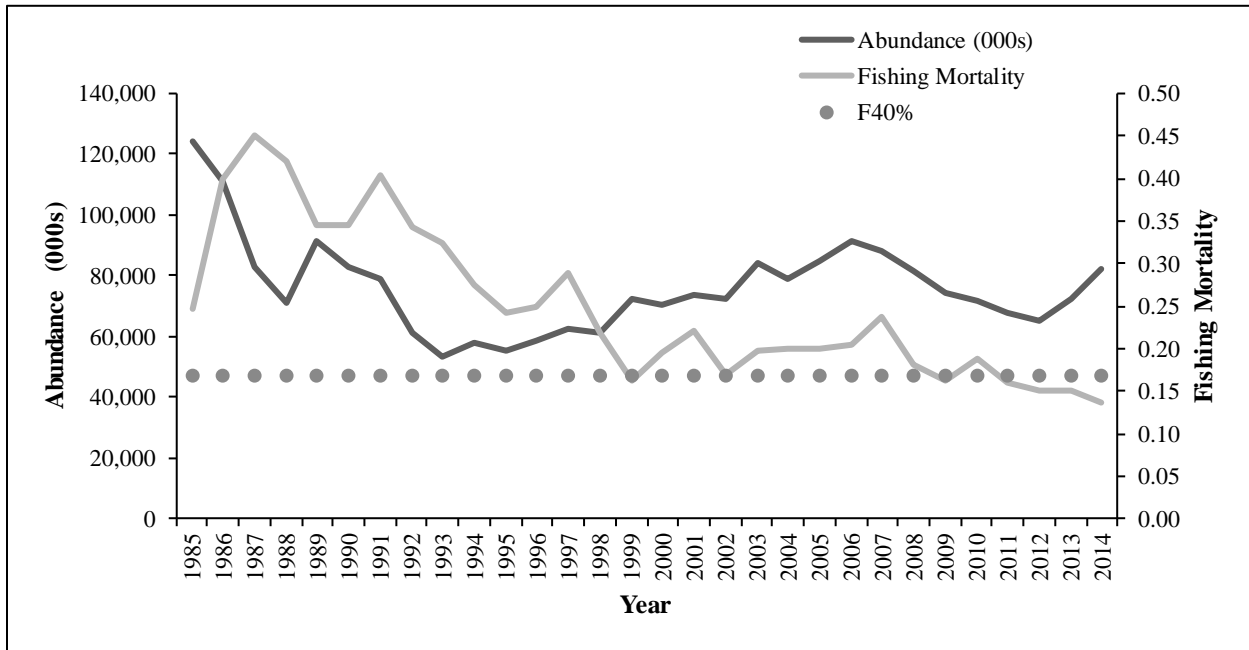


Figure 1. Total bluefish abundance and fishing mortality as estimated in the benchmark model updated through 2014. $F_{40\%}$ (fishing mortality that would result in a 40% spawning potential ratio) indicated by dotted horizontal line (cited from NEFSC (2015)).

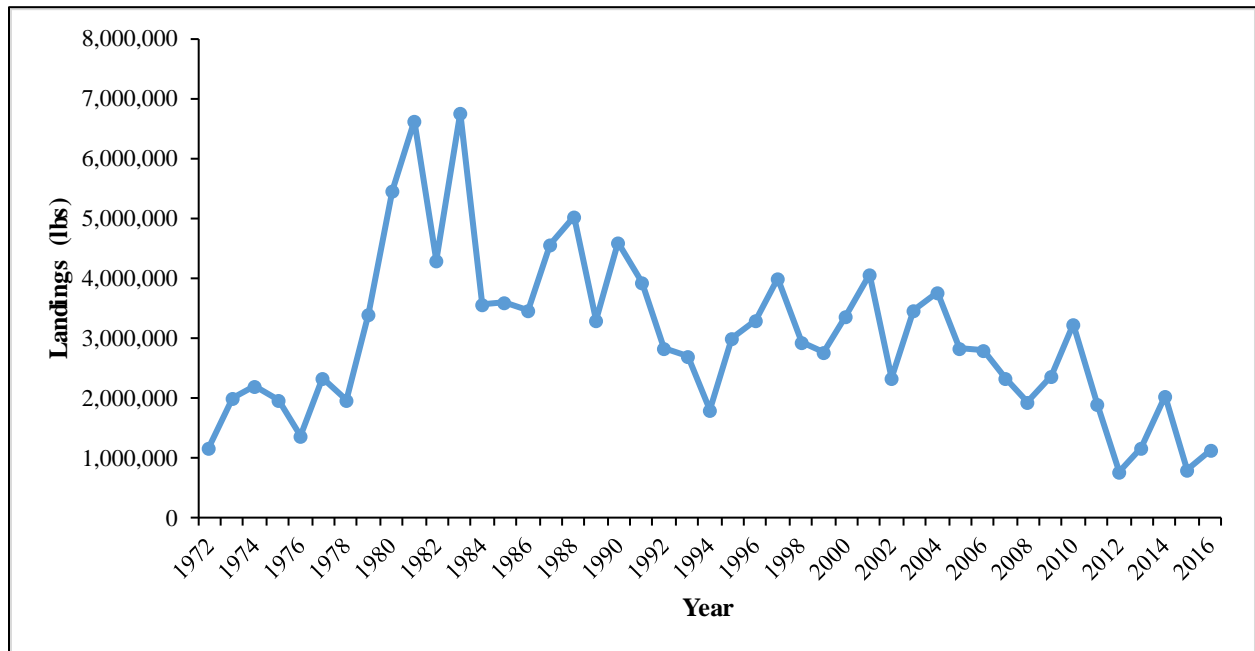


Figure 2. North Carolina commercial landings of bluefish from 1972 to 2016.

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – BLUEFISH

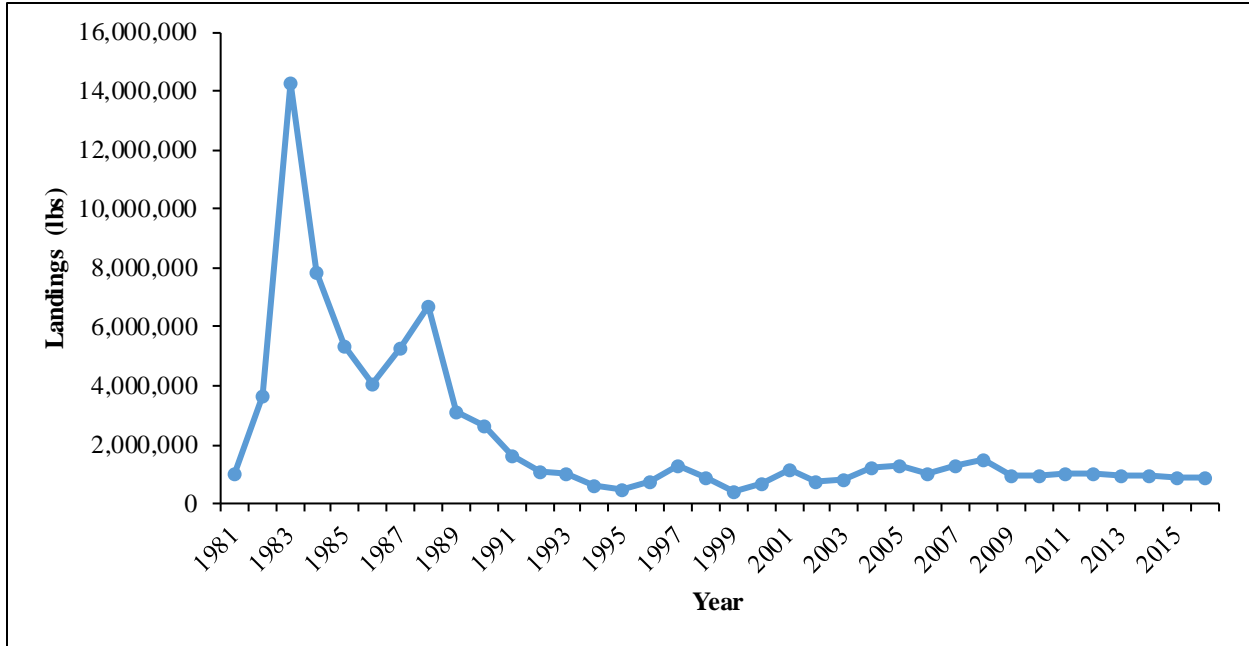


Figure 3. North Carolina recreational landings of bluefish from 1981 to 2016.

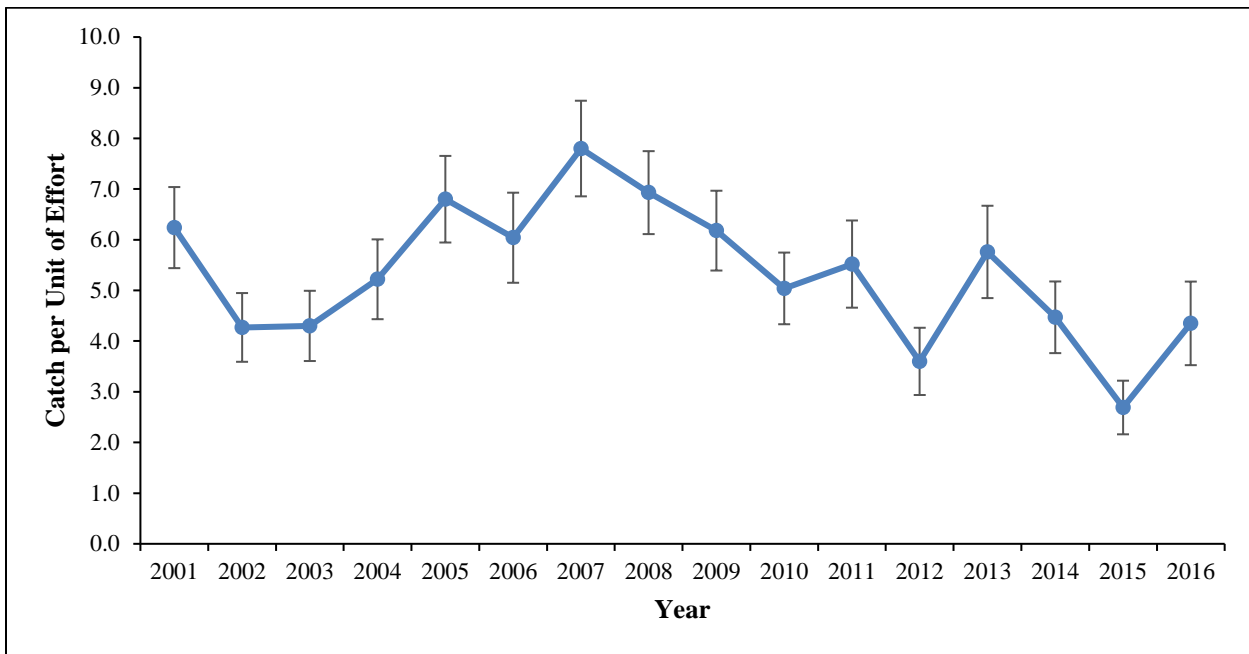


Figure 4. Catch per Unit of Effort of bluefish, from the Pamlico Sound Independent Gillnet Survey from 2001 to 2016.

**FISHERY MANAGEMENT PLAN UPDATE
SPOT
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	October 1987
Amendments:	Omnibus Amendment – August 2012 Addendum I – August 2014
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	August 2017.

The original interstate Fishery Management Plan (FMP) for spot was adopted in 1987 with recommendations to improve data collections to produce a stock assessment and improve information for management (ASMFC 1987). The original FMP for spot was adopted prior to passage of the Atlantic Coastal Fisheries Cooperative Management Act (1993) and the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Program (ISFMP) Charter (1995). After passage of the Act, the ASMFC adopted the Charter to establish standards and procedures for the preparation and adoption of the FMPs. Once an FMP was amended to incorporate the standards and procedures in the ISFMP Charter, the Commission could adopt management requirements that can be enforced through the Act. The Omnibus Amendment updates the spot FMP with the Act and Charter requirements and initiated annual trigger exercises to monitor the status of the spot resource while also directing the board to consider management action depending on the results of the trigger exercise (ASMFC 2012). Without coast-wide minimum management measures, the trigger exercises did little to provide effective management in between stock assessments. Because of this, Addendum I to the Amendment was developed establishing the use of the Traffic Light Approach (Caddy and Mahon 1995; Caddy 1998; Caddy 1999) with a precautionary management framework for spot. The management framework utilizing the Traffic Light Approach replaced the management triggers established in the Omnibus Amendment.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law,

approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

Delaware through the east coast of Florida.

Goal and Objectives

The primary goal of the Omnibus Amendment is to bring the FMPs for Spanish mackerel, spot, and spotted seatrout under the authority of the Act, providing for more efficient and effective management and changes to management in the future. The objectives for spot under this amendment include:

1. Increase the level of research and monitoring of spot bycatch in other fisheries, to complete a coast-wide stock assessment.
2. Manage the spot fishery to encourage reduced mortality on spot stocks until age one.
3. Develop research priorities that will further refine the spot management program to maximize the biological, social, and economic benefits derived from the spot population. The Omnibus Amendment does not require specific fishery management measures in either the recreational or commercial fisheries for states within the management unit range.

STATUS OF THE STOCK

Stock Status

No coastwide assessment has been completed for spot. The first benchmark stock assessment is scheduled for completion in 2017.

Stock Assessment

An ASMFC benchmark stock assessment is scheduled for completion in 2017. To evaluate the status of the stock until the assessment is completed, the South Atlantic State/Federal Fisheries Management Board reviewed the Traffic Light Analysis (TLA) established under Addendum I. The name comes from assigning a color (red, yellow, green) to categorize relative levels of indicators on the condition of the population (abundance metric) or fishery (harvest metric). For example, as harvest or abundance decrease, the amount of red in that year becomes more predominant. The composite harvest index did not trip in 2013-2014 with the mean red

proportion of 29.4 percent (Figure 1). The index did trip in 2013 (38.1 percent) and 2012 (34.8 percent). The decline in the harvest index was driven primarily by declining commercial landings rather than declining recreational harvest. The composite abundance index for adult spot (National Oceanic and Atmospheric Administration (NOAA) and Southeast Area Monitoring and Assessment Program (SEAMAP) surveys) did trigger in 2014 with a mean red proportion for 2013-2014 of 43.5 percent (Figure 2). The traffic light is updated in September each year. Due to the ongoing stock assessment, the traffic light has not been updated with 2015 or 2016 data.

STATUS OF THE FISHERY

Current Regulations

There are no commercial or recreational regulations on spot in North Carolina.

Commercial Landings

Two gear types (gill nets, and haul seines) are used in directed commercial trips and harvest of spot. Other gear types, including sciaenid pound nets, contribute minimally to spot commercial landings. Commercial landings since 1994 have averaged 1,645,036 pounds. Commercial spot landings have fluctuated but generally declined since 2001 (Figure 3). Commercial landings in 2015 were 377,358 pounds and dropped to 235,670 pounds in 2016.

Recreational Landings

Spot are targeted by shore based anglers and those fishing from private vessels during the fall. Recreational angler harvest data are collected by the Marine Recreational Information Program (MRIP). Recreational spot harvest averaged 883,833 pounds from 1994 through 2016 (Table 1). Harvest of spot was steady from 1994 through 2007 with some fluctuation. Harvest decreased from 2007 through 2010 before rebounding slightly in 2011 then dropping to a then 22 year low of 230,250 pounds in 2012. Harvest increased from 2012 to 704,445 pounds in 2014 before decreasing to 395,268 pounds in 2015. The 151,352 pounds of spot harvested in 2016 is the lowest amount in the past 22 years. Number of releases has averaged 1,019,677 individuals from 1994 through 2016. The number of releases in 2016 (498,374) was the lowest since 2000.

There were no noticeable trends in mean fork length (FL) of spot measured by MRIP samplers from 2007-2016 (Table 2). Mean FL has ranged from 200 mm to 230 mm. In 2016, 107 spot were measured (10 year low) with a mean FL of 200 mm, a minimum of 160 mm and a maximum of 263 mm (10 year low).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Since 1994, the North Carolina Trip Ticket Program (NCTTP) has collected data on the commercial harvest of spot. Commercial fishing activity is also monitored through fishery dependent sampling conducted by the division since 1982. Data collected in this program allow

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SPOT

the size and age distribution of spot to be characterized by gear and fishery. Several North Carolina Division of Marine Fisheries (NCDMF) sampling programs collect biological data on commercial fisheries that harvest spot. The primary programs that collect length and age data for harvested spot include: Program 461 (estuarine gill net), Program 437 (long haul seine), and Program 434 (ocean gill net). Total number of measured spot has decreased since 2005 (Table 3). Mean, minimum, and maximum FL has fluctuated but generally has been stable. Mean FL ranged from 202.5 mm in 2016 to 230.3 mm in 2005. In 2016, 1,541 spot were measured (a 10 year low) from commercial fisheries with a mean FL of 202.5 mm, a minimum of 125 mm, and a maximum of 325 mm.

Harvest data from the Recreational Commercial Gear License (RCGL) were collected from 2002 to 2008. The program was discontinued in 2009 due to lack of funding. From 2002-2008, an average of 10,917 RCGL trips harvested 203,383 pounds of spot per year (Table 4).

Fishery-Independent Monitoring

The Pamlico Sound Survey (Program 195) samples 54 randomly selected stations (grids) in June and September. Stations are randomly selected from strata based upon depth and geographic location. Tow duration is 20 minutes, using double rigged demersal mongoose trawls (9.1 m headrope, 1.0 X 0.6 m doors, 2.2-cm bar mesh body, 1.9-cm bar mesh cod end and a 100-mesh tailbag extension). Data from this survey are used to produce juvenile abundance indices for spot. Length cutoffs for juvenile spot are fish <120 mm FL in June, and fish <140 mm FL in September. The June index varied greatly with a peak of 1,347.4 individuals per tow in 2008 (Table 5). The 2016 CPUE was 291.0 individuals per tow, a decrease from the 2015 CPUE and below the 12 year average of 541.6 individuals per tow.

Modal age of spot was one from 2005 to 2015 (Table 6). Modal age in 2016 was zero. Minimum age was zero and maximum age ranged from three to six from 2005 to 2015. Age data from 2014 and 2016 is considered preliminary.

MANAGEMENT STRATEGY

Addendum I established use of a TLA to evaluate fisheries trends and develop state-specific management actions (e.g. bag limits, size restrictions, time and area closures, and gear restrictions) when harvest and abundance thresholds are exceeded for two consecutive years. The TLA improves the management recommendations in response to declines in the stock or fishery. Since both population characteristics (harvest and abundance) were not above the 30 percent threshold for 2013-2014, management triggers were not tripped. The TLA has not been updated with data from 2015 and 2016 because of the ongoing benchmark stock assessment for spot which is scheduled to be completed in 2017.

RESEARCH NEEDS

There are no research or monitoring programs required of the states except for the submission of an annual compliance report. However, several coastwide and state-specific research recommendations have been identified through the FMP process.

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SPOT

- State monitoring and reporting on the extent of unutilized bycatch and fishing mortality on fish less than age-1 in fisheries that take significant numbers of spot – HIGH (Ongoing in North Carolina)
- Evaluate the effects of mandated bycatch reduction devices on spot catch in those states with significant commercial harvests – HIGH (Ongoing in North Carolina)
- Develop fishery-dependent and fishery-independent size and sex-specific relative abundance estimates – High (Ongoing in North Carolina)
- Develop cooperative coastwide spot juvenile indices to clarify stock status – HIGH (Ongoing)
- Continue monitoring long-term changes in spot abundance, growth rates, and age structure – High (Ongoing in North Carolina)
- Continue monitoring of juvenile spot populations in major nursery areas – HIGH (Ongoing in North Carolina)
- Improve spot catch and effort statistics from the commercial and recreational fisheries, along with size and age structure of the catch, to develop production models – HIGH (Ongoing in North Carolina)
- Conduct age validation studies – HIGH (Needed)
- Cooperatively develop criteria for aging spot otoliths and scales – HIGH (Needed)
- Develop catch at age matrices for recreational and commercial fisheries – HIGH (Needed)
- Determine the effect that anthropogenic perturbations may be having on growth, survival, and recruitment – HIGH (Needed)
- Develop stock assessment analyses appropriate to current data – MEDIUM (Ongoing)
- Cooperatively develop a yield per recruit analysis – MEDIUM (Needed)
- Develop stock identification methods and investigate the degree of mixing between state stocks during the annual fall migration – MEDIUM (Needed)
- Determine migratory patterns through tagging studies – MEDIUM (Needed)
- Determine the onshore vs. offshore components of the spot fishery – MEDIUM (Ongoing through NCDMF fishery dependent sampling)

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ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SPOT

TABLES

Table 1. North Carolina recreational harvest of spot with landings in number, pounds, and number released, 1994-2016. Percent Standard Error (PSE) is given for each. Data from 1994-2003 uses the old MRFSS calculation method and data from 2004-2016 uses the new MRIP calculation method.

Year	Harvest Number	PSE	Weight	PSE	Number Released	PSE
1994	5,929,269	9.3	1,842,379	9.5	1,363,884	7.4
1995	3,329,981	9.1	1,248,008	9.5	1,035,361	8.9
1996	2,007,071	8.6	710,094	9.1	924,204	7.2
1997	1,440,661	12.5	722,877	13.8	450,663	7.5
1998	2,865,190	13.8	1,249,555	15	650,157	9.1
1999	1,308,167	11.5	646,670	13.5	633,112	9.3
2000	1,924,107	12.4	893,844	15.9	481,995	8.8
2001	3,650,711	9	1,773,689	9.5	1,143,695	8.4
2002	2,586,313	10.4	984,909	10.7	671,669	9.2
2003	3,796,557	9.9	1,714,177	10.1	1,132,992	8.6
2004	3,825,768	11.1	1,749,843	12	1,257,887	13.3
2005	3,012,872	17.1	1,102,398	17.2	1,334,559	13.5
2006	2,978,506	24.6	1,059,852	24.8	2,588,647	20
2007	3,078,346	17.2	982,463	16.9	1,197,005	17.8
2008	1,843,343	18	670,511	19.4	1,322,408	14.4
2009	1,056,346	18	363,998	17.9	1,222,053	13.5
2010	834,560	14.2	260,341	13.8	871,054	13.8
2011	1,207,335	15.8	410,317	16.8	1,000,566	11.6
2012	784,272	22.1	230,250	24	759,081	11.9
2013	1,464,592	15.3	460,928	16.8	1,314,199	12.1
2014	2,111,880	20.5	704,445	21.8	890,831	12.1
2015	1,081,083	28	395,268	29.1	708,122	14.5
2016	513,320	23.1	151,352	23.2	498,424	19.2
Average	2,288,272		883,833		1,019,677	

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SPOT

Table 2. Total number measured, mean, minimum, and maximum fork length (mm) of spot measured by MRIP sampling in North Carolina, 2007-2016.

Year	Mean Length	Minimum Length	Maximum Length	Number Measured
2007	230	144	299	1,243
2008	213	128	311	1,344
2009	216	126	274	682
2010	209	147	306	1,096
2011	209	149	283	1,534
2012	200	141	298	611
2013	207	115	293	484
2014	210	121	258	344
2015	207	154	302	214
2016	200	160	263	107

Table 3. Mean length, minimum length, maximum fork length (mm), and total number of spot measured from North Carolina commercial fish house samples, 2005-2016.

Year	Mean Length	Minimum Length	Maximum Length	Number Measured
2005	230.3	158	332	13,869
2006	217.2	136	335	11,868
2007	206.9	152	306	12,445
2008	208.5	105	337	9,384
2009	208.5	111	298	8,546
2010	209.3	155	294	7,047
2011	211.3	116	334	8,432
2012	206.3	165	300	4,278
2013	212.9	119	339	4,626
2014	208.0	161	334	6,412
2015	208.1	162	324	4,476
2016	202.5	125	325	1,541

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SPOT

Table 4. North Carolina RCGL harvest of spot 2002-2008, with number of trips and landings in pounds. Estimates of trips and landings are from a RCGL survey conducted from 2002-2008; funding was discontinued in 2009.

Year	Trips	Pounds
2002	16,731	339,077
2003	11,799	255,060
2004	12,610	252,291
2005	9,703	193,769
2006	10,511	180,342
2007	7,399	97,753
2008	7,664	105,392
Mean	10,917	203,383

Table 5. Number of tows (N), spot juvenile (<120 mm FL) abundance index (CPUE; number per tow) for June, with Percent Standard Error (PSE), from the Pamlico Sound Survey (Program 195), 2005-2016.

Year	N	CPUE	PSE
2005	52	207.8	15
2006	54	90.6	18
2007	51	174.4	23
2008	54	1,347.4	23
2009	54	193.2	18
2010	54	727.7	19
2011	54	407.0	15
2012	54	1,055.9	10
2013	54	1,188.4	17
2014	54	410.6	14
2015	54	405.5	12
2016	54	291.0	14

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SPOT

Table 6. Total number aged, modal, minimum, and maximum age of spot in North Carolina, 2005-2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2005	1	0	6	529
2006	1	0	5	501
2007	1	0	3	284
2008	1	0	3	408
2009	1	0	3	365
2010	1	0	3	268
2011	1	0	3	413
2012	1	0	4	230
2013	1	0	3	360
2014*	1	0	3	702
2015	1	0	3	505
2016*	0	0	3	374

*Data is preliminary

FIGURES

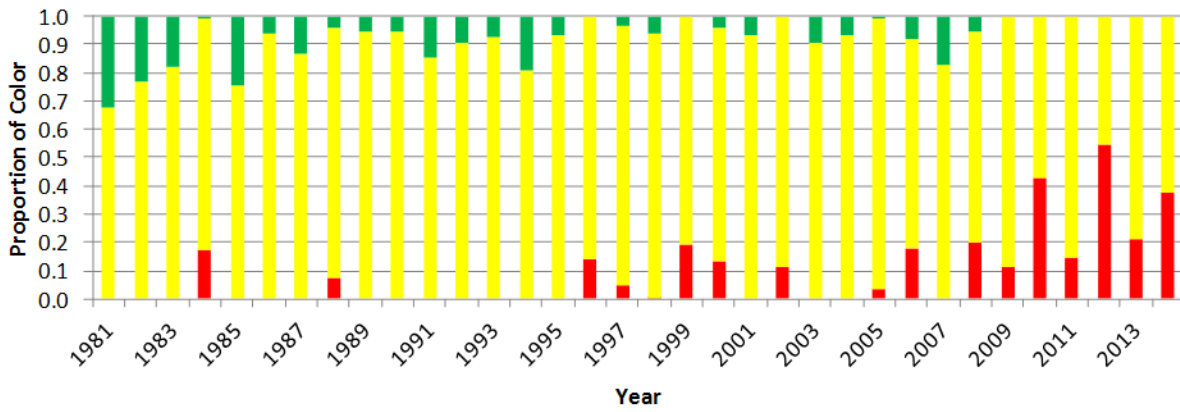


Figure 1. Annual color proportions for the harvest composite TLA (using a 1989-2012 reference period) of spot recreational and commercial landings, 1981-2014 (ASMFC 2016).

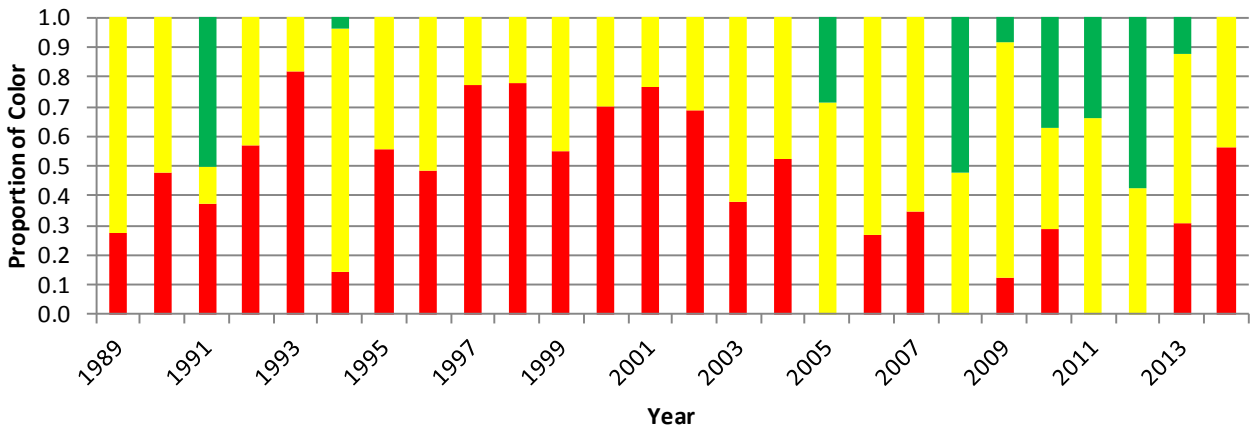


Figure 2. Abundance composite index (using a 1989-2012 reference period), 1989-2014 (ASMFC 2016).

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SPOT

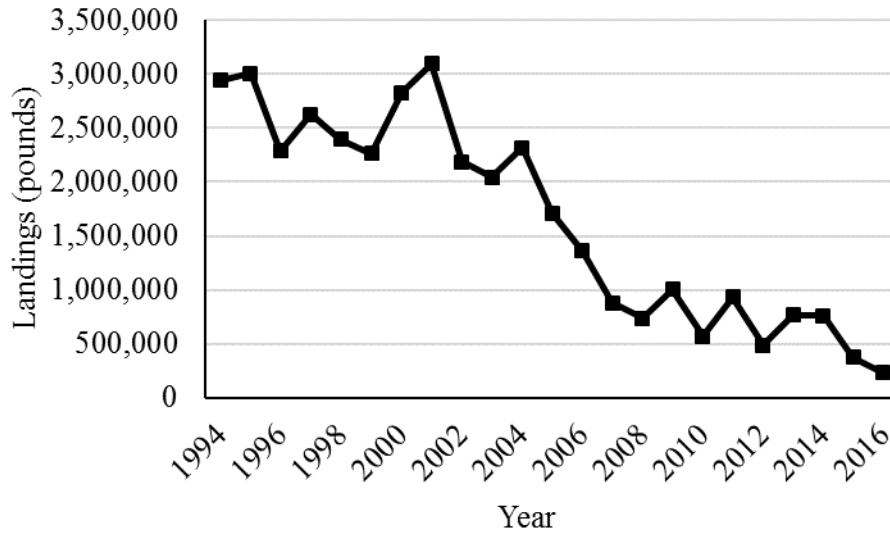


Figure 3. North Carolina commercial landings of spot, 1994-2016.

**FISHERY MANAGEMENT PLAN UPDATE
ATLANTIC STRIPED BASS
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	October 1981
Amendments:	Amendment 1 – 1984 Amendment 2 – 1984 Amendment 3 – October 1985 Amendment 4 – 1989 October Addendum I – 1991 Addendum II – 1992 Addendum III – 1993 Addendum IV – 1994 Amendment 5 – March 1995 Addendum I – January 1997 Addendum II – October 1997 Source Document to Amendment 5 January 1998 Addendum III – October 1998 Addendum IV – October 1999 Addendum V – January 2001 Amendment 6 – February 2003 Addendum I – November 2007 Addendum II – November 2010 Addendum III – August 2012 Addendum IV – October 2014
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	2018

The Atlantic States Marine Fisheries Commission (ASMFC) developed a fisheries management plan (FMP) for Atlantic Striped Bass in 1981 in response to declining juvenile recruitment and landings. The FMP recommended increased restrictions on commercial and recreational fisheries, such as minimum size limits and harvest closures on spawning grounds. Two

amendments were passed in 1984 recommending additional management measures to reduce fishing mortality. To strengthen the management response and improve compliance and enforcement, the Atlantic Striped Bass Conservation Act (P.L. 98-613) was passed in late 1984, which mandated the implementation of striped bass regulations passed by the ASMFC, and gave the ASMFC authority to recommend to the Secretaries of Commerce and Interior that states be found out of compliance when they failed to implement management measures consistent with the FMP.

The first enforceable plan, Amendment 3, was approved in 1985, and required size regulations to protect the 1982 year-class, which was the first modest size cohort since the previous decade. The objective was to increase size limits to allow at least 95 percent of the females in the cohort to spawn at least once. Smaller size limits were permitted in producer areas than along the coast. Several states, beginning with Maryland in 1985, opted for a more conservative approach and imposed a total moratorium on striped bass landings for several years. The amendment contained a trigger mechanism to reopen the fisheries when the three-year moving average of the Maryland juvenile abundance index (JAI) exceeded an arithmetic mean of 8.0. That level was attained with the recruitment of the 1989-year class.

Consequently, Amendment 4 was adopted to allow state fisheries to reopen in 1990 under a target fishing mortality (F) of 0.25, which was half the estimated F needed to achieve maximum sustainable yield (MSY). The amendment allowed an increase in the target F once spawning stock biomass (SSB) was restored to levels estimated during the late 1960s and early 1970s. The dual size limit concept was maintained, and a recreational trip limit and commercial season implemented to reduce the harvest to 20 percent of that in the period of 1972-1979. The amendment and its four addenda aimed to rebuild the resource, rather than maximize yield.

In 1995, coastal striped bass were declared restored by the ASMFC, and Amendment 5 was adopted to increase the target F to 0.33, midway between the existing F target (0.25) and FMSY, which was revised to 0.40. Regulations were developed to allow 70 percent of the historic harvest and achieve the target F, although states could submit proposals for alternative regulations that were conservationally equivalent. From 1997 to 2000, a series of five addenda were implemented to respond to the latest stock status information. The Albemarle/Roanoke stock of striped bass was declared restored in 1997, and is currently assessed by an independent stock assessment by the State of North Carolina using catch and abundance data specific to the Albemarle/Roanoke stock. The stock is managed with ASMFC Striped Bass Management Board approval through a separate North Carolina Estuarine Striped Bass FMP (NCDMF 2014).

In 2003, Amendment 6 was adopted to address five limitations within the management program: 1) potential inability to prevent the Amendment 5 exploitation target from being exceeded; 2) perceived decrease in availability or abundance of large striped bass in the coastal migratory population; 3) a lack of management direction with respect to target and threshold biomass levels; 4) inequitable effects of regulations on the recreational and commercial fisheries, and coastal and producer area sectors; 5) and excessively frequent changes to the management program. Amendment 6 was fully implemented by January 1, 2004, and completely replaced all previous plans for Atlantic striped bass (ASMFC 2003).

Amendment 6 modified the F targets and thresholds, and introduced a new set of biological reference points (BRPs) based on female spawning stock biomass (SSB), as well as a list of management triggers based on the BRPs. The coastal commercial quotas for striped bass were restored to 100 percent of the states' average landings during the 1972-1979 period, except for Delaware's coastal commercial quota, which remained at the level allocated in 2002. In the recreational fisheries, all states were required to implement a two-fish bag limit with a minimum size limit of 28-inches total length, except for the Chesapeake Bay fisheries, fisheries that operate in the Albemarle Sound and Roanoke River, and states with approved alternative regulations. The Chesapeake Bay and Albemarle/Roanoke regulatory programs were predicated on a more conservative F target than the coastal migratory stock, which allowed these jurisdictions to implement separate seasons, harvest caps, and size and bag limits if they remain under that F target. No minimum size limit can be less than 18-inches total length under Amendment 6. The same minimum size standards regulate the commercial fisheries as the recreational fisheries, except for a minimum 20-inches total length size limit in the Delaware Bay spring gillnet fishery.

States are permitted the flexibility to deviate from these standards by submitting proposals for review by the striped bass Technical Committee, Advisory Panel, and Plan Review Team and contingent upon the approval of the Management Board. A state may request a change only if it can demonstrate that the action is "conservationally equivalent" to the management standards or will not contribute to the overfishing of the resource. This practice has resulted in a variety of regulations among states.

In 2007, Addendum I was implemented to establish a bycatch monitoring and research program to increase the accuracy of data on striped bass discards and recommend development of a web-based angler education program.

In May 2009, the Management Board initiated the development of an addendum to consider options to roll over unused coastal commercial quota up to 50 percent, and approved sending the draft addendum out for public comment in August 2009. In November 2009, the Board voted for status quo management in regards to unused quota rollover.

In February 2010, the Management Board initiated the development of an addendum to consider options to increase the coastal commercial quota. The Board approved the draft addendum for public comment in May 2010, with the addition of an option to consider adopting a Technical Committee recommendation to revise the JAI management trigger. Adopting the Technical Committee recommendation would modify the definition of recruitment failure, such that each index would have a fixed numerical value indicating failure, rather than one that changes from year to year. The Board approved Addendum II, and the revised JAI management triggers, in November 2010 but did not take any action to increase the coastal commercial quota. The new definition of recruitment failure is a value that is below 75 percent of all values in a fixed time series appropriate to each juvenile abundance index.

In 2012, Addendum III was approved by the Board. This addendum requires all states and jurisdictions with a commercial fishery to implement a commercial harvest tagging program. The

addendum was initiated in response to significant poaching events in the Chesapeake Bay and aims to limit illegal commercial harvest of striped bass.

The Board approved Addendum IV in 2014 in response to the 2013 benchmark assessment which indicated a steady decline in spawning stock biomass since the mid-2000s. The Addendum established new fishing mortality reference points (F target and threshold), and required coastal states to reduce removals and decrease F to a level at or below the new target (i.e., 25 percent reduction from 2013 removals for the coastal fishery and 20.5 percent reduction from 2012 removals for Chesapeake Bay fishery). Additionally, since current analysis of tag return data indicates the Albemarle/Roanoke stock contributes minimally to the coastwide complex, Addendum IV defers management of the Albemarle/Roanoke stock to the State of North Carolina using stock-specific BRPs approved by the Management Board. The 18-inch total length minimum size limit still applies.

The Exclusive Economic Zone (EEZ) has been closed to the harvest and possession of striped bass since 1990, except for a defined route to and from Block Island in Rhode Island. A recommendation was made in Amendment 6, and submitted to the Secretary of Commerce, to re-open federal waters to commercial and recreational fisheries. Starting in July 2003 and continuing for several years, the National Oceanic and Atmospheric Administration (NOAA) Fisheries took steps in the rulemaking process to consider the proposal. In September 2006, NOAA Fisheries concluded that it would be imprudent to open the EEZ to striped bass fishing and chose not to proceed further in its rulemaking. Specifically, NOAA Fisheries concluded that: 1) it could not be certain, especially after taking into account the overwhelming public perception that large trophy sized fish congregate in the EEZ, that opening the EEZ would not increase effort and lead to an increase in mortality that would exceed the threshold, and 2) both the ASMFC's and NOAA Fisheries' ability to immediately respond to an overfishing and/or overfished situation is a potential issue, particularly given the timeframe within which Amendment 6 was created, and given the lag time in which a given year's data is available to management (71 FR 54261-54262). Additionally, in October 2007, President George W. Bush issued an Executive Order (E.O. 13449) prohibiting the sale of striped bass (and red drum) caught within the EEZ. The Order also requires the Secretary of Commerce to encourage management for conservation of the resources, including State designation as gamefish where the State determines appropriate under applicable law, and to periodically review the status of the populations within US jurisdictional waters. The 2011 report (submitted in 2012) is the most recent report to Congress on the status of the Striped bass population (NOAA 2012). The 2015 Striped Bass Report to Congress is scheduled for completion at the end of August.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the

goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

Migratory stocks of Atlantic striped bass from Maine through North Carolina.

Goals and Objectives

The goal of Amendment 6 is to perpetuate, through cooperative interstate management, migratory stocks of Striped bass; to allow commercial and recreational fisheries consistent with the long-term maintenance of a broad age structure, a self-sustaining spawning stock; and also to provide for the restoration and maintenance of their essential habitat. In support of this goal, the following objectives are included:

1. Manage Striped bass fisheries under a control rule designed to maintain stock size at or above the target female spawning stock biomass level and a level of fishing mortality at or below the target exploitation rate.
2. Manage fishing mortality to maintain an age structure that provides adequate spawning potential to sustain long-term abundance of Striped bass populations.
3. Provide a management plan that strives, to the extent practical, to maintain coastwide consistency of implemented measures, while allowing the States defined flexibility to implement alternative strategies that accomplish the objectives of the FMP.
4. Foster quality and economically viable recreational, for-hire, and commercial fisheries.
5. Maximize cost effectiveness of current information gathering and prioritize state obligations in order to minimize costs of monitoring and management.
6. Adopt a long-term management regime that minimizes or eliminates the need to make annual changes or modifications to management measures.
7. Establish a fishing mortality target that will result in a net increase in the abundance (pounds) of age 15 and older striped bass in the population, relative to the 2000 estimate.

STATUS OF THE STOCK

Stock Status

In 2015, the Atlantic striped bass stock was not overfished or experiencing overfishing based on the point estimates of fully-recruited (F) and SSB relative to the reference points defined in the Atlantic Striped Bass FMP. The SSB was estimated at 58,853 metric tons (129 million pounds) which is above the SSB threshold of 57,626 mt, but below the SSB target of 72,032 mt (Figure

1). Total F was estimated at 0.16 which is below the F threshold of 0.22 and below the F target of 0.18(Figure 2) (NEFSC. 2013a and b.).

	<i>Female Spawning Stock Biomass</i>	<i>Fully-Recruited Fishing Mortality</i>
Threshold	SSB ₁₉₉₅ = 57,626 mt (127,043,432 lb)	F _{msy} = 0.219
Target	SSB _{threshold} x 1.25 = 72, 032 mt (158,803,188 lb)	F _{target} = 0.180

Stock Assessment

The 2016 stock assessment updated the 2013 benchmark assessment with catch and index data from 1982 through 2015. See the Stock Assessment Review Committee (SARC) document for a complete description of the striped bass statistical-catch-at-age model (NEFSC. 2013a. and b.). The 2013 benchmark assessment, and the new F reference points, were approved by the Board for management use at its October 2013 meeting.

Although the stock is not overfished, female spawning stock biomass (SSB) has continued to decline since the peak of 2004. Despite recent declines, the current estimate of SSB is still well above the estimates during the moratorium that was in place in the mid-late 1980s. Atlantic striped bass experienced a period of strong recruitment (i.e., number of age-1 fish entering the population) from 1993 to 2004, followed by a period of lower recruitment from 2005 to 2011 (although not as low as the 1980's stock collapse). Recruitment of the 2011 year-class was high, but was followed by the second lowest recruitment estimate on record going back to 1982. However, in 2015, recruitment was again high and estimated at 122.8 million age-1 fish (the 2014-year class), the 7th highest on record (Figure 2).

Total removals in 2015 were estimated at 3.02 million fish. It is projected that if catch remains constant at 3.02 million fish each year for 2016-2018, there is a 39 percent chance of SSB falling below the threshold level in 2016, but only a 20 percent chance of this in 2018. This trend is largely driven by the presence of the 2011-year class (now age 6) which is presently maturing into the spawning stock, and is beginning its migration from the Chesapeake Bay into the coastal migratory population.

STATUS OF THE FISHERY

Current Regulations

Striped bass regulations in the coastal waters (0-3 miles) of the Atlantic Ocean are under the jurisdiction of ASMFC, while striped bass regulations in the inshore coastal (i.e. estuarine), joint, and inland waters are under the jurisdiction of the North Carolina Division of Marine Fisheries and Wildlife Resources Commission. Striped bass regulations in the EEZ are under the jurisdiction of the NOAA Fisheries. Commercial and recreational harvest of striped bass is not allowed in the EEZ, which is from three to 200 miles offshore. Striped bass cannot even be targeted for hook-and-release fishing in the EEZ.

Commercial harvest is currently constrained by a 360,360 pound annual quota and a 28-inch total length minimum length size limit. The quota is split evenly between three gears: ocean beach seine, ocean gill net, and ocean trawl. Usually only one gear is open at a time and any quota overages in a gear are taken away from the offending gear during the next year. Atlantic striped bass overwinter in North Carolina ocean waters during the winter months, from December through February, therefore the quota year is set from December 1 through November 30 each year.

Recreational harvest is constrained by a one fish per person daily possession limit and a 28-inch total length minimum total length size limit. When striped bass are inside state coastal waters they form large schools that are easily accessed by anglers, and harvest can be significant with releases even larger.

The Atlantic Ocean waters from about Oregon Inlet to the N.C./V.A. state line are the southernmost extension of the overwintering grounds for Atlantic striped bass. Therefore, annual landings are dependent on how far down and offshore striped bass stocks migrate each winter. Since 2011 striped bass have been farther north and offshore than normal. In recent years large schools of striped bass have been up to 30 miles offshore. Since 2012 there has been no commercial or recreational harvest of overwintering migratory striped bass in North Carolina's coastal ocean waters during the winter months. Overall stock abundance is still at high levels however.

Commercial Landings

Commercial landings of striped bass in the Atlantic Ocean have been controlled by a quota since 1991. Due to the relatively small individual gear quota and the ability to harvest tens of thousands of pounds in just a single day, specific gear overages were common, but the overall quota was rarely exceeded. Landings reached the quota in most years and averaged 361,555 pound a year from 1995/1996-2006/2007. Starting in 2008/2009 shifting migratory patterns and decreasing stock abundance led to less availability of fish inside three miles. Since 2012/2013 no striped bass have been landed from the Atlantic Ocean because striped bass have stayed outside of three miles and in southern Virginia waters while overwintering (Table 1, Figures 3 and 4).

Recreational Landings

Recreational landings were low through the early 2000s. As the Atlantic striped bass stock recovered and abundance increased, recreational landings increased as well, with peak landings of 5.5 million pounds in 2004 (Figure 4). When striped bass are inside state coastal waters they form large schools that are easily accessed by anglers, and harvest can be significant and releases even larger. Landings have fluctuated since, often due to winter weather conditions and the migratory behavior in the near shore ocean during January and February. From 2006 to 2011 landings averaged about one million pounds. Due to the stocks being outside of three miles and not migrating down into North Carolina state waters in recent years, no recreational landings have occurred since 2012 (Table 1 Figure 4.).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

The length, weight, sex, and age composition of the commercial harvest has been consistently monitored through sampling at fish houses conducted by the division since 1982. The annual harvest quota is split equally between three gear types, beach seine, gill net, and trawl. Any overages from one year are deducted from next year's quota. Because of the 28-inch total length minimum size limit and gear regulations, most fish harvested average about 38-inches total length and are between 9 and 15 years old (Tables 2 and 3). North Carolina also augments NOAA Fisheries Marine Recreational Information Program (MRIP), which estimates the annual harvest and releases of marine recreational fisheries. Mean fork length is usually around 36-inches, with fish as large as 51-inches measured. Total number of fish measured for 2006-2011 ranged from 67 to 609. There has been no estimated harvest (and therefore no fish measured) since 2012 (Table 4).

Fishery-Independent Monitoring

North Carolina has no fishery independent sampling indices of abundance for Atlantic striped bass. However, we do participate in the coastwide striped bass tagging program administered through the United States Fish and Wildlife Service (USFWS). In 2011, the DMF started contracting charter trips to collect striped bass using hook-and-line gear to tag striped bass on their overwintering grounds, usually in the vicinity of the VA/NC border. Tagging takes place in January and/or February. Dates and actual location of tagging are dependent on striped bass annual migration patterns. Tags used are USFWS tags and all tagging information is housed in the USFWS tagging database. The striped bass Winter Cooperative Tagging Program is a critical component of overall coastwide striped bass management, as it is the only tagging program that tags the mixed, migratory stock on their overwintering grounds (off the VA/NC coast, from the mouth of the Chesapeake Bay down to Oregon Inlet). This means that fish from all producer areas, including Chesapeake Bay, Delaware River, Hudson River, and Albemarle/Roanoke stocks are available for tagging. Tag returns provide managers with an estimate of the percent contribution of the individual producer areas to the migratory portion of the stock and fishing mortality on the stock. Length frequencies average about 37-inches total length, and about 1,000 fish are collected each year (Table 5). Nearly all of these fish are large, mature females that are staging on their overwintering grounds in preparation for the spring spawning run to their respective spawning grounds.

MANAGEMENT STRATEGY

Atlantic striped bass are managed under Amendment 6 (and subsequent addenda) to ASMFC's Interstate FMP for Atlantic Striped Bass. The plan identifies spawning stock biomass and fishing mortality reference points to maintain adequate stock size and age structure, and to prevent overfishing. Stock status is determined by a formal, peer reviewed statistical catch-at-age stock assessment. The FMP requires several independent and dependent monitoring programs to be in place in each state, although these programs vary by state. States have the flexibility to implement different size limits, bag limits, and commercial quotas, if they are deemed to meet conservation equivalency by the Technical Committee and are approved by the Management Board.

RESEARCH NEEDS

The following management issues and research needs are identified in Amendment 6 and from the peer reviewed stock assessment.

Fishery Dependent Priorities

High

- Continue collection of paired scale and otolith samples, particularly from larger striped bass, to facilitate the development of otolith-based age-length keys for scale-otolith conversion matrices.

Moderate

- Develop studies to provide information on gear specific discard mortality rates and to determine the magnitude of bycatch mortality.
- Improve estimates of striped bass harvest removals in coastal areas during wave 1 and in inland waters of all jurisdictions year round.
- Evaluate the percentage of fishermen using circle hooks.

Fishery Independent Priorities

Moderate

- Develop a refined and cost-efficient, fisheries-independent coastal population index for striped bass stocks.
 - The PRT recommends the SBTC be tasked with exploring whether the Cooperative Winter Tagging Cruise, NEAMAP, and/or NOAA Fisheries Trawl Survey datasets would prove useful in this respect.

Modeling/Quantitative Priorities

High

- Develop a method to integrate catch-at-age and tagging models to produce a single estimate of F and stock status.
- Develop a spatially and temporally explicit catch-at-age model incorporating tag based movement information.
 - The PRT recommends that the SAS be tasked with reviewing recent published literature examining tag-based movement information to see if they would contribute to the development of such a model (e.g., Callihan et al., 2014).
- Review model averaging approach to estimate annual fishing mortality with tag based models. Review validity and sensitivity to year groupings.
- Develop methods for combining tag results from programs releasing fish from different areas on different dates.
- Examine potential biases associated with the number of tagged individuals, such as gear specific mortality (associated with trawls, pound nets, gill nets, and electrofishing), tag induced mortality, and tag loss.
- Develop field or modeling studies to aid in estimation of natural mortality or other factors affecting the tag return rate.

Moderate

- Develop maturity ogives applicable to coastal migratory stocks.
- Examine methods to estimate annual variation in natural mortality.
- Develop reliable estimates of poaching loss from striped bass fisheries.
- Improve methods for determining population sex ratio for use in estimates of SSB and biological reference points.
- Evaluate truncated matrices and covariate based tagging models.

Low

- Examine issues with time saturated tagging models for the 18-inch length group.
- Develop tag based reference points

Life History, Biological, and Habitat Priorities

High

- Continue in-depth analysis of migrations, stock compositions, etc. using mark-recapture data.
- Continue evaluation of striped bass dietary needs in relation to health condition.
- Continue analysis to determine linkages between the mycobacteriosis outbreak in Chesapeake Bay and sex ration of Chesapeake spawning stock, Chesapeake juvenile production, and recruitment success into coastal fisheries.

Moderate

- Examine causes of different tag based survival estimates among programs estimating similar segments of the population.
- Continue to conduct research to determine limiting factors affecting recruitment and possible density implications.
- Conduct study to calculate the emigration rates from producer areas now that population levels are high and conduct multi-year study to determine inter-annual variation in emigration rates.

Low

- Determine inherent viability of eggs and larvae.
- Conduct additional research to determine the pathogenicity of the IPN virus isolated from striped bass to other warm water marine species, such as flounder, menhaden, shad, and largemouth bass.

Management, Law Enforcement, and Socioeconomic Priorities

Moderate

- Examine the potential public health trade-offs between the continued reliance on the use of high minimum size limits (28-inches) on coastal recreational anglers and its long-term effects on enhanced PCB contamination among recreational stakeholders.
- Evaluate striped bass angler preferences for size of harvested fish and trade-offs with bag limits.

Habitat Recommendations

- Passage facilities should be designed specifically for passing striped bass for optimum efficiency at passing this species.
- Conduct studies to determine whether passing migrating adults upstream earlier in the year in some rivers would increase striped bass production and larval survival, and opening downstream bypass facilities sooner would reduce mortality of early emigrants (both adult and early-hatched juveniles).
- All state and federal agencies responsible for reviewing impact statements and permit applications for projects or facilities proposed for striped bass spawning and nursery areas shall ensure that those projects will have no or only minimal impact on local stocks, especially natal rivers of stocks considered depressed or undergoing restoration.
- Federal and state fishery management agencies should take steps to limit the introduction of compounds which are known to be accumulated in “striped bass tissues and which pose a threat to human health or striped bass health.
- Water quality criteria for striped bass spawning and nursery areas should be established, or existing criteria should be upgraded to levels that are sufficient to ensure successful striped bass reproduction.
- Each state should implement protection for the striped bass habitat within its jurisdiction to ensure the sustainability of that portion of the migratory stock. Such a program should include inventory of historical habitats. Identification of habitats presently used, specification areas targeted for restoration, and imposition or encouragement of measures to retain or increase the quantity and quality of striped bass essential habitats.
- States in which striped bass spawning occurs should make every effort to declare striped bass spawning and nursery areas to be in need of special protection, such as declaration should be accompanied by requirements of non-degradation of habitat quality, including minimization of non-point source runoff, prevention of significant increases in contaminant loadings, and prevention of the introduction of any new categories of contaminants into an area. For those agencies without water quality regulatory authority, protocols and schedules for providing input on water quality needs of striped bass stocks are met.
- ASMFC should designate important habitats for striped bass spawning and nursery areas as HAPC.
- Each state should survey existing literature and data to determine the historical extent of striped bass occurrence and use within its jurisdiction. An assessment should be conducted of those areas not presently used for which restoration is feasible.

LITERATURE CITED

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TABLES

Table 1. North Carolina's striped bass commercial and recreational landings and releases (recreational only) in numbers and pounds in the Atlantic Ocean, 2007-2016.

Year	Recreational			Commercial		
	Landings (N)	Releases (N)	Landings (lb)	Quota Year*	Landings (N)	Landings (lb)
2007	37,376	13,838	876,206	2006/2007	18,396	424,723
2008	25,750	10,776	525,891	2007/2008	13,803	299,162
2009	5,650	5,407	160,922	2008/2009	8,585	189,995
2010	23,778	20,365	435,756	2009/2010	14,627	272,418
2011	94,182	110,150	2,042,981	2010/2011	13,532	250,383
2012	0	1,615	0	2011/2012	333	7,282
2013	0	1,057	0	2012/2013	0	0
2014	0	626	0	2013/2014	0	0
2015	0	0	0	2014/2015	0	0
2016	0	0	0	2015/2016	0	0

* Quota year is December 1 through November 30.

Table 2. Summary of striped bass total length (inches) samples collected from the Atlantic Ocean commercial fisheries, 2006/2007-2015/2016.

Year	Mean Total Length	Minimum Total Length	Maximum Total Length	Total Number Measured
2006/2007	38	28	48	843
2007/2008	39	29	49	317
2008/2009	39	30	49	175
2009/2010	37	28	50	456
2010/2011	36	28	48	388
2011/2012	38	34	47	21
2012/2013				0
2013/2014				0
2014/2015				0
2015/2016				0

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – ATLANTIC STRIPED BASS

Table 3. Summary of striped bass age samples collected from the Atlantic Ocean commercial fisheries, 2006/2007-2015/2016.

Year	Modal Age	Minimum Age	Maximum Age	Total Number Aged
2006/2007	10	6	16	427
2007/2008	11	7	17	191
2008/2009	11	7	17	179
2009/2010	9	6	18	292
2010/2011	8	6	17	226
2011/2012	9	8	15	21
2012/2013				0
2013/2014				0
2014/2015				0
2015/2016				0

Table 4. Striped bass fork length (inches) data from MRIP recreational samples, Atlantic Ocean only, 2006-2015.

Year	Mean Fork Length	Minimum Fork Length	Maximum Fork Length	Total Number Measured
2007	36	28	46	375
2008	36	26	47	304
2009	38	28	49	67
2010	35	27	51	95
2011	36	26	48	609
2012				0
2013				0
2014				0
2015				0
2016				0

Table 5. Striped bass total length (inches) and tagging data from the Cooperative Winter Tagging Program, Hook and Line portion, 2011-2016.

Year	Number of Trips	Number Caught	Number Tagged	Mean Total Length	Minimum Total Length	Maximum Total Length
2011	1	109	108	32	26	43
2012	1	6	6	36	25	46
2013	10	1,129	1,121	37	26	49
2014	10	925	921	37	27	53
2015	10	1,057	1,042	38	29	52
2016	10	1,273	1,239	39	27	48

FIGURES

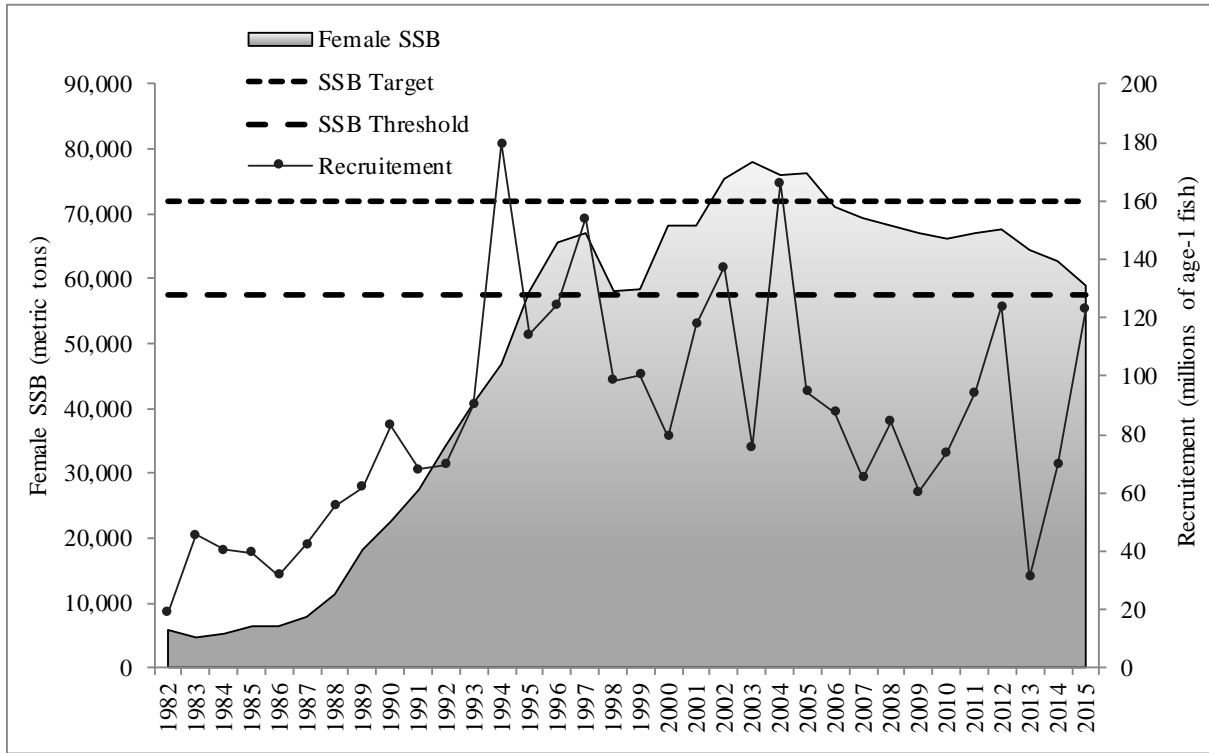


Figure 1. Atlantic striped bass female spawning stock biomass and recruitment (abundance of age-1). Source: ASMFC Atlantic Striped Bass Stock Assessment Update 2016.

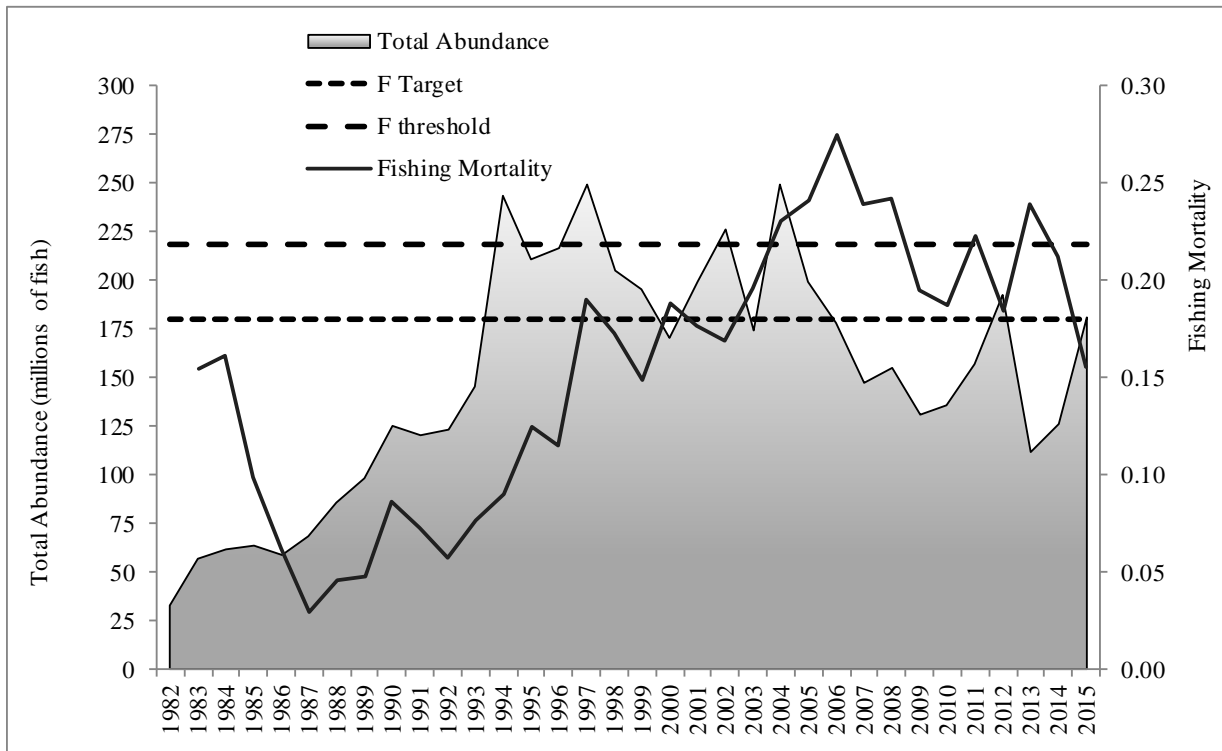


Figure 2. Atlantic striped bass total stock abundance and Fishing mortality (F). Source: ASMFC Atlantic Striped Bass Stock Assessment Update 2016.

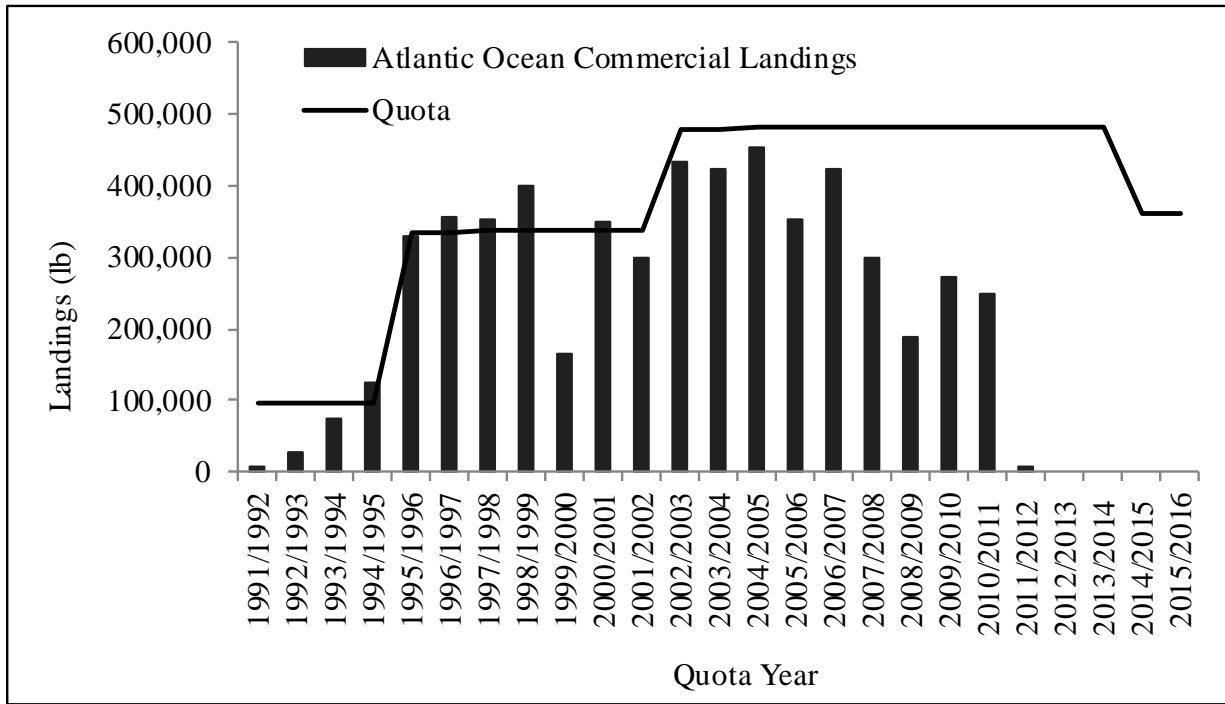


Figure 3. North Carolina’s commercial striped bass landings in the Atlantic Ocean by quota year, 1991/1992-2015/2016.

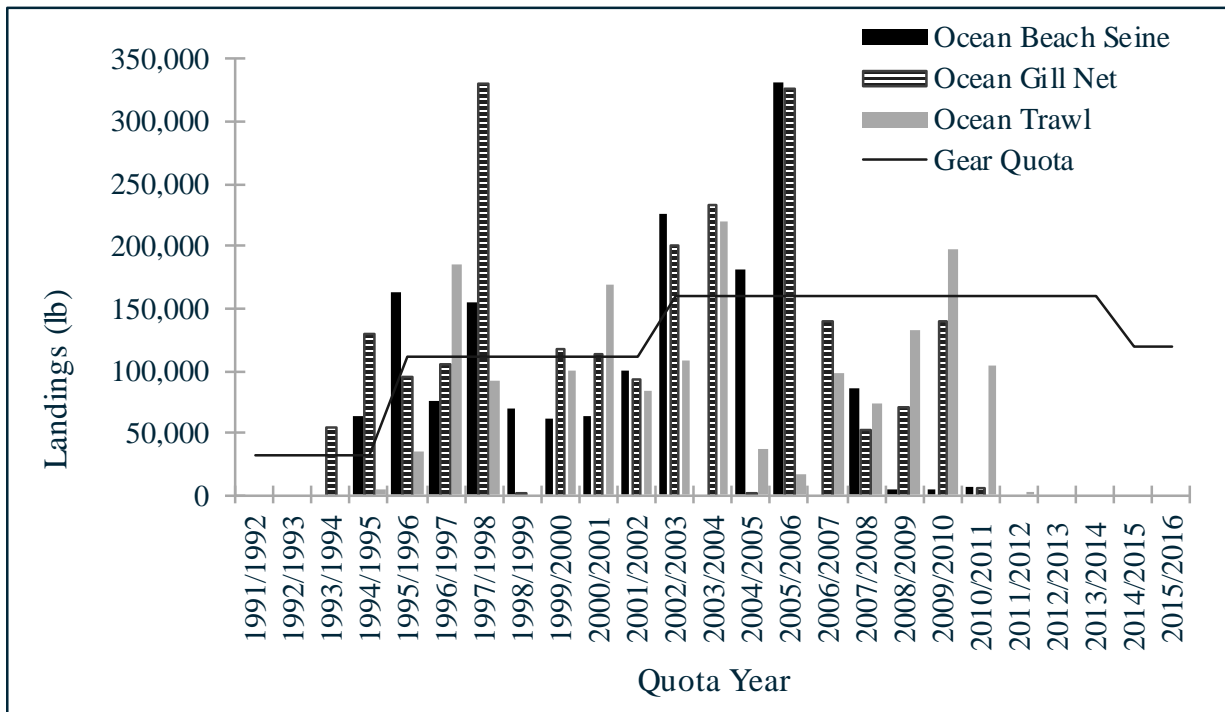


Figure 4. North Carolina’s commercial striped bass landings in the Atlantic Ocean by gear and quota year, 1991/1992-2015/2016.

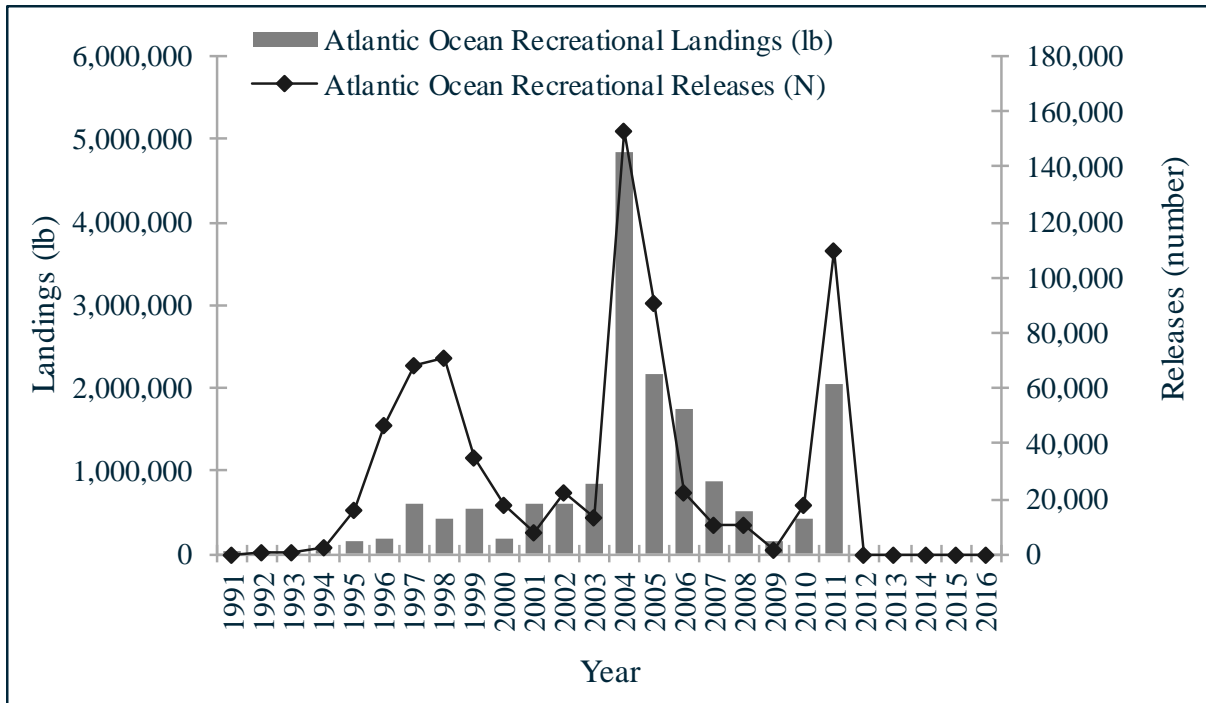


Figure 5. North Carolina’s recreational striped bass landings in the Atlantic Ocean, 1991-2015.

**FISHERY MANAGEMENT PLAN UPDATE
SUMMER FLOUNDER
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption: Adopted by the ASMFC in 1982 and the MAFMC in 1988

Amendments:

- Amendment 1 in 1991
- Amendment 2 in 1993
- Amendment 3 in 1993
- Amendment 4 in 1993
- Amendment 5 in 1993
- Amendment 6 in 1994
- Amendment 7 in 1995
- Amendment 8 in 1996
- Regulatory Amendment in 1996
- Amendment 9 in 1996
- Amendment 10 in 1997
- Amendment 11 in 1998
- Amendment 12 in 1999
 - Framework 1 in 2001
 - Framework 2 in 2001
 - Addendum III in 2001
 - Addendum IV in 2001
 - Framework 3 in 2003
 - Framework 4 in 2003
- Amendment 13 in 2003
 - Framework 5 in 2004
 - Addendum VIII in 2004
 - Addendum XIV in 2004
 - Addendum XV in 2004
 - Addendum XVI in 2005
 - Addendum XVII in 2005
 - Framework 6 in 2006
 - Addendum XVIII in 2006
 - Framework 7 in 2007
 - Addendum XIX in 2007
- Amendment 14 in 2007
- Amendment 16 in 2007
- Amendment 15 in 2011
- Amendment 19 (Recreational Accountability Amendment) in 2013

Addendum XXV in 2014
 Amendment 17 in 2015
 Framework 8 in 2015
 Addendum XXVI in 2015
 Amendment 18 in 2015
 Framework 9 in 2016
 Addendum XXVII in 2016
 Addendum XXVIII in 2017

Revisions: None

Supplements: None

Information Updates: None

Schedule Changes: None

Next Benchmark Review: A new stock assessment update was completed in 2016. No benchmark stock assessment has been scheduled.

Because of their presence in, and movement between state waters (0 to 3 miles) and federal waters (3 to 200 miles), the Mid-Atlantic Fisheries Management Council (MAFMC) manages summer flounder (*Paralichthys dentatus*) cooperatively with the Atlantic States Marine Fisheries Commission (ASMFC). The two management entities work in conjunction with the National Oceanic and Atmospheric Administration (NOAA) Fisheries as the federal implementation and enforcement entity. The Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP) and amendments use output controls (catch and landings limits) as the primary management tool, with landings divided between the commercial (78 percent) and recreational (22 percent) fisheries. The FMP also includes minimum fish sizes, bag limits, seasons, gear restrictions, permit requirements, and other provisions to prevent overfishing and ensure sustainability of the fisheries. Recreational bag and size limits and seasons are determined on a regional basis using conservation equivalency. The commercial quota is divided into state-by-state quotas.

Specific details for each Amendment include:

Amendment 1 - established an overfishing definition for summer flounder.

Amendment 2 - established rebuilding schedule, commercial quotas, recreational harvest limits, size limits, gear restrictions, permits, and reporting requirements for summer flounder; created the summer flounder monitoring committee.

Amendment 3 - revised the exempted fishery line for summer flounder; increased the large mesh net threshold for summer flounder; established otter trawl retention requirements for large mesh use in the summer flounder fishery.

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SUMMER FLOUNDER

Amendment 4 - revised state-specific shares for summer flounder commercial quota allocation.

Amendment 5 - allowed states to combine or transfer summer flounder commercial quota.

Amendment 6 - set criteria for allowance of multiple nets on board commercial vessels for summer flounder; established deadline for publishing catch limits; established commercial management measures for summer flounder.

Amendment 7 - revised the fishing mortality rate reduction schedule for summer flounder.

Amendment 8 - incorporated scup into the Summer Flounder FMP; established scup management measures, including commercial quotas, recreational harvest limits, size limits, gear restrictions, permits, and reporting requirements.

Regulatory Amendment – established seasonal quota periods of the commercial scup fishery.

Amendment 9 - incorporated black sea bass into the Summer Flounder FMP; established black sea bass management measures including commercial quotas, recreational harvest limits, size limits, gear restrictions, permits, and reporting requirements.

Amendment 10 – modified commercial minimum mesh requirements; continued commercial vessel moratorium; prohibited transfer of summer flounder at sea; established a special permit for the summer flounder party/charter sector.

Amendment 11 - modified certain provisions related to vessel replacement and upgrading, permit history transfer, splitting, and permit renewal regulations.

Amendment 12 - revised Summer Flounder, Scup, and Black Sea Bass FMP to comply with the Sustainable Fisheries Act and established a framework adjustment process; established quota set-aside for research for summer flounder, scup and black sea bass; established state-specific conservation equivalency measures; allowed the rollover of the winter scup quota; revised the start date for the scup summer quota period; established a system to transfer scup at sea.

Framework 1 – established quota set-aside for research for summer flounder, scup and black sea bass.

Framework 2 – established state-specific conservation equivalency measures for the recreational summer flounder fishery.

Addendum III – established recreational fishing specifications for 2001 for summer flounder and scup.

Addendum IV – provided that upon the recommendation of the relevant monitoring committee and joint consideration with the Mid-Atlantic Fishery Management Council, the Mid-Atlantic Fishery Management Board will decide the state regulations rather than forward a recommendation to the NOAA Fisheries Northeast Fisheries Science Center (NEFSC); made

states responsible for implementing the Mid-Atlantic Fishery Management Boards decisions on regulations.

Framework 3 – allowed the rollover of winter scup quota; revised the start date for summer quota period for scup fishery.

Framework 4 – established a system to transfer scup at sea.

Amendment 13 - revised black sea bass commercial quota system; addressed other black sea bass management measures; established multi-year specification setting of quota for summer flounder, scup and black sea bass; established region-specific conservation equivalency measures for summer flounder; built flexibility into process to define and update status determination criteria for summer flounder, scup and black sea bass.

Framework 5 – established multi-year specification setting of quota for summer flounder, scup, and black sea bass.

Addendum VIII – established a program wherein any state which exceeds its recreational harvest limit for summer flounder in 2003 and beyond will receive a reduction from its future recreational harvest limits.

Addendum XIV – implemented a system of conservation equivalency for the recreational fishery of summer flounder to achieve the annual recreational harvest limit.

Addendum XV – established an allocation program for the increase in commercial total allowable landings in the summer flounder fishery for 2005 and 2006 only.

Addendum XVI – provided a species-specific mechanism of ensuring that a state meet its obligations under the plan in a way that minimizes the probability that a state's delay in complying does not adversely affect other states fisheries or conservation of the resource.

Addendum XVII – established a program wherein the ASMFC Management Board has the ability to sub-divide the recreational summer flounder coastwide allocations into voluntary regions.

Framework 6 – established region-specific conservation equivalency measures for summer flounder.

Addendum XVIII – stabilized fishing rules as close to those that existed in 2005, in part, to minimize the drastic reductions facing three states.

Framework 7 – built flexibility into process to define and update status determination criteria for summer flounder, scup and black sea bass.

Addendum XIX – continued the state-by-state black sea bass commercial management measures, without a sunset clause; broadened the descriptions of stock status determination criteria

contained within the Summer Flounder, Scup, and Black Sea Bass FMP to allow greater flexibility in those definitions, while maintaining objective and measurable status determination criteria for identifying when stocks or stock complexes covered by the fishery management plan are overfished.

Amendment 14 – established a rebuilding schedule for scup; scup gear restricted areas made modifiable through framework adjustment process.

Amendment 16 - standardized bycatch reporting methodology.

Amendment 15 - established annual catch limits and accountability measures.

Amendment 19 (Recreational Accountability Amendment) – modified the accountability measures for the MAFMC recreational fisheries.

Addendum XXV - established regional management for the 2014 recreational black sea bass and summer flounder fishery.

Amendment 17 – implemented standardized bycatch reporting methodology.

Framework 8 – allowed the black sea bass recreational fishery to begin on May 15 of each year, instead of May 19, to provide additional fishing opportunities.

Addendum XXVI - established alternate regional management for the 2015 recreational summer flounder fishery.

Amendment 18 – eliminated the requirement for vessel owners to submit “did not fish” reports for the months or weeks when their vessel was not fishing; removed some of the restrictions for upgrading vessels listed on federal fishing permits.

Framework 9 – modified the southern and eastern boundaries of the southern scup gear restricted area (in effect January 1-March 15).

Addendum XXVII to the Summer Flounder, Scup and Black Sea Bass FMP, continued regional management of the recreational summer flounder fishery, extended ad hoc regional management of the black sea bass recreational fishery for the 2016 and 2017 fishing year and addressed the discrepancies in recreational summer flounder management measures within Delaware Bay.

Addendum XXVIII to the Summer Flounder, Scup and Black Sea Bass FMP, initiated an addendum to consider adaptive management, including regional approaches, for the 2017 summer flounder recreational fishery.

Specific details for each amendment under development include:

Summer Flounder Amendment – This amendment will review and update the Summer Flounder, Scup, and Black Sea Bass FMP goals and objectives and will consider changes to commercial summer flounder management in both state and federal waters.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

U.S. waters in the western Atlantic Ocean from the southern border of North Carolina northward to the U.S.-Canadian border.

Goal and Objectives

The objectives of the Summer Flounder, Scup and Black Sea Bass FMP are to:

1. Reduce fishing mortality in the summer flounder, scup and black sea bass fisheries to assure that overfishing does not occur;
2. Reduce fishing mortality on immature summer flounder, scup and black sea bass to increase spawning stock biomass;
3. Improve the yield from these fisheries;
4. Promote compatible management regulations between state and federal jurisdictions;
5. Promote uniform and effective enforcement of regulations;
6. Minimize regulations to achieve the management objectives stated above.

The 2011 Omnibus Amendment contains Amendment 15 to the Summer Flounder, Scup and Black Sea Bass FMP. The amendment is intended to formalize the process of addressing scientific and management uncertainty when setting catch limits for the upcoming fishing year(s) and to establish a comprehensive system of accountability for catch (including both landings and discards) relative to those limits, for each of the managed resources subject to this requirement. Specifically: (1) Establish allowable biological catch control rules, (2) Establish a MAFMC risk policy, which is one variable needed for the allowable biological catch control rules, (3) Establish annual catch limits, (4) Establish a system of comprehensive accountability, which

addresses all components of the catch, (5) Describe the process by which the performance of the annual catch limit and comprehensive accountability system will be reviewed, (6) Describe the process to modify the measures above in 1-5 in the future.

Addendum XXVII to the Summer Flounder, Scup and Black Sea Bass FMP, continued regional management of the recreational summer flounder fishery, extended ad hoc regional management of the black sea bass recreational fishery for the 2016 and 2017 fishing year and addressed the discrepancies in recreational summer flounder management measures within Delaware Bay.

Addendum XXVIII to the Summer Flounder, Scup and Black Sea Bass FMP, initiated an addendum to consider adaptive management, including regional approaches, for the 2017 summer flounder recreational fishery.

STATUS OF THE STOCK

Stock Status

The 2016 summer flounder stock assessment update included data through 2015 and indicated that the stock was not overfished but overfishing was occurring in 2015. No summer flounder benchmark stock assessment has been scheduled.

Stock Assessment

The 2016 summer flounder stock assessment update estimated fishing mortality rates and stock sizes using a statistical catch at age model calculated by using the Age Structured Assessment Program. This indicated that overfishing was occurring in 2015 relative to the biological reference points established in the 2013 benchmark stock assessment. Fishing mortality estimates were higher in recent years than previously projected and poor recruitment persisted from 2010 to 2015. However, spawning stock biomass was above the threshold biomass reference point so the stock was not overfished in 2015.

STATUS OF THE FISHERY

Current Regulations

Commercial

There is a 14-inch total length minimum size limit in Atlantic Ocean waters and a 15-inch total length minimum size limit in internal coastal waters as well as harvest seasons and minimum mesh size requirements for the flounder trawl fishery. Trip limits are set for landings windows established by proclamation to constrain harvest to the quota allocation (see most recent North Carolina Division of Marine Fisheries (NCDMF) proclamation on commercial summer flounder fishery). A bycatch trip limit of 100 pounds is in place during the closed trawl season. A license to land flounder from the Atlantic Ocean is required to land more than 100 pounds per trip.

Recreational

There is a 15-inch total length minimum size limit and four-fish creel limit in the Atlantic Ocean and internal coastal waters.

Commercial Landings

Any landings reported as caught in the ocean are considered to be summer flounder by the North Carolina Trip Ticket Program. Most summer flounder landings were from trawls although gill nets and other gears (e.g. hook and line, spears, gigs, fish pots, haul seine) catch much smaller numbers of summer flounder in the ocean. Landings are constrained by the coastwide quota of which North Carolina has an allocation of 27.4 percent. Landings peaked in 2004 and have been generally stable since 2007 aside from the lowest landings in the time-series in 2012 and 2013 (Figure 1). The low landings in 2012 and 2013 were primarily due to the closure of Oregon Inlet to large vessels (such as trawlers) due to shoaling and the consequent transfer of most of North Carolina's quota allocation to Virginia and other states. In 2014, more winter trawl vessels returned to North Carolina to land catches rather than transferring quota to Virginia and other states. Trends in commercial trips have generally followed landings trends (Figure 1). Trips include the number of trip ticket records with landings of summer flounder reported. Trips may represent more than one day of fishing, especially for trawling.

Recreational Landings

Recreational harvest of summer flounder varied annually but remained relatively high from 1992-2002. After that time, harvest declined and has remained consistently low (Figure 2). Trends in recreational trips are somewhat difficult to interpret because they represent all Paralichthid flounder species commonly caught in North Carolina (southern, summer and gulf). This is because anglers simply report targeting 'flounder' rather than a particular species of flounder.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Several NCDMF sampling programs collect biological data on commercial and recreational fisheries that catch summer flounder. Program 433 (winter trawl fishery) is the primary program that collects length and age data for harvested summer flounder. Other programs that collect information include: 461 (estuarine gill net and seine), 476 (gig and spear), 432 (flounder pound net), 434 (ocean gill net) and 437 (long haul seine). Programs 466 (sea turtle bycatch monitoring) and 570 (commercial shrimp trawl fishery characterization) collect length data on harvested and discarded flounder. Other commercial sampling programs focusing on fisheries that do not target summer flounder rarely collect biological data. NCDMF sampling of the recreational fishery through the Marine Recreational Information Program collects length data on summer flounder. The NCDMF mail-based Giggling Survey collects harvest data for the recreational gig fishery but does not collect length or age data or identify flounder species (summer flounder are rarely caught by this fishery). Age data from the recreational fishery are collected mainly via voluntary angler donations of carcasses.

Most of the summer flounder commercial fisheries data collected is from trawls. There were no clear trends in commercial length data (Table 1). Annual mean lengths were fairly consistent. The number of fish measured in 2014 through 2016 was considerably higher than in 2012 and 2013 (due to low landings 2012-2013) but similar to prior years. The modal age in 2016 was the highest relative to previous years. The maximum age in 2016 was also the oldest in the time-series. Maximum ages since 2010 were higher than previous years, suggesting expansion of the stock age structure. The number of age samples collected and aged in 2016 was the second highest in the time-series.

There were no clear trends in recreational length data from 2007 to 2016 (Table 2). The mean length in 2016 was higher than 2015 but similar to prior years. The 2016 maximum length was larger than in the previous year. A relatively low number of fish were measured in 2016. The only years in which recreational ages were collected was in 2014 and 2016, so no trends can be discussed.

Fishery-Independent Monitoring

Several NCDMF independent sampling programs collect biological data on summer flounder (Table 3). However, most surveys do not catch summer flounder regularly enough to provide consistent length, age or abundance data. The main exception is Program 195 (the Pamlico Sound Survey), which conducts trawls using a random stratified survey design in waters of Pamlico Sound and major river tributaries. Stations are randomly selected from strata based upon depth and geographic location. Randomly selected stations are optimally allocated among the strata based upon all previous sampling in order to provide the most accurate abundance estimates (PSE <20). Tow duration is 20 minutes; using double rigged demersal mongoose trawls (9.1m headrope, 1.0m X 0.6m doors, 2.2-cm bar mesh body, 1.9-cm bar mesh cod end and a 100-mesh tail bag extension). The survey takes place in June and September with the samples collected in June serving as a juvenile abundance index (JAI) for summer flounder in North Carolina. A total of 285 summer flounder were caught in the survey in 2016 and the JAI value was 2.76 fish per tow. The 1987-2016 average JAI value was 9.24 with data from 1999 being excluded from the average due to sampling occurring in July instead of June (Table 4, Figure 3). The summer flounder JAI from the Pamlico Sound Survey is one of the recruitment indices provided for the annual coastwide stock assessment of summer flounder and was used in the 2016 stock assessment update.

MANAGEMENT STRATEGY

An update of the summer flounder stock assessment is completed each year by NOAA Fisheries NEFSC. Data are analyzed from the previous year based on decisions made for the previous benchmark assessment. Projections based on stock assessments are used to set the coastwide quota level each year. Amendments to the FMP are undertaken as issues arise that require action. North Carolina has several specific management strategies for summer flounder (Table 5).

RESEARCH NEEDS

The following research needs were reviewed (existing needs) or developed (new) during the 2013 Stock Assessment Workshop by the Southern Demersal Working Group and the MAFMC Scientific and Statistical Committee. Text in parenthesis indicates known progress made to address needs.

- Develop a program to annually sample the length and age frequency of summer flounder discards from the recreational fishery (progress has been made in some states outside North Carolina, but more synoptic data and potentially less biased data are needed including the length, age, and sex-frequency of discards).
- A comprehensive collection of otoliths, for all components of the catch-at-age matrix, needs to be collected on a continuing basis for fish larger than 60 cm (~7 years). The collection of otoliths and the proportion at sex for all the catch components could provide a better indicator of stock productivity (ongoing through NEFSC, NCDMF and other organizations).
- A reference collection of summer flounder scales and otoliths should be developed to facilitate future quality control of summer flounder production aging. In addition, a comparison study between scales and otoliths as aging structures for summer flounder should be completed (an ageing workshop was held in 2015 to compare scales and otoliths, research is ongoing).
- Collect information on overall fecundity for the stock, as both egg condition and production may be a better indicator of stock productivity than weight (ongoing research by NEFSC Sandy Hook Laboratory to address, may require additional data collection).
- Investigate trends in sex ratios and mean lengths and weights of summer flounder in state agency and federal surveys catches (analyzed for the federal survey, state agency data may still need to be analyzed).
- Use NEFSC fishery observer age-length keys for 1994 and later years (as they become available) to supplement NEFSC survey data in aging the commercial fishery discard (progress unknown - age data may not yet be available).
- Consider use of management strategy evaluation techniques to address the implications of harvest policies that incorporate consideration of retrospective patterns (retrospective pattern has changed since this recommendation was developed - i.e., smaller and less problematic – so this recommendation is no longer considered relevant).
- Consider treating scallop closed areas as separate strata in calculations of summer flounder discards in the commercial fisheries (has not been addressed but may not be an issue in the current discard estimation methods).
- Examine the sensitivity of the summer flounder assessment to the various unit stock hypotheses and evaluate spatial aspects of the stock to facilitate sex and spatially-explicit

modeling of summer flounder (progress has been made on aspects of this recommendation, detailed in working papers for 2013 benchmark stock assessment).

- Conduct further research to examine the predator-prey interactions of summer flounder and other species, including food habitat studies, to better understand the influence of these other factors on the summer flounder population (research needed).
- Collect and evaluate information on the reporting accuracy of recreational discard estimates in the recreational fishery (some research has been conducted in the recreational for-hire fishery, but comprehensive work across all fishing modes has not been completed).
- Examine male female ratio at age-0 and potential factors (e.g., environmental) that may influence determination of that ratio (sex ratio was updated, some research completed but more may be needed).
- Evaluate potential changes in fishery selectivity relative to the spawning potential of the stock; analysis should consider the potential influence of the recreational and commercial fisheries (some progress has been made on this topic in a report prepared for the MAFMC Scientific and Statistical Committee describing a management strategy evaluation for the recreational fishery).
- Collect data to determine the sex ratio for all catch components (through a Protogynous Hermaphrodite Modeling Workshop Study, two years of data collection has occurred to determine sex ratios in the commercial and recreational landings).
- Determine the appropriate level for the steepness of the S-R relationship and investigate how that influences the biological reference points (some research completed).
- Evaluate uncertainties in biomass to determine potential modifications to default overfishing limit CV (progress unknown).
- Evaluate the size distribution of landed and discarded fish, by sex, in the summer flounder fisheries (progress unknown).
- Evaluate past and possible future changes to size regulations on retention and selectivity in stock assessments and projections (progress unknown).
- Incorporate sex -specific differences in size at age into the stock assessment (progress unknown).
- Evaluate range expansion and change in distribution and their implications for stock assessment and management (research ongoing).
- Continued evaluation of natural mortality and the differences between males and females. This should include efforts to estimate natural mortality, such as through mark-recapture programs, telemetry (tagging studies ongoing).

- Further work examining aspects that create greater realism to the summer flounder assessment (e.g., sexually dimorphic growth, sex-specific F, differences in spatial structure [or distribution by size?]) should be conducted (progress unknown)

This could include:

- Simulation studies to determine the critical data and model components that are necessary to provide reliable advice, and need to determine how simple a model can be while still providing reliable advice on stock status for management use, and should evaluate both simple and most complex model configurations.
- Development of models incorporating these factors that would create greater realism.
- These first steps (a or b) can be used to prioritize data collection, and determine if additional investment in data streams (e.g., collection of sex at age and sex at length and maturity data from the catch, additional information on spatial structure and movement, etc.) are worthwhile in terms of providing more reliable assessment results.
- The modeling infrastructure should be simultaneously developed to support these types of modeling approaches (flexibility in model framework, MCMC and bootstrap framework, projection framework).
- Develop comprehensive study to determine the contribution of summer flounder nursery area to the overall summer flounder population, based off approaches similar to those developed in WPA12 (otolith microchemistry research ongoing).
- Develop an ongoing sampling program for the recreational fishery landings and discards (i.e., collect age, length, sex) to develop appropriate age-length keys for ageing the recreational catch (progress unknown).
- Apply standardization techniques to all state and academic-run surveys, to be evaluated for potential inclusion in the assessment (some progress made).
- Continue efforts to improve understanding of sexually dimorphic mortality and growth patterns. This should include monitoring sex ratios and associated biological information in the fisheries and all ongoing surveys to allow development of sex structured models in the future (progress unknown).
- Conduct sensitivity analyses to identify potential causes of the recent retrospective pattern. Efforts should focus on identifying factors in both survey and catch data that could contribute to the decrease in cohort abundance between initial estimates based largely on survey observations and subsequent estimates influenced by fishery dependent data as the cohort recruits to the fishery (progress unknown).
- Develop methods that more fully characterize uncertainty and ensure coherence between assessments, reference point calculation and projections (progress unknown).

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TABLES

Table 1. Summary of summer flounder length (total length, mm) and age data for NCDMF commercial fishery sampling programs (includes harvest and some discard information).

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	494	192	766	26,378	3	1	11	697
2008	507	186	792	28,014	4	1	11	751
2009	495	172	788	19,908	5	1	11	723
2010	499	217	846	23,441	3	1	14	783
2011	492	179	1,095	17,256	4	2	12	417
2012	503	327	846	7,701	3	1	13	541
2013	522	303	794	6,483	4	1	13	575
2014	512	236	900	20,894	5	1	16	1,115
2015	504	329	888	28,131	6	1	17	884
2016	506	196	817	24,278	7	1	18	925

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SUMMER FLOUNDER

Table 2. Summary of summer flounder length (total length, mm) and age data for NCDMF recreational fishery sampling. “ND” represents no data available.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	403	338	538	286	ND	ND	ND	ND
2008	399	331	485	88	ND	ND	ND	ND
2009	400	330	518	136	ND	ND	ND	ND
2010	395	310	550	259	ND	ND	ND	ND
2011	412	336	608	213	ND	ND	ND	ND
2012	410	283	608	228	ND	ND	ND	ND
2013	408	345	584	114	ND	ND	ND	ND
2014	398	338	476	137	2	2	5	7
2015	409	351	514	116	ND	ND	ND	ND
2016	412	337	529	58	3	2	5	28

Table 3. Summary of summer flounder length (total length, mm) and age data for NCDMF fishery-independent sampling programs. “ND” represents no data available.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	167	40	418	449	ND	ND	ND	ND
2008	159	35	426	1,256	ND	ND	ND	ND
2009	179	37	490	716	ND	ND	ND	ND
2010	156	46	422	770	ND	ND	ND	ND
2011	163	39	431	789	ND	ND	ND	ND
2012	168	38	456	836	ND	ND	ND	ND
2013	153	30	405	1,412	1	0	1	35
2014	151	33	484	698	1	1	2	6
2015	168	37	442	526	0	0	0	6
2016	166	36	453	300	0	0	2	45

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SUMMER FLOUNDER

Table 4. Catch per unit effort (arithmetic mean) for summer flounder in Program 195 (Pamlico Sound Trawl Survey) 1987-2016.

Year	CPUE (number of fish per tow)	Standard Error
1987	19.86	2.70
1988	2.38	0.68
1989	6.93	1.17
1990	4.27	0.77
1991	5.85	1.41
1992	9.14	1.71
1993	5.13	1.22
1994	8.17	1.94
1995	6.65	1.65
1996	30.67	5.61
1997	14.14	3.00
1998	10.44	4.32
1999*	3.24	0.58
2000	3.94	0.81
2001	22.03	3.31
2002	18.28	3.22
2003	7.23	1.73
2004	5.90	1.32
2005	9.79	1.76
2006	1.96	0.47
2007	3.62	0.67
2008	14.40	3.53
2009	4.53	1.22
2010	14.28	3.72
2011	6.64	1.11
2012	9.26	2.39
2013	9.80	1.92
2014	6.55	1.61
2015	3.40	0.74
2016	2.76	0.64
1987-2016 avg. (excludes 1999*)	9.24	
2007-2016 avg.	7.52	

*Sampling occurred in July instead of June

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – SUMMER FLOUNDER

Table 5. Summary of management strategies by North Carolina for summer flounder.

Management Strategy	Outcome
14-inch total length (Atlantic Ocean waters) and 15-inch total length (internal coastal waters) minimum size limit for the commercial fishery	Size limit accomplished by rule 03M .0503(a)
Minimum trawl stretched mesh size of $\geq 5 \frac{1}{2}$ -inches (diamond) or ≥ 6 -inches (square) throughout the body, extensions and tailbag to not possess more than 100 pounds of flounder (May 1-October 31) or more than 200 pounds of flounder (November 1-April 30) (flynets are exempt from minimum trawl mesh requirements)	Rules 03M .0503(b) 03M .0503(f) 03M .0503(g) 03M .0503(h)(1)-(3)
Licenses to land flounder in Atlantic Ocean and to purchase or offload flounder from the Atlantic Ocean required to possess ≥ 100 pounds	Rules 03M .0503(c)(1)-(4)
Commercial seasons that allocate 80 percent of the quota to the winter season (starting January 1), a bycatch trip limit of 100 pounds during the closed season and the remaining quota allocated to the fall season (starting no earlier than November 1)	Rules 03M .0503(i)(1)-(3). Rule suspended for 2013 and 2014 fishing seasons.
Trip limits established for the open seasons	Rule 03M .0503(j) Specific trip limits by Proclamation Authority
15-inch total length (Atlantic Ocean and internal coastal waters) minimum size and 4 fish creel limit for recreational fishery in all joint and coastal waters	Proclamation FF-4-2017

FIGURES

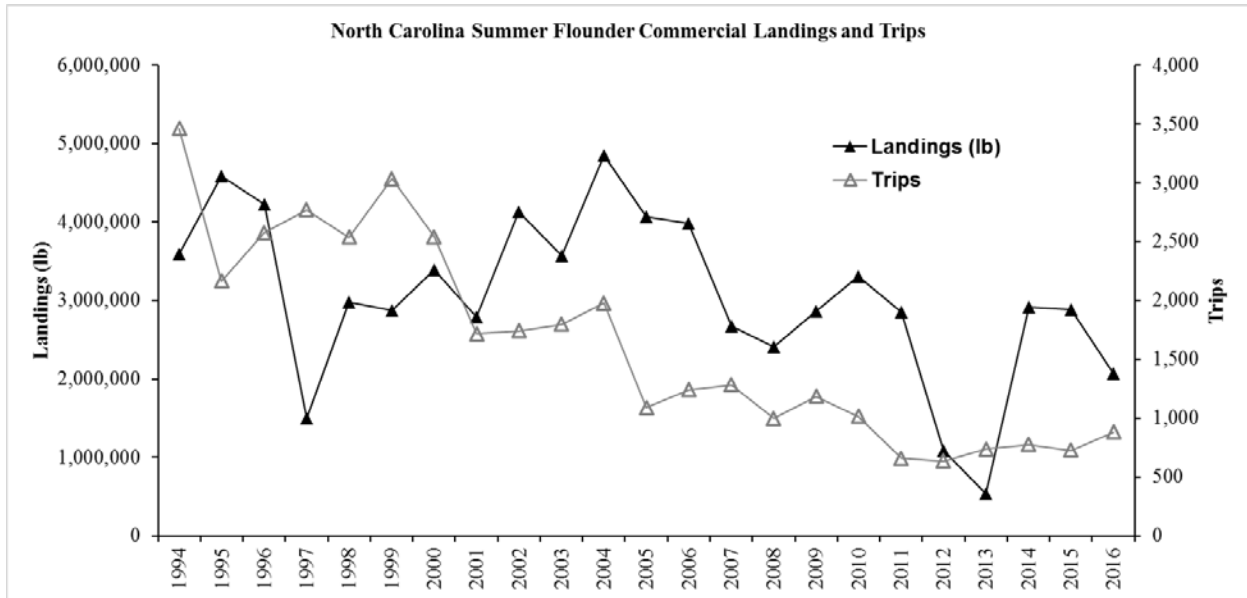


Figure 1. North Carolina commercial landings (total pounds, lb) and trips for summer flounder 1994-2016.

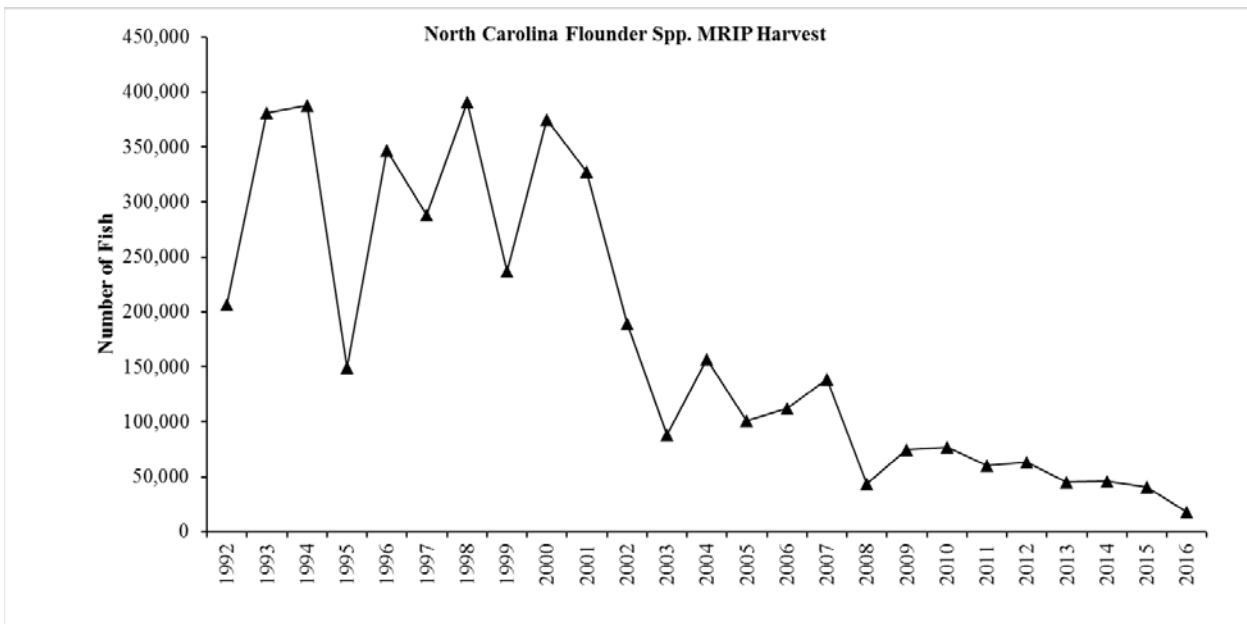


Figure 2. Recreational hook and line harvest (in numbers of fish) of all Paralichthid flounder species, from Marine Recreational Information Program Data 1992-2016.

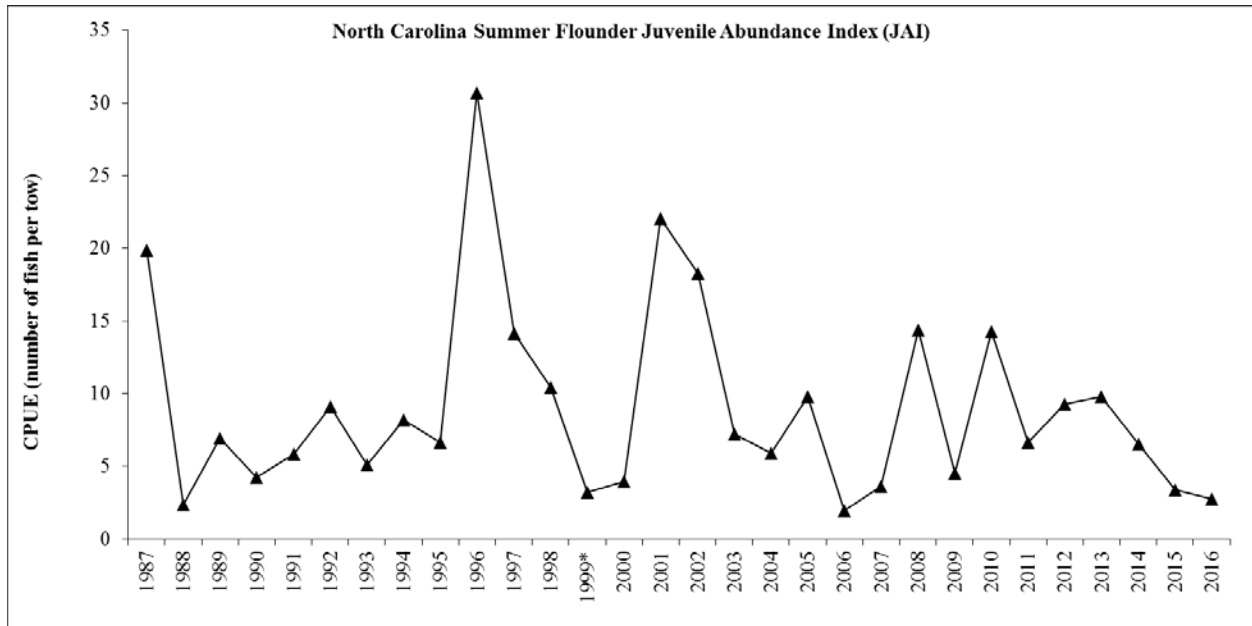


Figure 3. Catch per unit effort (arithmetic mean) for juvenile summer flounder in Program 195 (Pamlico Sound Trawl Survey) 1987-2016.

**FISHERY MANAGEMENT PLAN UPDATE
WEAKFISH
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	ASMFC – October 1985
Amendments:	Amendment 1 – March 1992 Amendment 2 – October 1994 Amendment 3 – May 1996 Amendment 4 – November 2002
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	Assessment update scheduled 2018

Weakfish (*Cynoscion regalis*) are managed under Amendment 4 to the Interstate Fishery Management Plan (FMP) for Weakfish (Atlantic States Marine Fisheries Commission (ASMFC) 2002). The ASMFC adopted its first FMP for weakfish in 1985(ASMFC 1985). Amendment 1 to the FMP (ASMFC 1992) unsuccessfully aimed to improve the status of weakfish. Amendment 2 (ASMFC 1994) resulted in some improvement to the stock, but several signs indicated that further improvement was necessary. Thus, Amendment 3 (ASMFC 1996) was implemented to increase the sustainability of the fishery. Addendum I to Amendment 3 was approved in 2000 in order to extend the existing management program until the Weakfish Management Board could approve Amendment 4.

Weakfish are currently managed under the management program contained in Amendment 4 (ASMFC 2002) and its subsequent addenda. The ASMFC adopted Addendum I to Amendment 4 (ASMFC 2005) to replace the biological sampling program. In response to a significant decline in stock abundance and increasing total mortality since 1999, the Board approved Addendum II to Amendment 4 (ASMFC 2007a) to reduce the recreational creel limit and commercial bycatch limit, and set landings levels that, when met, will trigger the Board to re-evaluate management measures. Addendum III to Amendment 4 (ASMFC 2007b) altered the bycatch reduction device certification requirements of Amendment 4 for consistency with the South Atlantic Fishery Management Council's (SAFMC) Shrimp FMP.

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – WEAKFISH

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, SAFMC, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

The findings of the 2009 weakfish stock assessment indicated that weakfish are currently in a severely depleted state with natural mortality (M) rather than fishing mortality (F) believed to be the primary culprit in the decline (ASMFC 2016). In response to the continued decline in the weakfish population, the ASMFC Weakfish Management Board passed Addendum IV to Amendment 4 (2009). This Addendum required all states along the east coast to implement severe harvest restrictions on weakfish.

Harvest restrictions included a one fish daily recreational bag limit and a 100 pound daily commercial trip limit. North Carolina made a request that was approved by the Weakfish Management Board in August of 2010, to implement a 10 percent bycatch allowance for weakfish in lieu of the 100 pound daily trip limit. This request was considered to be conservationally equivalent to the 100 pound daily trip limit. The alternate management action allowed weakfish to be landed provided they make up less than 10 percent of the weight of all finfish landed up to 1,000 pounds per trip or day, whichever is longer. In November of 2012, based on the recommendation of the North Carolina Marine Fisheries Commission (NCMFC), the alternate management was halted and North Carolina reverted back to the 100 pound daily trip limit consistent with Addendum IV. The Weakfish Management Board, as part of Addendum IV, noted that reductions in harvest would not be adequate to rebuild the depleted weakfish stocks until other confounding factors (i.e. natural mortality) become more favorable for weakfish survival. The Board’s actions were taken to reduce harvest and poise weakfish for a recovery.

A new benchmark stock assessment for weakfish was completed in 2016 (ASMFC 2016) and approved for management by the Weakfish Management Board at the 2016 Spring Meeting of the ASMFC. Results from the current assessment still indicate that weakfish are overfished and that continued high levels of natural mortality (M) are the cause of the decline. Fishing mortality (F) has decreased substantially since 2010 and overfishing on the stock is not occurring. The Board reviewed the results of the assessment at their May 2016 meeting and decided that no new management action was warranted. The management program implemented under Addendum IV remains in effect. An assessment update has been scheduled for 2018.

Management Unit

Weakfish are managed under this plan as a single stock throughout their coastal range. All Atlantic coast states from Massachusetts through Florida and the Potomac River Fisheries

Commission have a declared interest in weakfish. Responsibility for the FMP is assigned to the ASMFC Weakfish Management Board, Plan Review Team, Technical Committee, Stock Assessment Sub-Committee, and Advisory Panel.

Goal and Objectives

The goal of Amendment 4 of the ASMFC FMP is to utilize interstate management so that Atlantic coastal weakfish recover to healthy levels that will maintain commercial and recreational harvest consistent with a self-sustaining spawning stock and to provide for restoration and maintenance of essential habitat (ASMFC 2002). The management objectives are to:

1. Establish and maintain an overfishing definition that includes target and threshold fishing mortality rates and a threshold spawning stock biomass to prevent overfishing and maintain a sustainable weakfish population;
2. Restore the weakfish age and size structure to that necessary for the restoration of the fishery;
3. Return weakfish to their previous geographic range;
4. Achieve compatible and equitable management measures among jurisdictions throughout the fishery management unit, including states' waters and the federal EEZ;
5. Promote cooperative interstate research, monitoring and law enforcement necessary to support management of weakfish;
6. Promote identification and conservation of habitat essential for the long term stability in the population of weakfish; and
7. Establish standards and procedures for both the implementation of Amendment 4 and for determination of states' compliance with provisions of the management plan.

STATUS OF THE STOCK

Stock Status

According to the last stock assessment, completed in 2016, the weakfish stock is depleted and overfishing is not occurring (ASMFC 2016). The stock is considered depleted and has been for the last 13 years. Current SSB levels are well below the recommended minimum threshold (Figure 1).

Stock Assessment

The assessment completed in 2016 employed a new spatially structured forward projecting statistical catch at age model with time-varying natural mortality. This model accounts for varying population spatial distribution and changing natural mortality through time. Results of the assessment show that the weakfish stock is depleted and has been for the past 13 years. Under conditions of time-varying natural mortality, there is no long-term stable equilibrium population size, so an SSB target is not informative for management. After review of the assessment results, the Weakfish Technical Committee (TC) recommended an SSB threshold of 15.2 million pounds that is equivalent to 30 percent of the projected SSB under average natural

mortality and no fishing (SSB30%). When SSB is below that threshold, the stock is considered depleted. In 2014, SSB was 5.62 million pounds (Figure 1). The model indicated natural mortality has been increasing since the mid-1990s, from approximately 0.16 at the beginning of the time-series to an average of 0.93 from 2007-2014 (Figure 2). Even though fishing mortality has been at low levels in recent years, the weakfish population has been experiencing very high levels of total mortality which has prevented the stock from recovering. The preferred model does indicate some positive signs in the weakfish stock in the most recent years, with a slight increase in SSB and total abundance; however, the stock is still well below the SSB threshold.

The current stock assessment will be updated in 2018.

STATUS OF THE FISHERY

Current Regulations

The NCDMF allows for the recreational harvest of weakfish seven (7) days a week with a 12-inch total length minimum size and a one (1) fish per day bag limit. The commercial harvest of weakfish is limited to an 100 pounds daily limit and 12-inches total length with the following exceptions: from April 1 through November 15, weakfish 10 inches total length or more may lawfully be taken in North Carolina internal waters by use of long haul seines or pound nets only and commercial flounder trawl and flynet operations are allowed to land a tolerance of no more than 100 undersized (less than 12 inch total length) weakfish per day or trip, whichever is longer and it is unlawful to sell undersized weakfish.

Commercial Landings

Commercial landings of weakfish peaked in 1980 at 20,343,952 pounds. Landings have since steadily dropped and reached their lowest point in 2011 (65,897 pounds; Table 1). Recent years have shown little increase, due to low abundance and commercial harvest restrictions. Total commercial landings for 2016 were 79,640 pounds. Addendum IV reduced commercial harvest to 100 pounds per trip achieving an estimated reduction of 61 percent from the 2005-2008 harvest levels.

Recreational Landings

Recreational harvest has been variable since 1994 with a peak in 2004 at 244,023 pounds. Harvest since 2009 have decreased considerably due to the implementation of a one-fish bag limit in November 2009 as part of the harvest reductions from Addendum IV, which was estimated to reduce recreational harvest by 53 percent for North Carolina. Average harvest since 2010 are 34,375 pounds and have varied from a high of 46,081 in 2012 to a low of 17,621 in 2011. Recreational harvest in 2016 was 34,860, near the time series average for the period of 2010-2016. A total of seven recreational citations were issued for weakfish in 2016, 3.5 times higher than in 2015 (Table 2).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Commercial fish houses are sampled monthly to provide length, weight, and age data to describe the commercial fisheries. The number of weakfish samples has declined in the last 10 years following a similar trend to the commercial landings (Tables 1 and 3). Samples are collected from the ocean fisheries as well as the estuarine fisheries. The ocean sink net fishery and estuarine gill net fishery dominate the catches of weakfish accounting for 93 percent of the overall commercial catch. The pound net fishery and the historically dominant long haul seine fishery account for about five percent of the remaining commercial harvest with various gears including trawls, crab pots, and rod-n-reels making up the rest. Minimum and average lengths of fish harvested in the commercial fishery have remained consistent over the last 10 years (Table 3). Recreational lengths and weights are collected as part of the Marine Recreational Informational Program (MRIP) by recreational port agents. The mean lengths of weakfish sampled from the recreational fishery are larger than the average lengths from the commercial fishery (Table 3). Minimum and maximum lengths of weakfish have varied over time with no trend.

Fishery-Independent Monitoring

Fishery independent data are collected through both the Program 195 Pamlico Sound Survey and Program 915 Independent Gill Net Survey. The Program 195 survey provides an age-0 index calculated from the September stations and an age-1+ index calculated from the June stations. Both Program 195 indices have been used in the ASMFC stock assessments and show a variable trend over the years (Figures 3 and 4). Program 915 collects information in the Pamlico Sound, Pamlico, Pungo, and Neuse rivers, and the Cape Fear and New rivers. The Pamlico Sound portion is used in the ASMFC stock assessment and has shown a declining trend since 2006 (Figure 6). The Pamlico, Pungo, and Neuse rivers survey is not used in the assessment as there are minimal catches of weakfish. The Cape Fear and New rivers survey has not been used to date as the survey only dates to 2008 and does not provide a sufficient time series to evaluate trends.

Age samples are collected through both dependent and independent sampling. Age samples are collected from all gears possible and during all months. Target sample numbers are set monthly and the number of samples collected has ranged from 263 to 1,695. Ages have ranged from 0 to 15 years with an average modal age of two years (Table 4; Figure 6).

MANAGEMENT STRATEGY

Weakfish are currently managed under Addendum IV to Amendment 4 of the Weakfish FMP and requires all the Atlantic States to implement a one fish per person bag limit, a 100 pound commercial bycatch trip limit, and a 100 fish undersized trip limit allowance for the trawl fishery. Based off of results from the 2016 assessment, the Weakfish TC recommended that a 30 percent SSB threshold be used as a reference point to determine if the stock is depleted. The TC also noted that there is no long-term stable equilibrium population of weakfish due to time varying natural mortality, so they recommended managing the stock based off Z-based (total mortality) targets and thresholds of 20 percent and 30 percent. Because the total mortality of the

stock in the terminal year of the assessment (2014) was below the Z threshold, the TC recommended and the board approved no new management measures at this time.

RESEARCH NEEDS

Biological

High

- Collect catch and effort data including size and age composition of the catch, determine stock mortality throughout the range, and define gear characteristics. In particular, increase length-frequency sampling in fisheries from Maryland north.
- Derive estimates of discard mortality rates and the magnitude of discards for all commercial gear types from both directed and non-directed fisheries. In particular, quantify trawl bycatch, refine estimates of mortality for below minimum size fish, and focus on factors such as distance from shore and geographical differences.
- Conduct an age validation study.
- Identify stocks and determine coastal movements and the extent of stock mixing, including characterization of stocks in over-wintering grounds (e.g., tagging).
- Conduct spatial and temporal analysis of the fishery independent survey data. The analysis should assess the impact of the variability of the surveys in regards to gear, time of year, and geographic coverage on their (survey) use as stock indicators.
- Analyze the spawner recruit relationship and examine the relationships between parental stock size and environmental factors on year-class strength.

Medium

- Biological studies should be conducted to better understand migratory aspects and how this relates to observed trends in weight at age. Test for individual growth difference and the geospatial pattern, as well as the geospatial pattern of the catch rate surveys.
- Define reproductive biology of weakfish, including size at sexual maturity, maturity schedules, fecundity, and spawning periodicity. Continue research on female spawning patterns: what is the seasonal and geographical extent of "batch" spawning; do females exhibit spawning site fidelity?
- Continue studies on mesh-size selectivity, particularly for trawl fisheries.
- Continue studies on recreational hook-and-release mortality rates, including factors such as depth, warmer water temperatures, and fish size in the analysis. Studies are needed in deep and warm water conditions. Further consideration of release mortality in both the recreational and commercial fisheries is needed, and methods investigated to improve survival among released fish.

Low

- Develop a coastwide tagging database.

Social and Economic

- Assemble socio-demographic-economic data as it becomes available from ACCSP.
- Detailed information on production activities (e.g., fishing effort and labor used by gear, vessel characteristics, areas fished, etc.) and costs and earnings for the harvesting and processing sectors.

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – WEAKFISH

- Information on retail sales and demand for weakfish in order to estimate the demand and economic benefits of at-home and away-from home consumption of weakfish.
- Development of bio-economic models that link the underlying population dynamics to the economic aspects of the commercial and recreational fisheries.
- Distribution of weakfish to the various markets and across states.
- Information on the margins of various stages of processing and marketing also need to be obtained; this information is necessary to construct mathematical models that can be used to estimate the economic impacts of management and regulation.
- A directed data collection program for weakfish including the same variables presently collected by National Oceanic and Atmospheric Administration Fisheries in support of MRFSS and by the economic add-on. Data collected includes information on travel distance, mode of angling, expenditures, area fished, catch on previous trips, and other information.
- Development of commercial decision-making or behavioral models to explain how fishers might respond to various regulations.
- Estimation and assessment of consumer (net economic benefits to consumers) and producer (net economic benefits or profits to producers) surplus; the sum of consumer and producer surplus is a measure of the net economic value to society of a good or service.
- Development of input/output models for all states having commercial weakfish activity, or alternatively, full-blown economic impact models, which might consist of input/output models or General Equilibrium models.
- Determination of the economic value derived from recreational angling including the economic value of a catch and release fishery

Habitat

- Conduct hydrophonic studies to delineate weakfish spawning habitat locations and environmental preferences (temperature, depth, substrate, etc.) and enable quantification of spawning habitat.
- Compile existing data on larval and juvenile distribution from existing databases in order to obtain preliminary indications of spawning and nursery habitat location and extent.
- Document the impact of power plants and other water intakes on larval, post larval and juvenile weakfish mortality in spawning and nursery areas, and calculate the resulting impacts on adult stock size.
- Define restrictions necessary for implementation of projects in spawning and over-wintering areas and develop policies on limiting development projects seasonally or spatially.

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TABLES

Table 1. Recreational harvest (number of fish released and weight) and releases (number of fish) and commercial harvest (weight in pounds) of weakfish from North Carolina, 2007-2016.

Year	Recreational		Commercial		Total Weight Harvested (lb)
	Released	Harvested	Harvested	Harvested (lb)	
2007	226,601	94,398	111,754	175,589	287,343
2008	195,776	108,389	114,192	162,516	276,708
2009	220,121	68,553	89,652	163,146	252,798
2010	225,246	41,598	38,721	106,328	145,049
2011	111,574	13,464	17,621	65,897	83,518
2012	173,843	40,299	46,081	91,383	137,464
2013	111,524	33,851	34,731	120,188	154,919
2014	281,335	26,308	25,957	105,115	131,076
2015	520,782	39,842	50,903	80,235	123,376
2016	423,482	33,585	34,860	79,640	114,500

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – WEAKFISH

Table 2. Total number of awarded citations for weakfish (>24-inches total length for release or > 5 lb landed) from the North Carolina Saltwater Fishing Tournament from 2007-2016.

Year	Total Citations*	Release Citations ⁺	% Release ⁺
2007	2	-	-
2008	4	0	0
2009	3	0	0
2010	1	0	0
2011	1	0	0
2012	2	1	50
2013	4	0	0
2014	3	0	0
2015	2	0	0
2016	7	0	0

*Minimum qualifying weight increased from 4 lb to 5 lb in 2008

⁺Release citations were not offered prior to 20

Table 3. Mean, minimum, and maximum lengths (total length, millimeters) of weakfish sampled from the commercial and recreational fisheries of North Carolina from 2007-2016.

Year	Commercial				Recreational			
	Mean Length	Minimum Length	Maximum Length	Total Number Measured	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	324	121	662	4,569	369	267	525	76
2008	322	127	668	3,185	355	297	519	145
2009	333	160	857	2,631	383	247	555	132
2010	322	130	880	2,074	345	235	440	96
2011	333	97	637	1,701	375	294	780	41
2012	350	127	591	2,623	367	259	529	81
2013	360	202	718	3,323	356	192	580	74
2014	358	127	620	3,322	352	277	515	71
2015	356	137	704	2,371	373	311	482	34
2016	359	220	600	2,588	353	261	457	76

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – WEAKFISH

Table 4. Modal age, minimum age, maximum age, and number aged for weakfish collected through NCDMF sampling programs from 1988 through 2016.

Year	Modal Age	Minimum Age	Maximum Age	Number Aged
1988	2	0	6	419
1989	2	0	7	356
1990	2	1	11	272
1991	2	0	5	481
1992	2	0	6	597
1993	2	0	6	710
1994	2	0	7	689
1995	3	0	6	1,408
1996	4	0	6	1,695
1997	3	0	7	1,101
1998	3	0	7	703
1999	3	0	8	659
2000	1	0	9	616
2001	2	0	10	630
2002	3	0	10	512
2003	4	0	8	491
2004	2	0	11	589
2005	2	0	12	561
2006	3	0	7	752
2007	2	0	6	560
2008	1	0	5	480
2009	1	0	15	263
2010	2	0	5	507
2011	2	0	4	378
2012	3	0	4	497
2013	2	0	5	546
2014	1	0	4	508
2015	2	0	4	326
2016	1	0	5	570

FIGURES

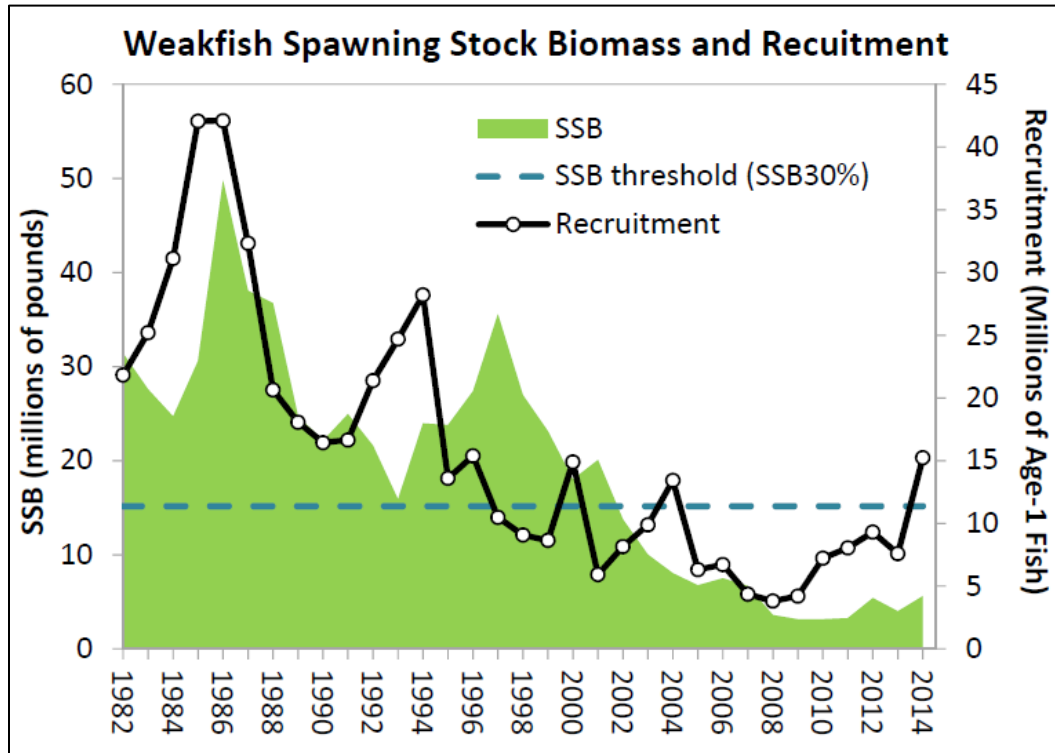


Figure 1. Spawning stock biomass (SSB) and recruitment of age-1 weakfish estimated along the U.S. Atlantic coast from 1982 to 2014 (ASMFC Year). Dashed line represents the 30% spawning stock biomass (SSB) threshold of 15.17 million pounds.

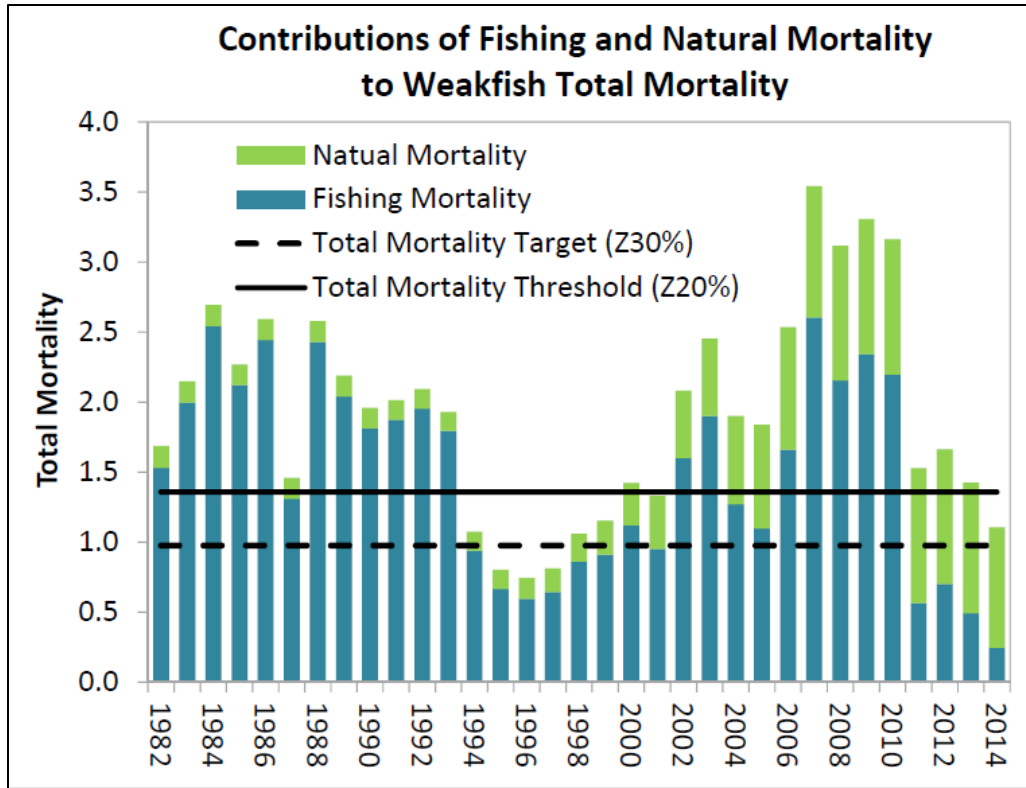


Figure 2. Natural mortality (M) and fishing mortality (F) estimated for all weakfish along the U.S. Atlantic east coast, 1982 to 2014 (ASMFC year). Solid and dashed lines represent total mortality targets (Z30% = 0.93) and thresholds (Z20% = 1.36) used to determine if the stock is being overfished.

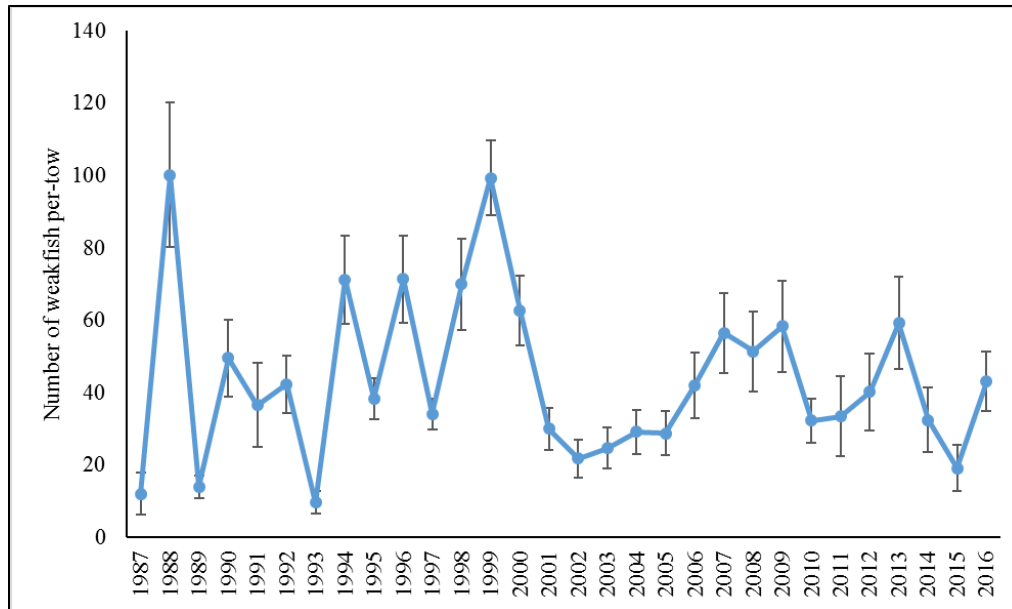


Figure 3. Catch Per Unit Effort (fish per tow) from the Pamlico Sound Survey (Program 195) in North Carolina of Age 0 weakfish collected during September with a total length less than 200 mm from 1987 through 2016. Error bars represent \pm one standard error (SE).

ASMFC AND FEDERALLY-MANAGED SPECIES WITH N.C. INDICES – WEAKFISH

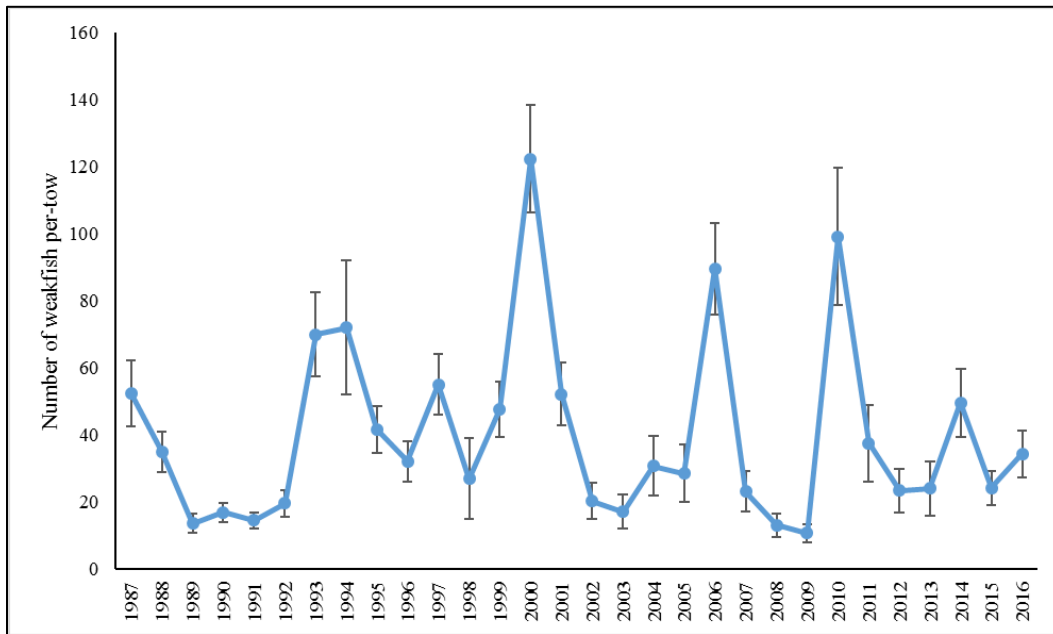


Figure 4. Catch Per Unit Effort (fish per tow) from the Pamlico Sound Survey (Program 195) in North Carolina of Age 1+ weakfish collected during June with a total length greater than 140 mm from 1987 through 2016. Error bars represent \pm one standard error (SE).

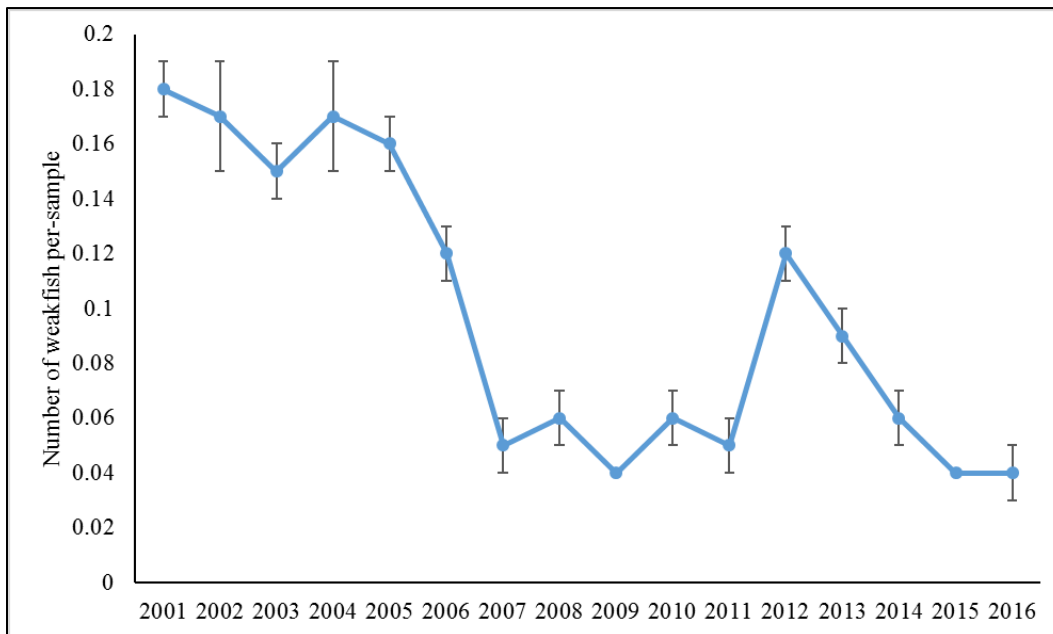


Figure 5. Catch Per Unit Effort (fish per sample) from the Pamlico Sound portion of the Independent Gill Net Survey (Program 915) in North Carolina from 2001 through 2016. Error bars represent \pm one standard error (SE).

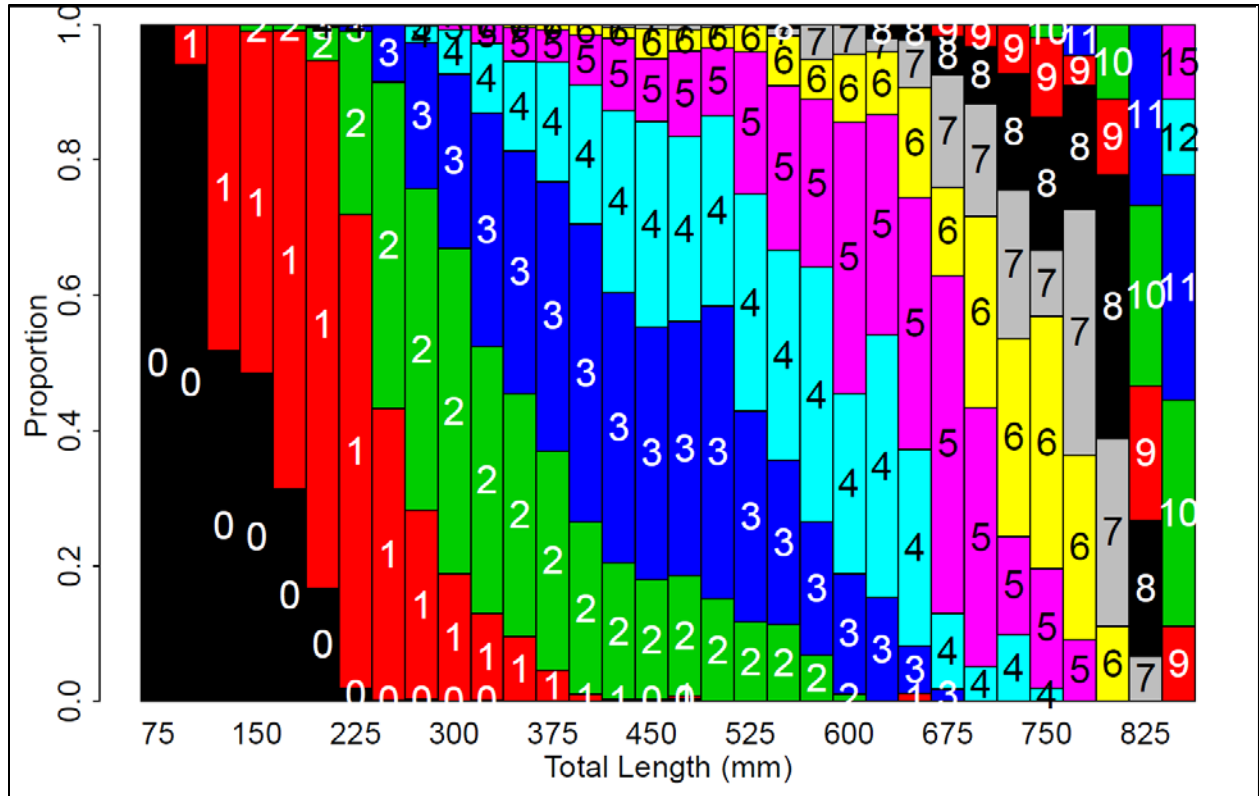


Figure 6. Proportion of ages by size class (25 millimeter size bins) of all weakfish aged by NCDMF since 1988.

**FISHERY MANAGEMENT PLAN UPDATE -
AMERICAN EEL
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	November 1999 Addendum I – February 2006 Addendum II – October 2008 Addendum III – August 2013 Addendum IV – October 2014
Amendments:	None
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	To be determined

American eel is managed under the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan (FMP) for American Eel. The initial FMP was approved in 1999, reviewed and updated in 2006 and 2008. In May 2012, the benchmark American eel stock assessment was completed and accepted for use in management. In 2013 and again in 2014, the FMP was reviewed and updated. The FMP implements management measures to protect and enhance the abundance of American eel, while allowing commercial and recreational fisheries to continue.

Addendum I, approved November 2006, required states to establish a mandatory trip-level catch and effort monitoring program, including the documentation of the amount of gear fished and soak time (ASMFC 2006). Addendum II, approved in October 2008, maintained status quo on state management measures and placed increased emphasis on improving the upstream and downstream passage of American eel (ASMFC 2008). In August 2013, Addendum III to the ASMFC Interstate FMP for American Eel was approved for management. This addendum predominately focused on commercial yellow eel and recreational fishery management measures. Addendum III implemented new size and possession limits as well as new pot mesh size requirements and seasonal gear closures (Table 1). Following approval of Addendum III, the ASMFC American eel Management Board initiated the development of Addendum IV, which was approved and adopted in October 2014. This addendum addressed concerns and issues in the

commercial glass and silver eel fisheries, domestic eel aquaculture, and established a coast-wide catch cap that set up an automatic implementation of a state-by-state commercial yellow eel quota if the catch cap is exceeded. As the second phase of management in response to the 2012 stock assessment, the goal of Addendum IV is to continue to reduce overall mortality and increase overall conservation of American eel stocks. Information about abundance and status at all life stages, as well as habitat requirements, is very limited. The life history of the species, such as late age of maturity and a tendency for certain life stages to aggregate, can make this species particularly vulnerable to overharvest.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The American eel is managed as a coast wide stock under the ASMFC Interstate FMP for American Eel (ASMFC 2000). The American eel's range extends beyond U.S. borders and more specifically ASMFC member states territorial waters. However, the management unit is limited to ASMFC member states territorial waters.

Goal and Objectives

The goal of the ASMFC American Eel FMP is to protect and enhance the abundance of American eel in inland and territorial waters of the Atlantic states and jurisdictions, and contribute to the viability of the American eel spawning population; and provide for sustainable commercial, subsistence, and recreational fisheries by preventing over-harvest of any eel life stage. The following objectives will be used to achieve this goal:

1. Improve knowledge of eel utilization at all life stages through mandatory reporting of harvest and effort by commercial fishers and dealers, and enhanced recreational fisheries monitoring.
2. Increase understanding of factors affecting eel population dynamics and life history through increased research and monitoring.
3. Protect and enhance American eel abundance in all watersheds where eel now occur.

4. Where practical, restore American eel to those waters where they had historical abundance but may now be absent by providing access to inland waters for glass eel, elvers, and yellow eel and adequate escapement to the ocean for pre-spawning adult eel.
5. Investigate the abundance level of eel at the various life stages necessary to provide adequate forage for natural predators and support ecosystem health and food chain structure.

STATUS OF THE STOCK

Stock Status

The 2012 ASMFC benchmark stock assessment found the stock status of the American eel population to be depleted in U.S. waters. Although no determination of overfishing could be made, the assessment found the stock is at or near historically low levels due to a combination of historical overfishing, habitat loss and alteration, productivity and food web alterations, predation, turbine mortality, changing climatic and oceanic conditions, toxins and contaminants, and disease (ASMFC 2013).

In 2010, the Center for Environmental Science, Accuracy, and Reliability petitioned the U.S. Fish and Wildlife Service (USFWS) to list American eel under the Endangered Species Act (ESA). In September 2011, USFWS concluded the petition may be warranted and initiated a status review to assess the health of the population and the magnitude of threats facing the species. In October 2015, after examining the best scientific and commercial information available, the USFWS determined the American eel population is stable and not in danger of extinction (endangered) or likely to become endangered within the foreseeable future (threatened).

Stock Assessment

A benchmark stock assessment was completed in 2012 and approved for management use. A trend analyses and depletion-based stock reduction analysis (DB-SRA) was conducted by the Stock Assessment Subcommittee and the results indicate that the American eel stock has declined in recent decades and the prevalence of significant downward trends in multiple surveys across the coast is cause for concern. While it is highly likely the American eel stock is depleted, no overfishing determination can be made now based solely on the trend analyses performed. The overfishing and overfished status in relation to the biomass and fishing mortality reference points cannot be stated with confidence.

In May 2016, the American eel Technical Committee (TC) and Stock Assessment Subcommittee (SAS) determined that there are not enough new data sets or program developments since the last benchmark assessment and therefore recommend doing an update in 2017 and continuing to make progress on the research recommendations to support a benchmark stock assessment in the future.

STATUS OF THE FISHERY

Current Regulations

New management measures for yellow eels went into effect on January 1, 2014 under North Carolina Marine Fisheries Commission (NCMFC) Rule 15A NCAC 03M .0510. These measures included a nine-inch total length (TL) minimum size limit for both the commercial and recreational fisheries, a new bag limit for the recreational fishery (25 eels / person / day), and crew members involved in for-hire employment are allowed to maintain the current 50 eels / day bag limit for bait purposes. The rule also made the possession of American eels illegal from September 1 through December 31 except when taken by baited pots. NCMFC Rule 15A NCAC 03J .0301 established a ½ by ½ inch minimum mesh size requirement for the commercial eel pot fishery. Eel pots with an escape panel consisting of a 1 by ½ inch mesh are allowed until January 1, 2017.

Commercial Landings

The average commercial landings and value over a 10-year period (2007 – 2016) was 56,963 pounds / \$140,566; in 2016 the commercial landings and value was 41,678 pounds / \$92,011. Commercial American eel landings have fluctuated over the years; in 1979 and 1980 over 900,000 pounds of American eels were landed, however, since the late 1980's American eel landings have averaged less than 100,000 pounds (Figure 1).

Recreational Landings

There are no recreational landings data available for American eels, which are not typically a targeted species. Since eels are caught incidentally in the estuarine environment by recreational fishermen by hook and line, the Marine Recreational Information Program (MRIP) does not provide reliable harvest data. Also, the survey design of MRIP does not provide information on the recreational harvest of American eel in inland waters.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Not Available.

Fishery-Independent Monitoring

Currently, the National Oceanic and Atmospheric Administration (NOAA) conducts the Beaufort Bridgenet Ichthyoplankton Sampling Program (BBISP), a year-round ichthyoplankton survey at Beaufort Inlet, which is used to develop a North Carolina young-of-year relative abundance index for American eel (Figure 2). Because the BBISP is a generally unfunded program, a backlog of unsorted larval fish samples had arisen, and larval fish data were only available from 1987-2010. A N.C. Coastal Recreational Fishing License (CRFL) grant was used to process the backlog, and the resulting data were incorporated into the recently revised and error-checked BBISP database, furthering the BBISP time series to 1985-2013. The BBISP has continued their long-term sampling program and currently there is approximately a three-year

backlog of unsorted samples (2014 to 2016). In 2017, new CRFL funds were secured to process the newly generated backlog of post-2013 samples and new data collections through 2019.

The NCDMF has no other fishery-independent monitoring programs specifically for American eel, however, the North Carolina Estuarine Trawl Survey (Program 120) collects information on American eels caught incidentally. American eel catch data from Program 120 were used in the 2012 benchmark stock assessment (Figure 3).

MANAGEMENT STRATEGY

The commercial yellow eel fishery is regulated through an annual coast wide catch cap set at 907,671 pounds (1998 – 2010 harvest level; ASMFC 2014). Contained within Addendum IV are two management triggers (see below), which, if either trigger is exceeded, there would be automatic implementation of a state-by-state commercial yellow eel quota. The annual coast wide quota is set at 907,669 pounds, with allocations to each state. North Carolina would receive an 11.8 percent allocation (107,054 pounds).

Management Triggers

1. The coastwide catch cap is exceeded by more than 10 percent in a given year (998,438 pounds)
2. The coastwide catch cap is exceeded for two consecutive years, regardless of the percent overage.

RESEARCH NEEDS

The bulleted items listed below identify research needs as described in Addendum III to the American Eel FMP and lists progress made towards accomplishing those objectives.

- Mandatory trip level reporting by life stage, including number or units fished and unit soak time - (Ongoing through the American Eel Logbook Reporting Program)
- Mandatory young-of-year survey in two river systems over a six-week period - (In 2009, funding was cut for the NCDMF YOY survey; however, the NOAA BBISP is currently used for the YOY survey, as approved by the ASMFC American Eel Management Board)
- Mandatory cross-referencing between dealer and fishery reported harvest - (Ongoing through the NC Trip Ticket Program and the American Eel Logbook Reporting Program)
- Development of quantifiable eel habitat enhancement goals through the creation of a coast-wide eel habitat GIS database. The goal of the database would be the generation of coast-wide, regional, state, and watershed maps that would quantify the amount of available habitat relative to historical habitat and identify major barriers to eel migration. This information would allow the ASMFC to prioritize eel habitat enhancement programs at coast-wide, regional, and state scales. Efforts should be coordinated with existing GIS efforts already underway in Canada. Potential funding and coordination with the Atlantic Fish Habitat Partnership should be considered. This project is considered a high priority item and should be completed either prior to the start of the next benchmark stock assessment or in conjunction with the stock assessment - (No Action)

- Work with other appropriate ASMFC committees to develop materials to support states of jurisdictions interested in making recommendations to the Federal Energy Regulatory Commission (FERC) for upstream and downstream fish passage provisions for American eels in the hydropower licensing and relicensing process - (No Action)
- Work with states and jurisdictions to develop a list of non-FERC licensed dams and other impoundments which impact eel movements and migration. The Nature Conservancy recently completed an online, interactive inventory of dams from Maine to Virginia (see: The Northeast Aquatic Connectivity and Assessment of Dams) which could be adapted to meet this goal. An evaluation should be conducted on each general type of impoundment to assess the potential for eel passage without assistance (i.e. no eel passage constructed) or determine what type of eel passage for each type of impoundment would be most beneficial for all, or specific, life stages. The recommendations from the workshop proceedings (in preparation) from the ASMFC American Eel Passage Workshop held in Gloucester, MA, (March 2011) should be a useful document to assist in the completion of this task - (No Action)
- Develop a timeline and target for 1) the amount of habitat to open through creation of fish passage or dam removal, where feasible and/or 2) the amount of habitat to enhance to increase survival for all, or specific, life stages - (No Action)
- Assess and provide recommendations related to other potential impacts caused by water supply and withdrawal operations, water diversions, and agricultural water use - (No Action)
- Increase coordination with the ASMFC Fish Passage, Habitat, and FERC Guidance Committees. The state marine fisheries agencies should also encourage increased communication and collaboration with their inland fisheries agencies counterparts where applicable. The Commission should also continue the development of a Memorandum of Understanding between the Great Lakes Fisheries Commission, U.S. Fish and Wildlife Service, and NOAA Fisheries in order to reduce mortality on eels throughout their range, as well as improving access to suitable habitat - (No Action)
- Collect biological information by life stage including length, weight, age, and sex of eels caught in fishery-independent sampling programs; at a minimum, length samples should be routinely collected from fishery-independent or fisheries-dependent surveys - (Collecting length of eels caught in independent sampling programs)
- Implement surveys that directly target and measure abundance of yellow- and silver-stage American eels, especially in states where few targeted eel surveys are conducted - (No Action)
- Coast-wide sampling program for yellow and silver American eels should be developed using standardized and statistically robust methodologies - (No Action)
- State marine agencies work with their state inland counterparts, where applicable, to standardize reporting of trip-level landings and effort data that occur in inland waters on diadromous populations of eels - (No Action)

LITERATURE CITED

- ASMFC (Atlantic States Marine Fisheries Commission). 2000. Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for American Eel. Atlantic States Marine Fisheries Commission. Arlington, VA. 93 pp.
- ASMFC. 2006. Atlantic States Marine Fisheries Commission Addendum I to the Interstate Fishery Management Plan for American Eel. Atlantic States Marine Fisheries Commission. Arlington, VA. 8 pp.
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- ASMFC. 2014. Atlantic States Marine Fisheries Commission Addendum IV to the Interstate Fishery Management Plan for American Eel. Atlantic States Marine Fisheries Commission. Arlington, VA. 26 pp.
- NCDMF (North Carolina Division of Marine Fisheries). 2015. Fishery Management Plan for Interjurisdictional Fisheries: Information Update. North Carolina Department of Environmental Quality. North Carolina Division of Marine Fisheries. Morehead City, North Carolina. 85 pp.

TABLES

Table 1. Summary of management strategies and their implementation status from Addendum IV and previous Addendums.

Management Strategy	Implementation Status
Establish a Coastwide Cap (907,671 pounds)	Accomplished with Addendum IV
Nine (9) inch minimum size limit for both commercial and recreational fisheries.	Accomplished by N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0510
Minimum eel pot mesh size of one-half by one-half inch.	Accomplished by N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0301
Recreational possession limit of 25 eels / person / day.	Accomplished by N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0510
No possession of American eels from September 1 to December 31 unless they are taken with baited pots	Accomplished by N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0510
Mandatory trip level reporting by life stage, including number of units fished and unit soak time.	Accomplished by N.C. G.S. 113-170.3 and the American Eel Logbook Reporting Program where fishermen are notified by letter of the monthly reporting requirement

FIGURES

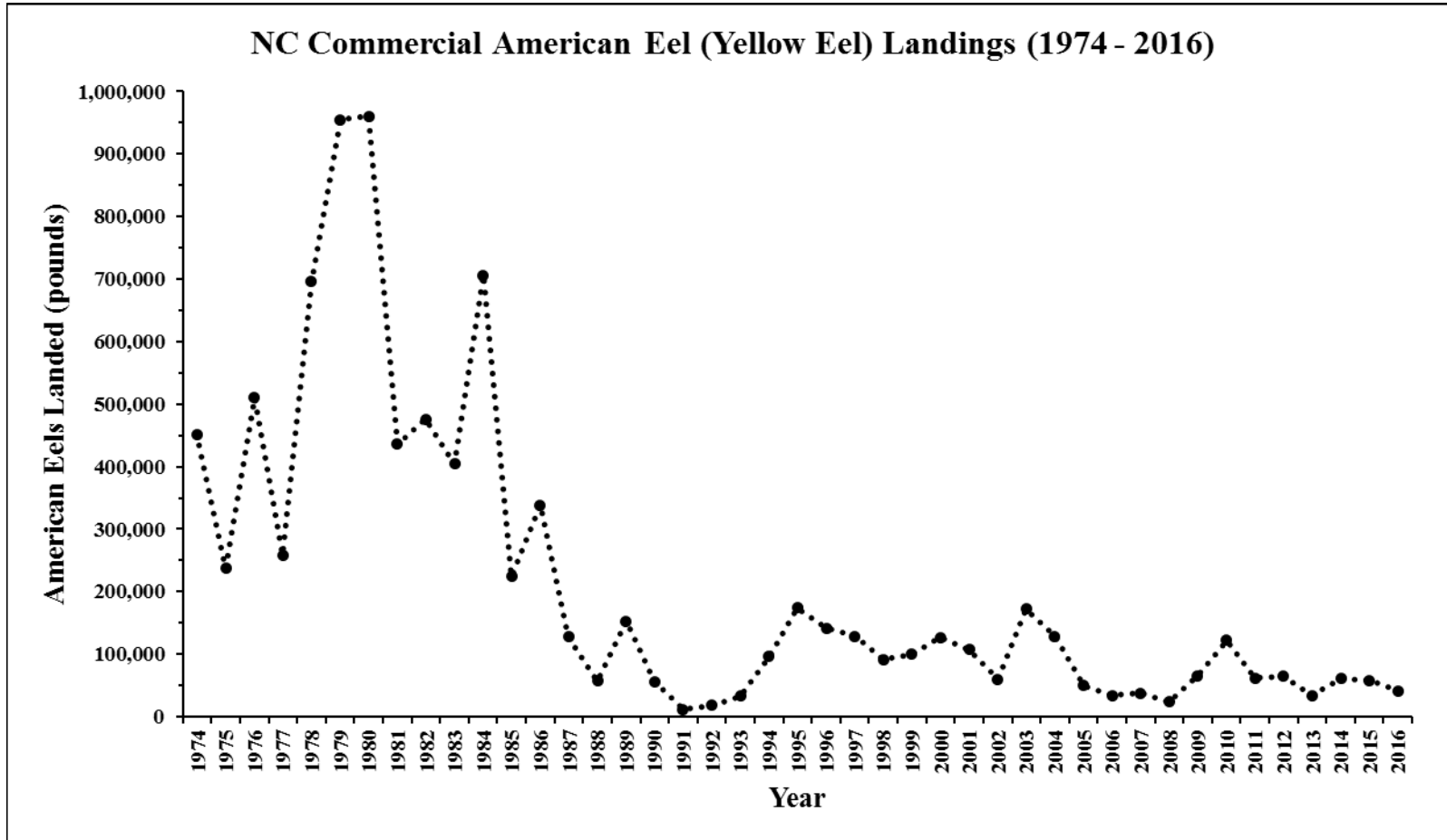


Figure 1. American eel (yellow eel) commercial landings in N.C., 1974 – 2016.

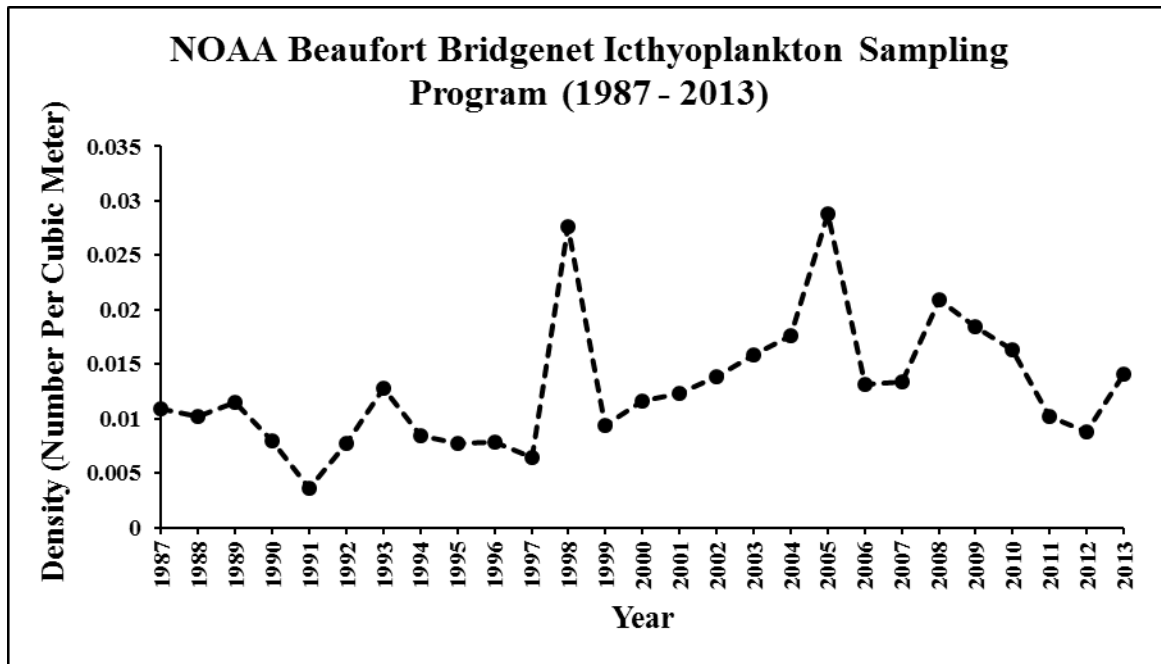


Figure 2. Average annual density (number of larvae per cubic meter) of American eel (glass eel) in the BBISP, 1987 - 2013.

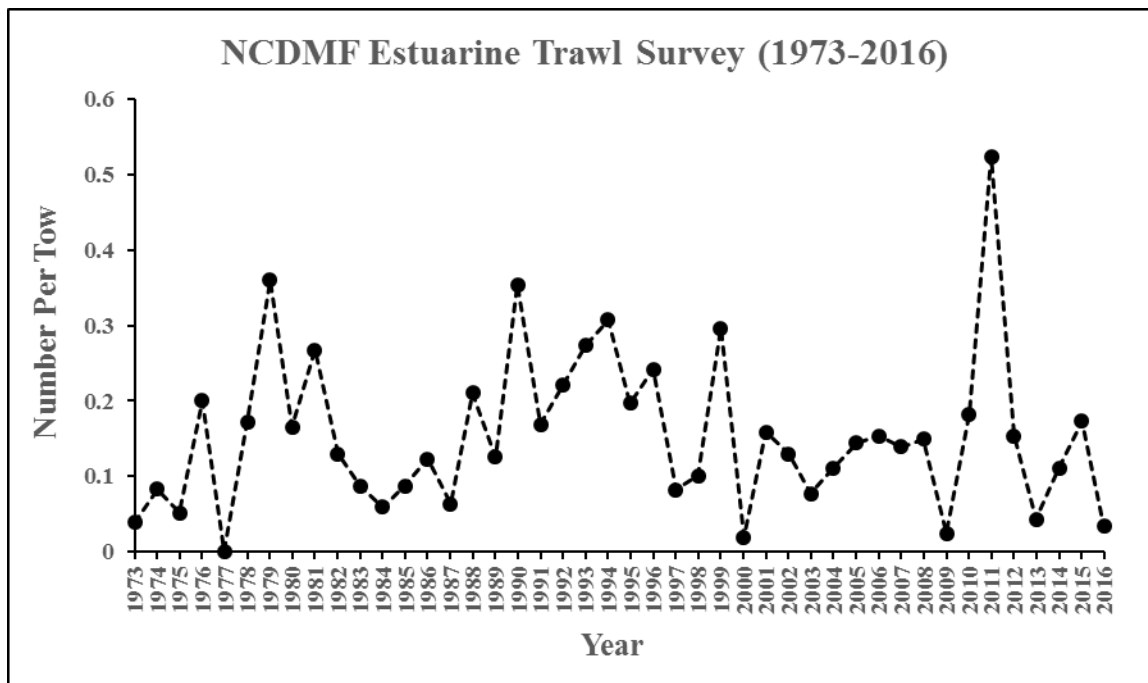


Figure 3. Annual index of relative juvenile (elver) abundance of American eel in the NCDMF Estuarine Trawl Survey, 1973 - 2016.

**FISHERY MANAGEMENT PLAN UPDATE
COBIA
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	February 1983
Amendments:	Amendment 1 – September 1985 Amendment 2 – August 1987 Amendment 3 – August 1989 Amendment 5 – August 1990 Amendment 6 – December 1992 Amendment 8 – April 1998 Amendment 11 – December 1999 Amendment 18 – January 2012 Amendment 20b – March 2015
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	2018

The Gulf of Mexico Fishery Management Council (GMFMC) and the South Atlantic Fishery Management Council (SAFMC) approved and implemented the Fishery Management Plan, Final Environmental Impact Statement, Regulatory Impact Review and Final Regulations for the Coastal Migratory Pelagic Resources (FMP) in 1983 which included all cobia (*Rachycentron canadum*) in the Gulf of Mexico and South Atlantic. This plan managed cobia as one unit stock across the entire jurisdictional area of the GMFMC and SAFMC. The original plan estimated Maximum Sustainable Yield (MSY) of cobia at the time to be 1,057,000 pounds with an estimated domestic harvest of 1,000,000 pounds and set a total allowable level of foreign fishing to zero. The stated management objective for cobia in the plan was to institute management measures necessary to increase yield per recruit and average size and to prevent overfishing. To achieve this, a minimum size limit of 33 inches fork length was established for the fishery conservation zone (FSC), which is analogous to the Exclusive Economic Zone (EEZ) of today which is locally referred to as ‘federal waters’. The FMP was first amended in 1985 with the adoption of Amendment 1 which established the fishing year as January 1 through December 31 and clarified that the minimum size limit for cobia is 33 inches fork length or 37 inches total

length. This amendment also highlighted the fact that most southeastern states had not yet adopted the recommended minimum size limits for cobia and that populations of cobia in Chesapeake Bay appear to be overfished and that the federal enforcement capability in this case is very limited.

Amendment 2 to the FMP was approved in 1987 and established a permit for charter boats fishing for coastal migratory pelagics. Amendment 3 (1987) prohibited drift gill nets as a gear that could be used to harvest coastal pelagic species. Amendment 5 (1990) addressed the issue of average annual catches from 1981-1986 exceeding the established Maximum Sustainable Yield level by 900,000 pounds and defined the overfishing limit for the cobia stock. The stock shall be managed using a target level percentage of no less than 20 percent of spawning stock biomass per recruit (SSBR). If the stock is considered overfished then the Science and Statistical Committee (SSC) will develop ranges of Allowable Biological Catch (ABC) that will rebuild the overfished stock. Cobia were added to the annual stock assessment procedures for the councils, and a bag limit of two fish per person per day with a one-day possession limit was established for both commercial and recreational sectors in an effort to control harvest. Amendment 6 (1992) removed the 37-inch total length minimum size specifying that the only minimum size for cobia is 33 inches fork length and changed MSY to 2,200,000 pounds based on results from the mackerel stock assessment panel.

In 1998, Amendment 8 extended the management area for cobia through the Mid-Atlantic Fishery Management Council's (MAFMC) jurisdiction which also extended the two-fish bag limit and 33-inch fork length minimum size limit. Overfishing was defined as a fishing mortality rate greater than a static Spawning Potential Ratio (SPR) threshold of 30 percent and if exceeded, then required that fishing mortality be reduced to rates corresponding to management target levels. Optimum yield (OY) was defined as being equal to MSY. Amendment 11 (1999) redefined OY as the amount of harvest that can be taken by United States fishermen while maintaining the SPR at or above 40 percent of a static SPR. It also redefined the overfishing level as a fishing mortality rate (F) in excess of the F at 30 percent of a static SPR and established a threshold level for all the species in the coastal migratory pelagic unit as 10 percent of the static SPR.

Amendment 18 (2011) separated cobia into two stocks at the jurisdiction boundary between the GSFMC and the SAFMC. The Atlantic stock range was east of the Florida keys through New York. Annual Catch Limits (ACL) were established for both stocks as required under the federal Magnuson-Stevens Act. The ACL for the Atlantic stock was set to 1,571,399 pounds with a 92 percent recreational and eight percent commercial sector allocation. Cobia are currently managed under Amendment 20b (2014) which modified the stock boundary based on the results of the 2013 stock assessment (SEDAR 28) to the Florida/Georgia line. A new ACL was set at 690,000 pounds for the 2015 fishing season and 670,000 pounds for every year after. Sector allocations were set to 630,000 pounds for the recreational sector for the 2015 season and 620,000 pounds for subsequent years. The commercial allocation was set to 60,000 pounds in 2015 and 50,000 pounds for years following. Accountability Measures (AM) required under the federal Magnuson Stevens-Act were established to ensure that ACLs are not exceeded and that stock does not become overfished. Accountability measures require the councils to take action to limit the harvest of the species if an ACL is exceeded. For cobia, the recreational AMs do not allow for

in-season closures if the ACL is met or projected to be met rather, measures are to be taken the following season to limit the harvest to keep the three-year running average of landings at or below the ACL. If the total ACL is exceeded, the AMs require that the length of the recreational season the following year be reduced to constrain harvest to the ACL for that year. The commercial AMs require an in-season closure if the commercial ACL is met or projected to be met. If the stock is overfished, and the total ACL is exceeded, then the sector-specific ACL for the following year will be reduced by the appropriate sector-specific overage.

Framework Amendment 4 to the CMP FMP has been approved by the council but is awaiting review by the Secretary of Commerce before it can be implemented. It would increase the recreational minimum size limit of cobia to 36 inches fork length and reduce the bag limit to one fish per person per day and implement a six fish per day vessel limit. The recreational AM will also be modified to allow for a reduction in vessel limit before a season reduction is implemented. The amendment would also maintain the existing commercial minimum size limit of 33 inches fork length, and establish a two fish per person per day or six fish per vessel per day (whichever is more restrictive) commercial trip limit. No changes to the commercial accountability measures are proposed.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, SAFMC, or the Atlantic States Marine Fisheries Commission by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic States Marine Fisheries Commission plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The current management unit for Atlantic cobia is defined in Amendment 20b as all waters north of the Florida/Georgia line through New York from 3 to 200 miles offshore (Figure 1).

Goal and Objectives

The goal of Amendment 20b to the FMP is to achieve optimum yield while ensuring regulations are fair and equitable and fishery resources are utilized efficiently.

STATUS OF THE STOCK

Stock Status

Cobia were last assessed during SEDAR 28 (2012) using data through 2011. Results of this assessment indicate that cobia are not overfished and overfishing is not occurring. However,

spawning stock biomass (SSB) was in decline with the terminal year of the assessment approaching the minimum stock size threshold.

Stock Assessment

SEDAR 28 (2013) assessed the Atlantic stock of cobia using data from 1950 - 2011. The data available for cobia included life history information (growth rate, age structure, and age-specific maturity), commercial and recreational landings and discards, commercial and recreational length and age composition, and information on the South Carolina cobia stocking program. Several stock assessment models were considered but the Beaufort Assessment Model (BAM) was selected by the Assessment Workshop (AW) as the primary assessment model. The BAM uses a statistical catch-at-age formulation which allows for forward-projecting a fish population through time. The base run of the BAM indicated that cobia were not overfished in the terminal year ($SSB_{2001}/MSST = 1.75$; Figure 2) and overfishing was not occurring ($F_{2009-2011}/F_{MSY} = 0.599$; Figure 3). Sensitivity runs of the model confirmed that these values were consistent.

Sources of uncertainty in the assessment included the lack of a fishery-independent index of abundance and the fact that three available indices used in the model were from fishery-dependent sources. Because the fishery operates in such a way that a trip consists of very few fish, the reliability of these indices as a true indicator of the stock is dubious. Also, the spawner-recruit relationship could not be determined and was ultimately fixed at a value agreed upon by the AW. Maximum Sustainable Yield-based management quantities rely heavily on this value so results should be considered with this uncertainty in mind.

The BAM predicted low abundance of cobia in the 1980s followed by high abundance in the 1990s and then another decline in the 2000s (Figure 2). The last strong year class in the model was predicted to have occurred in 2005.

STATUS OF THE FISHERY

Current Regulations

In North Carolina, the commercial and recreational fisheries for cobia are managed under Marine Fisheries Commission Rule 15A NCAC 03M .0516, which establishes a 33-inch fork length minimum size limit and a two-fish per person per day possession limit. However, for the 2016 fishing year, the Marine Fisheries Commission voted to suspend the cobia rule and instituted a 37-inch fork length minimum size limit, a one-fish per person and no more than four-fish per vessel possession limit, and a three day per week fishing time for all private vessels.

Commercial Landings

Commercial landings of cobia in North Carolina are available from 1950 to the present. However, monthly landings were not available until 1974. North Carolina instituted mandatory reporting of commercial landings through their Trip Ticket Program, starting in 1994. Landings information collected since 1994 are considered the most reliable. The primary fisheries associated with cobia in North Carolina are the snapper-grouper, coastal pelagic troll, and the

large mesh estuarine gill net fisheries. Cobia landings from 1950 - 2016 have ranged from a low of 600 pounds whole weight (1951 and 1955) to a high of 52,684 pounds (2015) with average landings of 16,611 pounds over the 66-year time series. Recently, landings have ranged from 19,004 pounds (2007) to 52,684 pounds (2015), averaging 34,674 pounds over the last 10 years (Table 1).

The primary commercial gear used to harvest cobia has changed over time. This is most likely due to changing fisheries and the fact that it is mostly considered a marketable bycatch fishery, especially after North Carolina adopted the FMP measures of a 33-inch minimum fork length size limit and two-fish per person possession limit in 1991. From 1950 to the late 1970s, cobia were mostly landed out of the haul seine fishery. Most landings that occurred during the 1980s came from the pelagic troll and handline fishery with modest landings from the haul seine and anchored gill net fishery. From 1994 - 2016, the majority of landings have occurred from the anchored gill net and pelagic troll and handline fishery with gill nets being the top gear during most of those years.

Recreational Landings

Historically, recreational fisherman targeted cobia from a vessel by anchoring and fishing either dead or live bait, or both near inlets and deep water sloughs inshore (Manooch 1984). Fish were also harvested from shore or off piers using dead or live bait, most commonly menhaden. In the early 2000s, fisherman began outfitting their vessels with towers to gain a higher vantage point to spot and target free swimming cobia along tidelines and around bait aggregations. This method of fishing actively targets cobia in the nearshore coastal zone and has become the primary mode of fishing in most parts of the state.

Recreational harvest of cobia in North Carolina from 1983 -2016 has ranged from a low of zero pounds (1983) to a high of 695,842 pounds (2015) with average landings of 165,146 pounds over the 36-year time series. Recently, landings have ranged from 82,566 pounds (2008) to 695,842 pounds (2015), averaging 285,090 over the last 10-year period (Table 1). Landings during the 1980s and 1990s remained relatively constant from year to year. Landings began to increase and become more variable beginning in the mid-2000s. From 2005-2015, recreational cobia landings in North Carolina ranged from 66,258 to 695,842 pounds (avg. = 259,883 pounds). Seasonally, cobia are landed mostly in the spring and summer months corresponding with their spring spawning migration (Smith 1995). Peak landings occur during the latter part of May into June and quickly diminish thereafter. However, recreational landings of cobia can occur through the month of October. By fishing mode, most recreational landings of cobia in North Carolina occur from private vessels (73 percent) with charter vessels (14 percent) and shore based modes (13 percent) accounting for the rest (Table 2).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Fishery dependent length-frequency information for the commercial cobia fishery in North Carolina is collected by fish house samplers, specifically through NCDMF programs 438 and

439. Sample sizes are low and most likely due to low harvest numbers and possession limits. Size trends in commercially landed fish appear to correspond with sizes observed in the recreational fishery (Table 2).

Fishery-Independent Monitoring

Currently, the division does not have any fishery-independent sampling programs that target or catch cobia in great numbers.

MANAGEMENT STRATEGY

Cobia is managed under the joint Gulf of Mexico and South Atlantic Fishery Management Council FMP requirements. The South Atlantic Fishery Management Council approved a Fishery Management Plan for cobia in 1983 and cobia is currently managed under recent Amendment 20b (2015).

RESEARCH NEEDS

Current research needs for cobia can be found in the most recent SEDAR (South East Data, Assessment, and Review) 28 (2015) report and are divided into sections related to the SEDAR process. Below is a list of state prioritized research needs based off the recommendations from SEDAR 28 and input from lead staff.

- Develop a tagging program and evaluate genetic samples for South Atlantic cobia populations to elucidate the stock boundaries, inshore and offshore migration, and to better identify spawning areas and aggregations of the species.
- Investigate release mortality and fishing mortality within the commercial and recreational fisheries in the U.S. South Atlantic.
- Increase reporting of recreational harvest and better characterize the recreational and for-hire fisheries.
- Develop fishery-independent sampling programs to obtain estimates of cobia abundance.
- Better characterize the life history of cobia including; age sampling of the recreational sector, update age- and length-at-maturity, batch fecundity, spawning seasonality, and spawning frequency information.

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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – COBIA

- GMFMC and SAFMC. 2014. Final Amendment 20B to the Fishery Management Plan for the Coastal Migratory Pelagics Resource (Mackerels) in the Gulf Mexico and the Atlantic Region Including Environmental Assessment, Regulatory Impact Review and Regulatory Flexibility Analysis. Prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils. Tampa, Florida. 258 pp.
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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – COBIA

TABLES

Table 1. Recreational harvest (number of fish released and weight) and releases (number of fish) and commercial harvest (weight in pounds) of cobia from North Carolina, 2007-2016.

Year	Recreational		Commercial		Total Weight Harvested (lb)
	Number of fish Released	Harvested	Weight (lb) Harvested	Harvested (lb)	
2007	7,804	3,222	106,213	19,005	125,218
2008	8,008	2,136	82,566	22,047	104,613
2009	16,527	5,754	166,195	31,898	198,093
2010	19,180	15,125	498,581	43,715	542,296
2011	12,282	4,478	145,796	19,924	165,720
2012	13,917	2,050	104,106	31,972	136,078
2013	14,638	19,224	506,067	35,456	541,523
2014	10,530	9,804	247,386	41,798	289,184
2015	17,409	16,166	695,842	52,684	748,526
2016	14,707	9,293	298,090	48,244	346,334

Table 2. Mean, minimum, and maximum lengths (total length, mm) of cobia sampled from the commercial and recreational fisheries from North, 2007-2016.

Year	Commercial				Recreational			
	Mean Length	Minimum Length	Maximum Length	Total Number Measured	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	969	285	1,318	27	1,102	875	1,240	8
2008	861	128	1,460	38	1,122	855	1,393	5
2009	906	322	1,116	19	1,025	846	1,295	8
2010	1,088	859	1,332	31	1,085	579	1,511	58
2011	860	296	1,165	17	1,017	364	1,739	21
2012	897	289	1,268	46	1,236	832	1,564	11
2013	806	221	1,210	27	978	313	1,259	34
2014	886	290	1,350	35	997	839	1,474	41
2015	951	390	1,223	38	1,126	820	1,473	63
2016	807	291	1,305	20	1,104	888	1,508	48

FIGURES

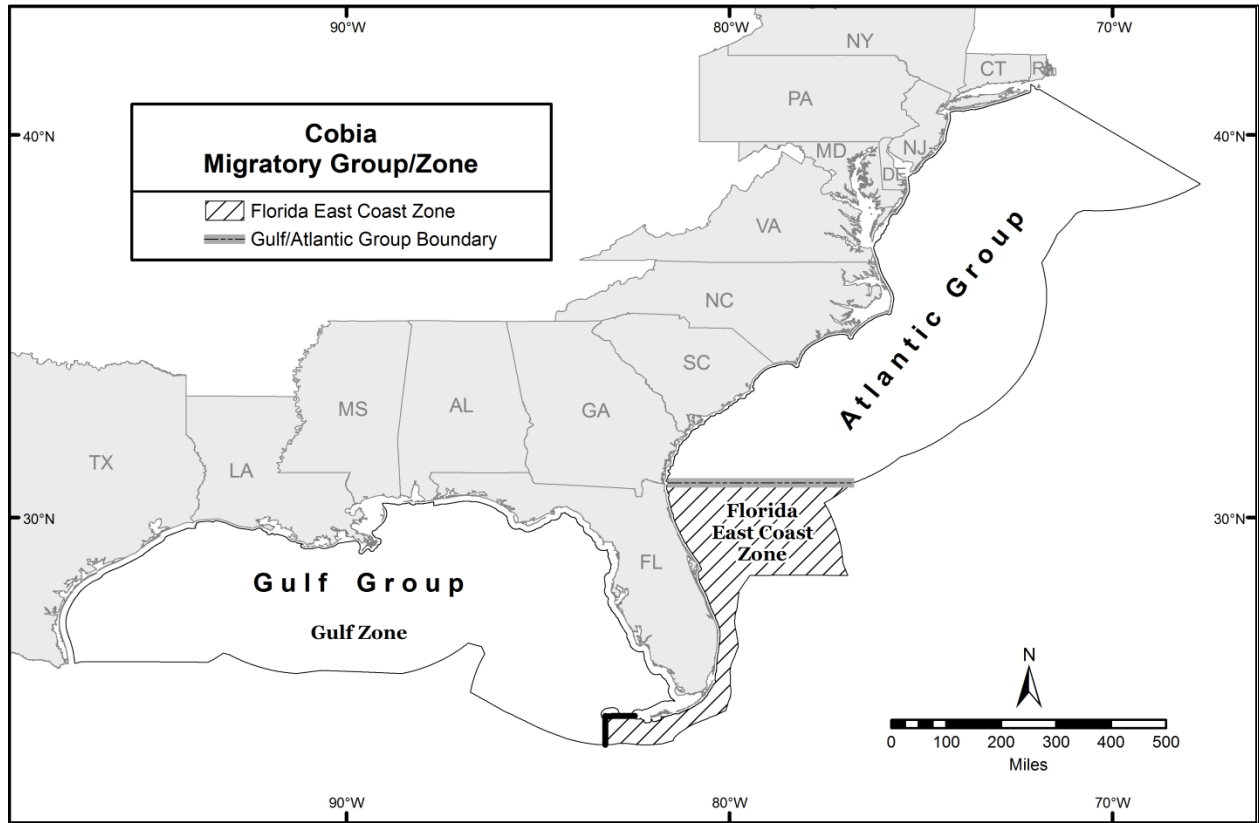


Figure 1. Zone splits for Gulf and Atlantic Migratory Group cobia established in Coastal Migratory Pelagics FMP Amendment 20b (SAMFC 2014).

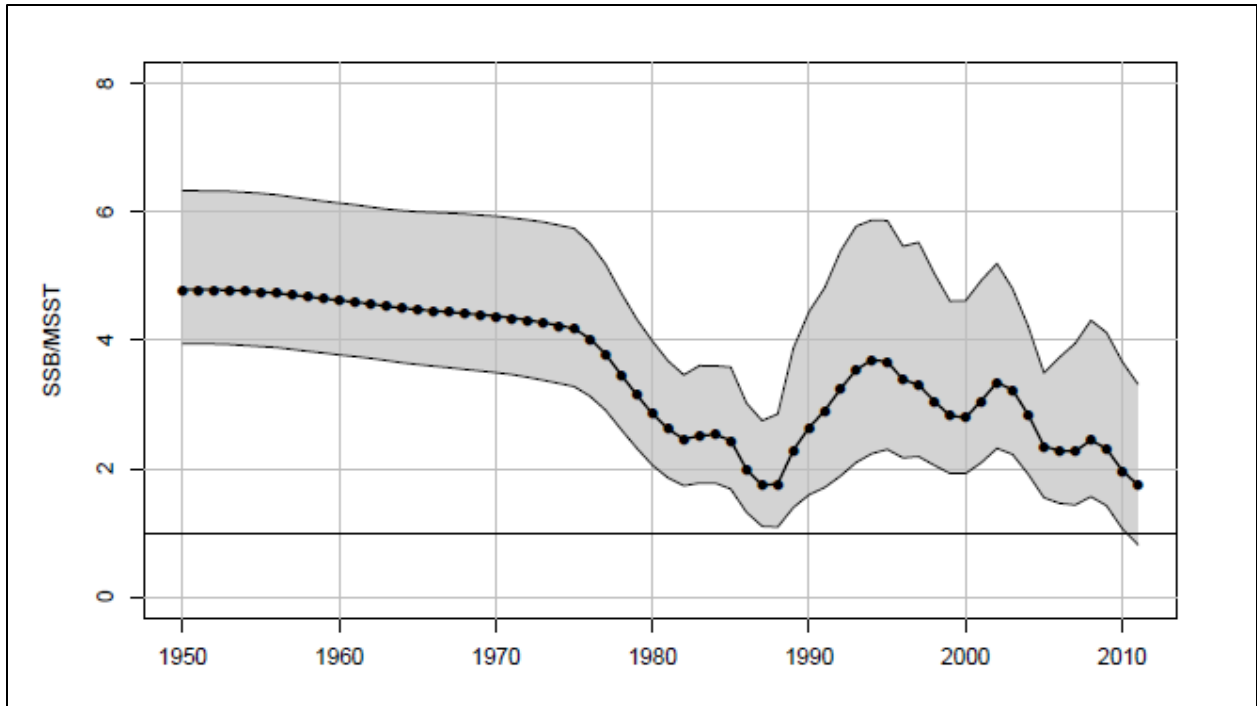


Figure 2. Spawning Stock Biomass (SSB) relative to Minimum Stock Size Threshold (MSST) for cobia from SEDAR 28 (SEDAR 2013).

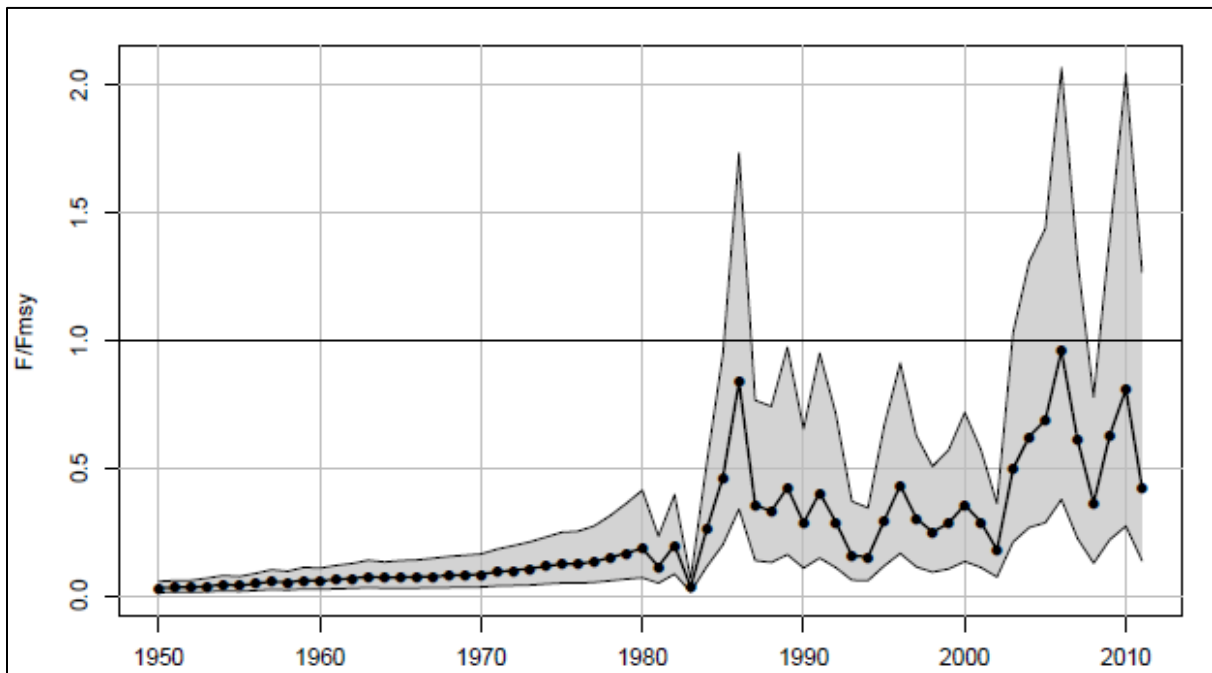


Figure 3. Fishing mortality (F) relative to Fishing mortality at maximum sustainable yield (F_{MSY}) for cobia from SEDAR 28 (SEDAR 2013).

**FISHERY MANAGEMENT PLAN UPDATE
DOLPHIN
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	June 2004
Amendments:	Amendment 1 – July 2010 Amendment 2 – April 2012 Amendment 3 – August 2014 Amendment 5 – July 2014 Amendment 6 – January 2014 Amendment 7 – January 2016 Amendment 8 – February 2016 Regulatory Amendment 1 – January 2017
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	None

The South Atlantic Fishery Management Council (SAFMC), in cooperation with the Mid-Atlantic and New England Councils, developed a Dolphin/Wahoo Fishery Management Plan (FMP) for the Atlantic in 2004. While dolphin was not overfished, the Council adopted a precautionary and risk-averse approach to management for this fishery and to maintain status quo over the years 1993 through 1997. The original FMP established a 20-inch fork length minimum size limit off Georgia and Florida; identified allowable gears in the fishery; and prohibited the use of longline gear to harvest dolphin in areas closed to use of such gear for highly migratory species. Amendment 1 (2010) provided spatial information of Council-designated Essential Fish Habitat and Essential Fish Habitat-Habitat Areas of Particular Concern relative to the dolphin wahoo fishery. Amendment 2 (2012) established Allowable Biological Catch (ABC), Annual Catch Limits (ACL), Accountability Measures (AM), and modified the allocations for both commercial and recreational sectors; established Annual Catch Targets (ACT) for the recreational sector; prohibited bag limit sales of dolphin from for-hire vessels; and established a minimum size limit of 20 inches fork length for South Carolina. Amendment 3 (2014) required federal dealer permits, and changed the method and frequency of reporting harvest. Amendment 4 (in progress) would change the method of reporting commercial harvest of dolphin through the existing logbook program. In 2013, Amendment 5 was approved and

adopted by the SAFMC and was the most comprehensive amendment to the Dolphin/Wahoo FMP, in terms of process updates. Amendment 5 updated the ACLs and AM for both sectors, as well as the ABC values and ACT for the recreational fishery as a result of improvements to the recreational catch estimation methods used by the Marine Recreational Information Program. This amendment also set up an abbreviated framework procedure whereby modifications to the ACLs, ACTs, and AMs can be implemented by the National Oceanic and Atmospheric Administration (NOAA) Fisheries without a full FMP amendment. Amendment 7 (2015) allowed for dolphin and wahoo fillets to enter the U.S. EEZ after lawful harvest in the Bahamas. Amendment 8 (2016) adjusted sector allocations and increased the commercial ACL to 10 percent of the total ACL. Regulatory Amendment 1 (2017) establishes a commercial trip limit of 4,000 pounds for the dolphin commercial sector once 75 percent of the commercial ACL is landed. This regulatory change was pursued after the 2015 commercial ACL was met and commercial harvest was closed in late June of that year.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, SAFMC, or the Atlantic States Marine Fisheries Commission by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic States Marine Fisheries Commission plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The management unit is the population of dolphin (common dolphin - *Coryphaena hippurus* and pompano dolphin - *Coryphaena equiselis*) from the U.S. South Atlantic, the Mid-Atlantic, and the New England coasts in the 3 to 200 mile Exclusive Economic Zone (EEZ).

Goal and Objectives

The goal of the plan is to maintain the current harvest levels of dolphin and ensure that no new fisheries develop (SAFMC 2003). With the potential for effort shifts in the historical commercial longline fisheries for sharks, tunas, and swordfish, these shifts or expansions into nearshore coastal waters to target dolphin could compromise the historical (1994-1997) and current allocation of the dolphin resource between recreational and commercial fishermen. To achieve these goals, the following management objectives were identified:

1. Address localized reduction in fish abundance. The Councils remain concerned over the potential shift of effort by longline vessels to traditional recreational fishing grounds and the resulting reduction in local availability if commercial harvest intensifies.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – DOLPHIN

2. Minimize market disruption. Commercial markets (mainly local) may be disrupted if large quantities of dolphin are landed from intense commercial harvest or unregulated catch and landing by charter or other components of the recreational sector.
3. Minimize conflict and/or competition between recreational and commercial user groups. If commercial longlining effort increases, either directing on dolphin and wahoo or targeting these species as a significant bycatch, conflict and/or competition may arise if effort shifts to areas traditionally used by recreational fishermen.
4. Optimize the social and economic benefits of the dolphin fishery. Given the significant importance of dolphin to the recreational sector throughout the range of these species and management unit, manage the resources to achieve optimum yield on a continuing basis.
5. Reduce bycatch of the dolphin fishery. Bycatch is a problem in the pelagic longline fishery for highly migratory species. Any increase in overall effort, and more specifically shifts of effort into nearer shore, non-traditional fishing grounds by swordfish and tuna vessels, may result in increased bycatch of non-target species. In addition, National Standard 9 requires that: “Conservation and management measures shall, to the extent practicable, (A) minimize bycatch and (B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.” Therefore, bycatch of the directed dolphin fishery must be addressed.
6. Direct research to evaluate the role of dolphin and wahoo as predator and prey in the pelagic ecosystem.
7. Direct research to enhance collection of biological, habitat, social, and economic data on dolphin and wahoo stocks and fisheries.

STATUS OF THE STOCK

Stock Status

A surplus production model was fit to abundance indices estimated from long line catches and total landings of the fisheries from years 1985 to 1997. It was concluded that the stock status, as of 1998, was above biomass at maximum sustainable yield (B_{MSY}) and that the species can withstand a relatively high rate of exploitation.

Stock Assessment

No formal assessment has been conducted on dolphin in the U.S. Atlantic due to uncertainties in the extent of the North Atlantic stock, the life history characteristics of the species and the jurisdictional cooperation necessary to characterize catch across the range of the species.

STATUS OF THE FISHERY

Current Regulations

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – DOLPHIN

The North Carolina Division of Marine Fisheries (NCDMF) currently complements the management measures of the Dolphin/Wahoo FMP through rule (15A NCAC 03M .0515) and proclamation. Currently, it is unlawful to possess more than 10 dolphin per person per day or more than 60 dolphin per vessel per day. Headboats are excluded from the vessel limit requirement. It is also unlawful to sell a recreational bag limit of dolphin harvested by a person on a vessel while it is operating as a charter vessel or headboat or to sell dolphin without a Federal Commercial Dolphin/Wahoo vessel permit.

Commercial Landings

Commercial landings have fluctuated over the last 10 years with a high of 610,932 pounds in 2009 and a low of 94,210 pounds in 2011 (Figure 1). Over 75 percent of dolphin landings were harvested using surface longlines with the remainder of the harvests coming from the pelagic troll and greenstick fisheries.

Recreational Landings

Recreational landings of dolphin have declined over the last 10 years with a high of 4,960,343 pounds in 2007 and a low of 1,388,209 pounds in 2014 (Figure. 2). This trend is likely due to a decline in effort within the recreational fishery related to the economic downturn in 2008, and likely not due to affects related to over harvest (Figure 3), as recreational landings increased to 3,157,964 pounds in 2016.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Fishery dependent length-frequency information for the commercial dolphin fishery in North Carolina is collected by fish house samplers, specifically through NCDMF programs 438 and 439. Size trends in landed fish appear to correspond with varying levels of commercial harvest (Table 1; Figure 1). The minimum and average size of dolphin sampled from the commercial fishery has consistently increased over the last three years, possibly indicating that the size composition of the stock is increasing in North Carolina waters (Table 1).

Fishery-Independent Monitoring

Currently, the division does not have any fishery-independent sampling programs that target or catch dolphin in great numbers.

MANAGEMENT STRATEGY

Dolphin is managed under South Atlantic Fishery Management Council Fishery Management Plan requirements. The South Atlantic Fishery Management Council approved a Fishery Management Plan for dolphin in 2004 and it is currently managed under recent Amendment 8 (2016) and Regulatory Amendment 1 (2017).

RESEARCH NEEDS

Essential Fish Habitat research needs for dolphin in order of priority from highest to lowest.

1. What is the areal and seasonal abundance of pelagic *Sargassum* off the southeast U.S.?
2. Develop methodologies to assess remotely assess *Sargassum* using aerial or satellite technologies (e.g., Synthetic Aperture Radar)
3. What is the relative importance of pelagic *Sargassum* weedlines and oceanic fronts for early life stages of dolphin and wahoo?
4. Are there differences in abundance, growth rate, and mortality?
5. What is the age structure of all fishes that utilize pelagic *Sargassum* habitat as a nursery and how does it compare to the age structure of recruits to pelagic and benthic habitats?
6. Is pelagic *Sargassum* mariculture feasible?
7. Determine the species composition and age structure of species associated with pelagic *Sargassum* when it occurs deeper in the water column.
8. Additional research on the dependencies of pelagic *Sargassum* productivity on the marine species using it as habitat.
9. Quantify the contribution of nutrients to deepwater benthic habitat by pelagic *Sargassum*.
10. Studies should be performed on the abundance, seasonality, life cycle, and reproductive strategies of *Sargassum* and the role this species plays in the marine environment, not only as an essential fish habitat, but as a unique pelagic algae.
11. Research to determine impacts on the *Sargassum* community, as well as the individual species of this community that are associated with, and/or dependent on, pelagic *Sargassum*. Human induced (tanker oil discharge; trash) and natural threats (storm events) to *Sargassum* need to be researched for the purpose of protecting and conserving this natural resource.
12. Develop cooperative research partnerships between the Council, NOAA Fisheries Protected Resources Division, and state agencies since many of the needs to a) research pelagic *Sargassum*, and b) protect and conserve pelagic *Sargassum* habitat, are the same for both managed fish species and listed sea turtles.
13. Direct specific research to further address the association between pelagic *Sargassum* habitat and post-hatchling sea turtles

Biological research needs for dolphin in order of priority from highest to lowest.

1. In the short-term effort should be directed at examining all existing seasonality (effort and landings), mean size, and life history data for dolphin from the northern area.
2. Additional data are needed to develop and/or improve estimates of growth, fecundity, etc. Research in this area is encouraged.
3. There are limited social and economic data available. Additional data need to be obtained and evaluated to better understand the implications of fishery management options.
4. Trophic data should be considered in support of an ecosystem management approach.
5. Essential fish habitats for dolphin and wahoo need to be identified.
6. An overall design should be developed for future tagging work. This could be done by the Working Group. In addition, existing tagging databases should be examined.
7. Long-term work should continue and expand on current research investigating genetic variability of dolphin populations in the western central Atlantic.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – DOLPHIN

8. Observer programs should place observers on longline trips directed on dolphin. Catch and bycatch characterization, condition released (alive or dead), etc. should be collected. Observers could also be used to collect bioprofile data (size, sex, hard parts for aging, etc.).
9. High levels of uncertainty in inter-annual variation in abundance of dolphin should be investigated through an examination of oceanographic and other environmental factors.
10. Release mortality should be investigated as a part of the evaluation of the effectiveness of current minimum size limits in the dolphin fishery.
11. Establish a list serve for dolphin and wahoo which would facilitate research and the exchange of information.

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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – DOLPHIN

SAFMC (South Atlantic Fishery Management Council). 2016. Regulatory Amendment 1 to the Fishery management plan for the dolphin and wahoo fishery of the Atlantic. South Atlantic Fishery Management Council. Charleston, SC. 114 pp.

SAFMC. 2003. Amendment 5 to the fishery management plan for the dolphin and wahoo fishery of the Atlantic. South Atlantic Fishery Management Council. Charleston, SC. 106 pp.

TABLES

Table 1. Mean, minimum and maximum fork lengths (mm) and total number of dolphin measured from the commercial fishery in North Carolina from 2007 - 2016.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	758	348	1,097	228
2008	665	413	1,135	231
2009	815	140	1,295	555
2010	628	345	1,115	451
2011	665	410	1,120	269
2012	756	430	1,245	579
2013	700	478	1,440	176
2014	788	390	1,352	339
2015	821	497	1,360	80
2016	852	547	1,035	121

FIGURES

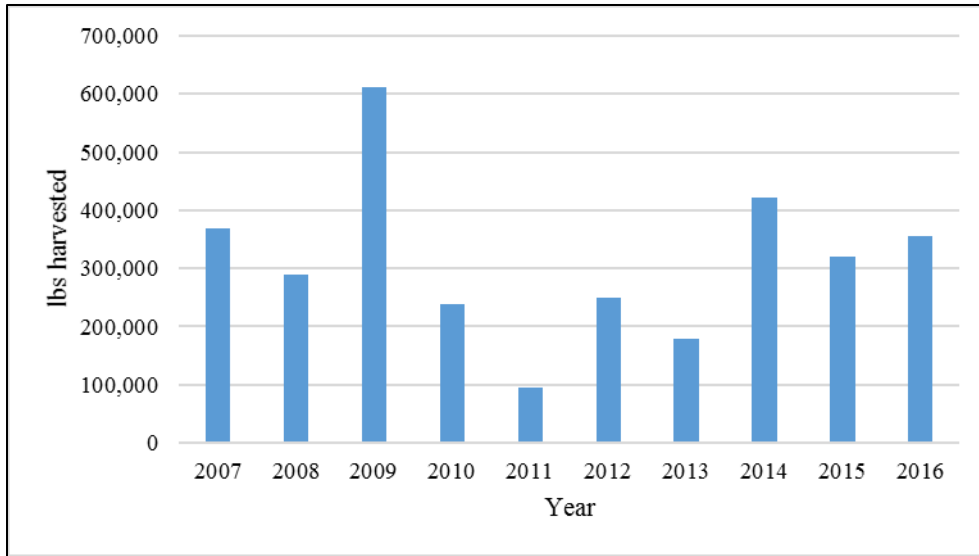


Figure 1. Commercial landings (pounds) of dolphin in North Carolina from 2007 - 2016.

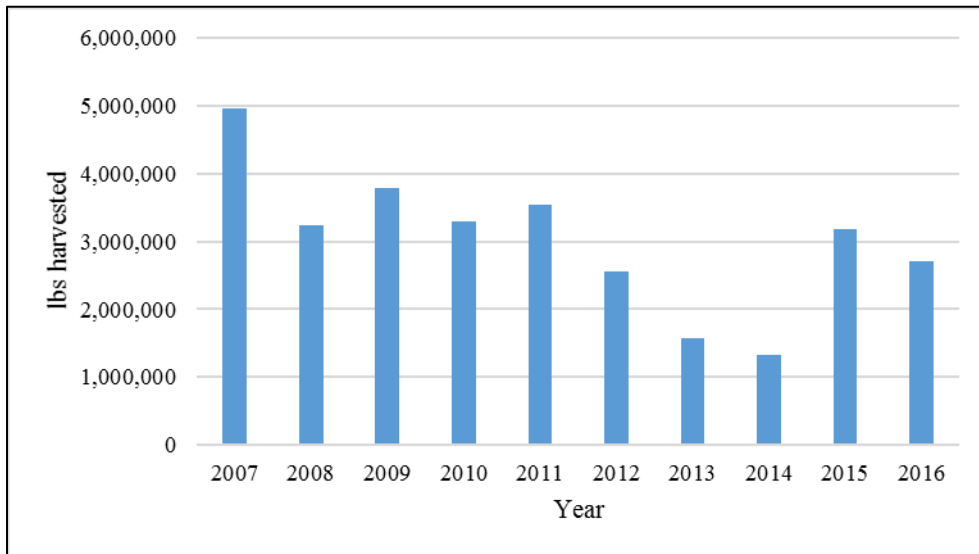


Figure 2. Recreational landings (pounds) of dolphin from 2007-2016.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – DOLPHIN

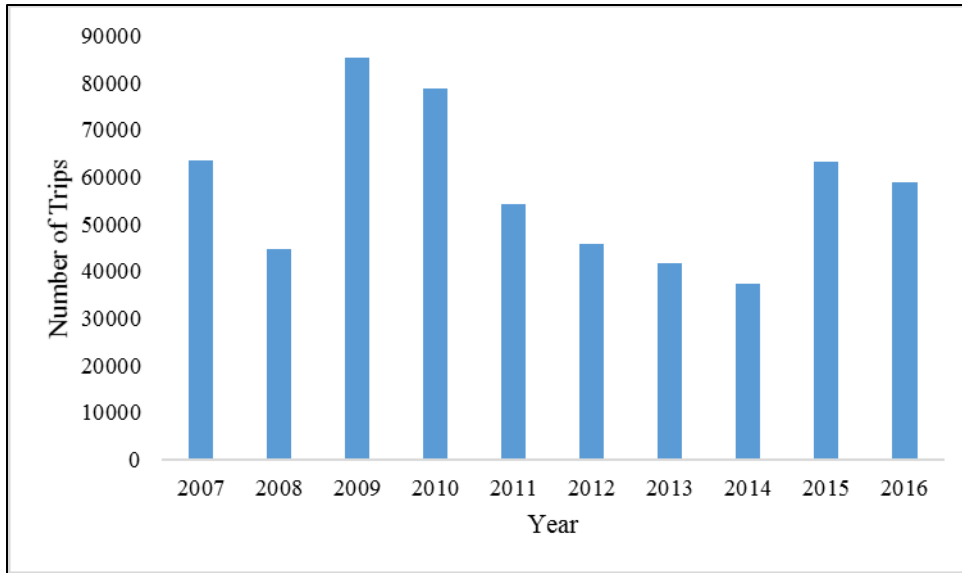


Figure 3. Number of directed recreational trips for dolphin in North Carolina from 2007 – 2016.

**FISHERY MANAGEMENT PLAN UPDATE
KING MACKEREL
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	February 1983
Amendments:	Amendment 1 – September 1985 Amendment 3 – August 1989 Amendment 5 – August 1990 Amendment 6 – December 1992 Amendment 7 – November 1994 Amendment 8 – March 1998 Amendment 9 – April 2000 Amendment 10 – July 2000 Amendment 11 – December 1999 Amendment 12 – October 2000 Amendment 13 – August 2002 Amendment 14 – July 2002 Amendment 15 – August 2005 Amendment 17 – June 2006 Amendment 18 – January 2012 Amendment 19 – July 2010 Amendment 20A – August 2014 Amendment 20B – March 2015 Amendment 22 – January 2014 Amendment 23 – August 2014 Framework action – December 2014 Amendment 26 – May 2017
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	2018

The original Gulf and South Atlantic Fishery Management Councils' fishery management plan (FMP) for Coastal Migratory Pelagic Resources (mackerels and cobia) was approved in 1983

(South Atlantic Fishery Management Council (SAFMC) 1983). This plan treated king mackerel as one U.S. stock. Allocations were established for recreational and commercial fisheries, and the commercial allocation was divided between net and hook-and-line fishermen. The plan also established procedures for the Secretary of Commerce to act by regulatory amendment to resolve possible future conflicts in the fishery, such as establish fishing zones and local quotas to each gear or user group. Numerous amendments have been implemented since the first FMP.

Amendment 1 provided a framework for pre-season adjustment of total allowable catch (TAC), revised king mackerel maximum sustainable yield (MSY) downward, recognized separate Atlantic and Gulf migratory groups of king mackerel, and established fishing permits and bag limits for king mackerel (SAFMC 1985). Commercial allocations among gear users were eliminated.

Amendment 3 prohibited drift gill nets for coastal pelagics and purse seines and run-around gill nets for the overfished groups of mackerels (SAFMC 1998). The habitat section of the FMP was updated and vessel safety considerations were included in the plan. A new objective to minimize waste and bycatch in the fishery was added to the plan.

Amendment 5 extended the management area for the Atlantic groups of mackerels through Mid-Atlantic Fishery Management Council (MAFMC) jurisdiction (SAFMC 1990). The amendment revised problems in the fishery and plan objectives, revised the definition of "overfishing", and provided that the SAFMC will be responsible for pre-season adjustments of TACs and bag limits for the Atlantic migratory groups of mackerels. It redefined recreational bag limits as daily limits; created a provision specifying that the bag limit catch of mackerel may be sold, provided guidelines for corporate commercial vessel permits, established a minimum size of 12 inches (30.5 cm.) fork length or 14 inches total length for king mackerel and included a definition of "conflict" to provide guidance to the Secretary.

Amendment 6 identified additional problems and an objective in the fishery, provided for rebuilding overfished stocks of mackerels within specific periods, provided for biennial assessments and adjustments, provided for more seasonal adjustment actions, including size limits, vessel trip limits, closed seasons or areas, and gear restrictions. It also changed commercial permit requirements to allow qualification in one of three preceding years, discontinued the reversion of the bag limit to zero when the recreational quota is filled, modified the recreational fishing year to the calendar year and changed the minimum size limit for king mackerel to 20 inches fork length (SAFMC 1992).

Amendment 7 equally divided the Gulf commercial allocation in the Eastern Zone at the Dade-Monroe County line in Florida (SAFMC 1994). The sub-allocation for the area from Monroe County through Western Florida was equally divided between commercial hook-and-line and net gear users.

Amendment 8 identified additional problems in the fishery, specified allowable gear, established a moratorium on new commercial king mackerel permits and provided for transferability of permits during the moratorium, and allowed retention of up to five damaged king mackerel on vessels with commercial trip limits (these fish cannot be sold, but do not count against the trip

limit) (SAMFC 1998). It also revised the seasonal framework procedures to a) delete a procedure for subdividing the Gulf migratory group of king mackerel, b) request that the stock assessment panel provide additional information on spawning potential ratios and mixing of king mackerel migratory groups, c) provide for consideration of public comment, d) redefine overfishing and allow for adjustment by framework procedure, f) allow setting zero bag limits, and g) allow gear regulation including prohibition.

Amendment 9 changed the percentage of the commercial allocation of TAC for the Florida east coast (North Area) and Florida west coast (South/West Area) of the Eastern Zone to 46.15 percent North and 53.85 percent South/West (previously, this allocation was split 50 percent to each zone); and allowed possession of cut-off (damaged) king that comply with the minimum size limits and the trip limits in the Gulf, Mid-Atlantic, or South Atlantic exclusive economic zone (EEZ) (sale of such cut-off fish is allowed and is in addition to the existing allowance for possession and retention of a maximum of five cut-off (damaged) king mackerel that are not subject to the size limits or trip limits, but that cannot be sold or purchased, nor counted against the trip limit) (SAMFC 2000).

Amendment 10 designated Essential Fish Habitat (EFH) and EFH-Habitat Areas of Particular Concern for coastal migratory pelagics (SAFMC 1998).

Amendment 11 amended the FMP as required to make definitions of MSY, optimal yield (OY), overfishing and overfished consistent with National Standard Guidelines; identified and defined fishing communities and addressed bycatch management measures (SAFMC 1998).

Amendment 12 extended the commercial king mackerel permit moratorium from October 15, 2000 to October 15, 2005, or until replaced with a license limitation, limited access, and/or individual fishing quota or individual transferable quota system (ITQ), whichever occurs earlier (SAFMC 1999).

Amendment 13 established two marine reserves in the (EEZ) of the Gulf of Mexico near the Dry Tortugas, Florida known as Tortugas North and Tortugas South, in which fishing for coastal migratory pelagic species is prohibited (SAFMC 2002). This action complements previous actions taken under the National Marine Sanctuaries Act.

Amendment 14 established a three-year moratorium on the issuance of for-hire (charter vessel and head boat) permits for coastal migratory pelagic species in the Gulf of Mexico unless sooner replaced by a comprehensive effort limitation system. This resulted in separate for-hire permits for the Gulf and South Atlantic. The control date for eligibility was established as March 29, 2001 (SAFMC 2002). The amendment also includes other provisions for eligibility, application, appeals, and transferability of permits.

Amendment 15 established an indefinite commercial limited access program for king mackerel in the EEZ under the jurisdiction of the Gulf of Mexico, South Atlantic, and Mid-Atlantic fishery management councils (SAMFC 2005). This amendment also changed the fishing year to March 1 through February 28/29 for Atlantic group king and Spanish mackerels.

Amendment 17 (SAFMC 2006) established a permanent limited entry system for Gulf of Mexico coastal migratory pelagics for-hire (charter and headboat) permits, building on the moratorium established under Amendment 14.

Amendment 18 established Annual Catch Limits (ACLs), Annual Catch Targets (ACTs) and accountability measures (AMs) for king mackerel (SAFMC 2011) as required under the 2006 Magnuson-Stevens Reauthorization Act.

Amendment 19 updated existing EFH and HAPC designations for South Atlantic species and prohibited the use of certain gear types within Deepwater Coral Habitat Areas of Particular Concern.

Amendment 20A prohibited the sale of king mackerel caught under the bag limit unless the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity (SAFMC 2013). In addition, the rule removes the income qualification requirement for king mackerel commercial vessel permits.

Amendment 20B eliminated the 500-pound trip limit that is effective when 75 percent of the respective quotas are landed for king mackerel in the Florida west coast Northern and Southern Subzones; allows transit of commercial vessels with king mackerel through areas closed to king mackerel fishing, if gear is appropriately stowed; and creates Northern and Southern Zones for Atlantic migratory group king mackerel, each with separate quotas (SAFMC 2014). Each zone will close when the respective quota is met or expected to be met. The dividing line between the zones is at the North Carolina and South Carolina state line.

Amendment 22 modified headboat reporting regulations to require weekly electronic reporting of all South Atlantic Council managed species (SAFMC 2013).

Amendment 23 (SAFMC 2013) required dealers to possess a federal Gulf and South Atlantic universal dealer permit to purchase king and Spanish mackerel and required weekly electronic dealer reporting. It also required federally-permitted king and Spanish mackerel fishermen to sell only to a federally-permitted dealer.

The 2013 Framework Action (effective 2014) modified commercial king mackerel trip limits in the Florida East Coast subzone to optimize utilization of the resource.

Amendment 26 updates the Atlantic king mackerel annual catch limits and adjusts the mixing zone based on the results of the 2014 stock assessment (SAFMC 2016). The amendment allows limited retention and sale of Atlantic migratory group king mackerel incidentally caught in the small coastal shark gill net fishery.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, SAFMC, or the Atlantic States Marine Fisheries Commission by reference and implement corresponding fishery regulations in North Carolina to provide

compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic States Marine Fisheries Commission plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The management unit is defined as king mackerel within U.S. waters of the South Atlantic, Mid-Atlantic and Gulf of Mexico. Current management defines two migratory units: Gulf Migratory Group and Atlantic Migratory Group.

Goal and Objectives

The goal of the FMP for Coastal Migratory Pelagics resources was to institute management measures necessary to prevent exceeding maximum sustainable yield (MSY), establish a mandatory statistical reporting system for monitoring catch, and to minimize gear and user conflicts (SAMFC 1982). Amendment 12 to the Gulf and South Atlantic fishery management councils’ FMP for Coastal Migratory Pelagics lists eight plan objectives:

1. The primary objective of the FMP is to stabilize yield at MSY, allow recovery of overfished populations, and maintain population levels sufficient to ensure adequate recruitment.
2. To provide a flexible management system for the resource which minimizes regulatory delay while retaining substantial Council and public input in management decisions and which can rapidly adapt to changes in resource abundance, new scientific information, and changes in fishing patterns among user groups or by areas.
3. To provide necessary information for effective management and establish a mandatory reporting system.
4. To minimize gear and user group conflicts.
5. To distribute the TAC of Atlantic migratory group Spanish mackerel between recreational and commercial user groups based on the catches that occurred during the early to mid-1970s, which is prior to the development of the deep water run-around gill net fishery and when the resource was not overfished.
6. To minimize waste and bycatch in the fishery.
7. To provide appropriate management to address specific migratory groups of king mackerel.
8. To optimize the social and economic benefits of the coastal migratory pelagic fisheries.

STATUS OF THE STOCK

Stock Status

In 2014, Atlantic king mackerel was assessed and peer reviewed through the Southeast Data, Assessment and Review (SEDAR 38). The results of the assessment indicate that the stock size and the rate of removals are sustainable and predicts Atlantic king mackerel are not overfished and overfishing is not occurring.

Stock Assessment

An integrated Stock Synthesis approach was used to assess the stock (SEDAR 38) in a benchmark assessment (SEDAR 2017). The assessment model was constructed using fishery independent data from the Southeast Area Monitoring and Assessment Program Trawl Survey for the Atlantic, and fishery dependent information collected from National Oceanic and Atmospheric Administration Fisheries Service Marine Recreational Fisheries Statistics Survey, head boat and logbook surveys, as well as North Carolina Division of Marine Fisheries Trip Ticket landings information. The Stock Synthesis approach was used, which integrated fishery and life history indices into a statistical catch-at-age model to produce observed catch, size and age composition, and Catch Per Unit Effort indices. Overall, stock biomass and spawning stock biomass (SSB) show little depletion until the 1950s, when a slow decline started and then accelerated around 1980, reaching its lowest level in the late 1990s, from which it increased until 2010. Since 2010, there has been a slight decrease in SSB (Figure. 1). Key biological reference points and associated benchmarks (SSB_{MSY} and F_{MSY}) were successfully derived and the consensus derived from sensitivity analysis of the model predict that the Atlantic stock of king mackerel is not overfished and overfishing is not occurring.

STATUS OF THE FISHERY

Current Regulations

The North Carolina Division of Marine Fisheries complements the management measures of the Coastal Migratory Pelagic FMP through rule (15A NCAC 03M .0515) and proclamation. Current regulations include a recreational bag limit of three king mackerel per person per day and 24-inch fork length minimum size (commercial and recreational). Commercial regulations limit trips to 3,500 pounds and require a Federal vessel permit for commercial, charter and head boats. Sale of king mackerel caught under the bag limit are prohibited unless the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity.

Commercial Landings

In 2016, commercial landings were 420,088 pounds (Figure 1) and 80 percent of the king mackerel harvest was taken by hook and line while the remaining 20 percent was harvested in gill nets. The commercial fishery has declined since 2007 and the 2016 landings were roughly 25 percent lower than the 561,449 pound 10-year average (2007-2016). Peak commercial landings for 2016 came from ocean waters south of Hatteras greater than three miles out, between the months of September and April.

Recreational Landings

Recreational anglers target king mackerel by trolling spoons and live baits both inshore and offshore. Anglers catch most king mackerel between August and October, once the water temperature has begun to cool from the summer heat. Anglers harvested 465,195 pounds of king mackerel in 2016 (Figure 2). For unknown reasons, recreational harvest has declined sharply

since 2007. King mackerel in 2016 was nearly 30 percent below the 660,761 pound 10 year average (2007-2016), however it still had the highest landings since 2009.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Length-frequency information for the commercial king mackerel fishery in North Carolina is collected by port agents through the trip ticket program, specifically programs 438 (Offshore Live Bottom Fishery) and 439 (Coastal Pelagic- Culled). Ageing structures are collected from the commercial and recreational fishery as well as king mackerel fishing tournaments statewide and sent to the Southeast Fisheries Science Center in Panama City, Florida for processing and ageing (Table 1). Maximum sizes of king mackerel sampled over the last 10 years have remained steady at ~1,400 millimeters, while mean annual sizes varied from 730 millimeters in 2008 to 990 millimeters in 2013 (Table 2).

Fishery-Independent Monitoring

Currently, the division does not have any fishery-independent sampling programs that target or catch king mackerel in great numbers.

MANAGEMENT STRATEGY

King mackerel is managed under South Atlantic Fishery Management Council Fishery Management Plan compliance requirements. Current management measures were established under recent Amendments 20A (SAMFC 2014), 20B (SAMFC 2015), and 26 to the Coastal Migratory Pelagics Fishery Management Plan. Amendment 20A prohibits the sale of all bag-limit-caught king mackerel, except those harvested during a state-permitted tournament. Amendment 20B establishes separate commercial quotas of Atlantic king mackerel for a Northern Zone (north of North Carolina and South Carolina state line) and Southern Zone (south of North Carolina and South Carolina state line). The South Atlantic Fishery Management Council completed Amendment 26 (2016) to update the Atlantic king mackerel annual catch limits and adjust the mixing zone based on the results of the 2014 stock assessment, and to provide an incidental catch allowance of Atlantic king mackerel in the small coastal shark gillnet fishery. Current management strategies for king mackerel in South Atlantic waters are summarized in Table 3.

RESEARCH NEEDS

From SEDAR 38 report (SEDAR 2014):

- Develop a survey to obtain reliable age and size composition data and relative abundance of adult fish. This could be done using gill nets or handlines. The review panel recommends that the design of a scientific survey be peer reviewed.
- Determine most appropriate methods to deal with changing selectivity in fisheries over time, particularly changing selectivity related to management actions or targeting of specific cohorts. The review panel suggests that historical mark-recapture data be used to compare

size composition of recaptures for different fishing gears to evaluate selectivity for historic periods.

- Determine stock mixing rates using otolith microchemistry and/or otolith shape analysis on a routine basis that would allow future stock assessments to capture the dynamic spatial and temporal nature of mixing of the Atlantic and Gulf of Mexico stocks, and consider evaluating stock mixing within integrated modeling approaches.
- More accurately characterize juvenile growth by increasing samples of age-0 and 1 fish. Further investigate two-phase growth models including different breakpoints and different growth models to better model size and age. Consider if there is temporal (annual and seasonal) variability in growth rates. Results of this analysis in terms of the best model will need to be implementable in SS3 to continue with the integrated modeling approach.
- Determine if female spawning periodicity varies by size or age.
- Expand the trawl survey below the Cape Canaveral area and potentially into deeper continental shelf waters.
- Consider conducting an extensive tagging program to: a) better understand migration patterns; b) provide additional and individual growth rate information; c) better understand fishery selectivity; d) provide fishery exploitation rates; and e) provide information about natural mortality rates. Fishery independent recapture information (i.e., use of acoustic and satellite tags) will assist with a). Age at capture information of tagged animals will assist with b). A multi-year tagging program will be required for e). The review panel recommends that a specific workshop be held to consider in detail the design of a tagging program.

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TABLES

Table 1. Mean, minimum, and maximum fork lengths (mm) and total number sampled of king mackerel aged through Comprehensive Life History (Program 930).

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	961.8	488	1390	507
2008	872.1	595	1365	450
2009	914.3	615	1400	415
2010	961.7	589	1452	386
2011	948.9	595	1448	429
2012	955.8	588	1421	597
2013	1021.3	612	1430	413
2014	1016.3	118	1500	388
2015	992.6	113	1383	446
2016	893.0	337	1380	482

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – KING MACKEREL

Table 2. Mean, minimum, and maximum fork lengths (mm) and total number sampled of king mackerel from fishery dependent sampling programs.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	731.9	70	1390	1047
2008	730.8	43	1365	2179
2009	784.4	383	1405	1477
2010	928.2	589	1452	583
2011	884.4	595	1929	1079
2012	933.7	588	1421	1125
2013	990.4	144	1430	506
2014	881.4	118	1500	826
2015	938.8	113	1383	679
2016	794.6	312	1380	538

Table 3. Management strategies and rules for king mackerel in the South Atlantic.

Management Strategy	Implementation Status
24 inch minimum size limit	Rule 15A NCAC 03M .0301(b)(1)
Three fish creel limit	Rule 15A NCAC 03M .0301(b)(2)
Commercial Vessel Permit requirements	Rule 15A NCAC 03M .0301(b)(3)(A) Rule 15A NCAC 03M .0301(b)(3)(B)
Unlawful to use gill nets south of Cape Lookout for more than three king mackerel	Rule 15A NCAC 03M .0501(b)(4)
Charter vessels or head boats with Commercial Vessel Permit must comply with possession limits when fishing with more than three persons	Rule 15A NCAC 03M .0501(c)
Commercial trip limit of 3,500 pounds of king, Spanish, or aggregate	Rule 15A NCAC 03M .0501(d)
Prohibits Purse Gill Nets when taking king or Spanish mackerel	Rule 15A NCAC 03M .0302
Unlawful for vessels with both a valid Federal Commercial Directed Shark Permit and a valid Federal King Mackerel Permit, when engaged in directed shark fishing with gill nets south of Cape Lookout, to possess and sell more than three king mackerel per crew member.	Proclamation FF-21-2017

FIGURES

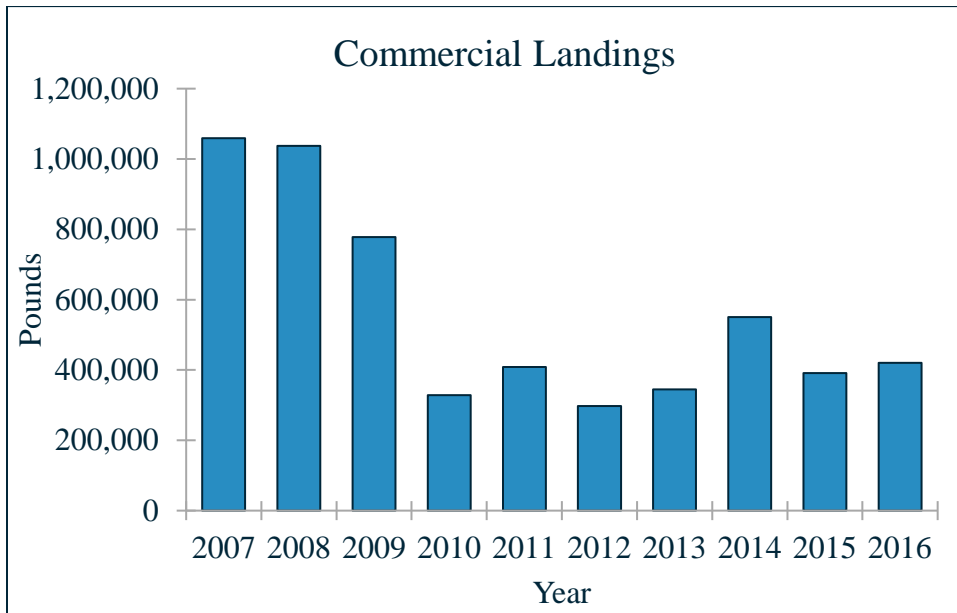


Figure 1. Commercial landings of king mackerel in North Carolina from 2007-2016.

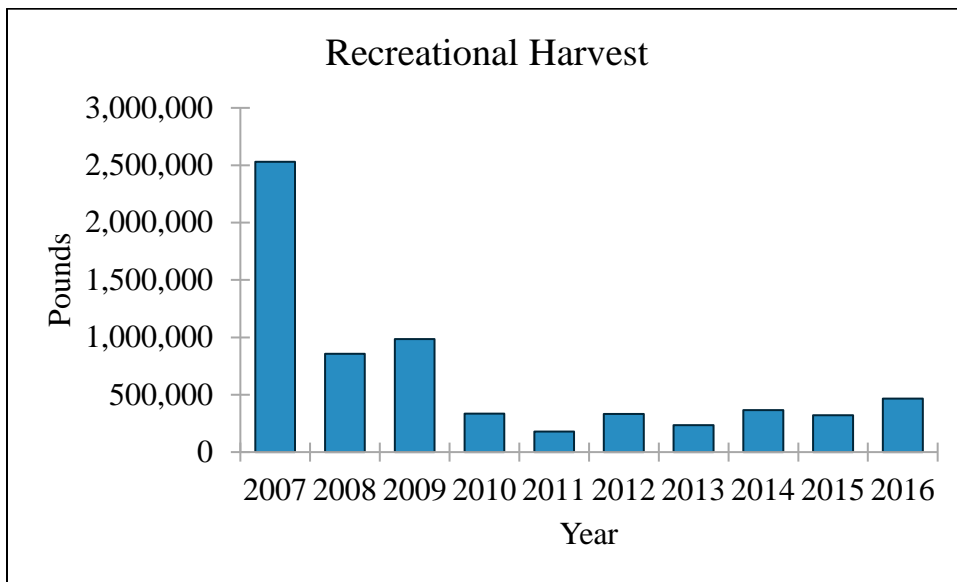


Figure 2. Estimated recreational harvest of king mackerel in North Carolina from 2007-2016.

**FISHERY MANAGEMENT PLAN UPDATE
MONKFISH
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	November 1999
Amendments:	Amendment 1 (April 1999) Amendment 2 (May 2005) Amendment 3 (February 2008) Amendment 4 (Under Development) Amendment 5 (March 2011)
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	None

The New England Fishery Management Council (NEFMC) and Mid-Atlantic Fishery Management Council (MAFMC) adopted a rebuilding plan for monkfish in November 1999. The NEFMC has the administrative lead. The Monkfish Fishery Management Plan (FMP) is designed to stop overfishing and rebuild the stocks through a number of measures, including: limiting the number of vessels with access to the fishery and allocating days-at-sea for those vessels; setting limits for vessels fishing for monkfish; minimum fish size limits; gear restrictions; mandatory time out of the fishery during spawning season; and a framework adjustment process. The Councils manage the fishery as two stocks, Southern Fishery Management Area and Northern Fishery Management Area. North Carolina is in the Southern Fishery Management Area Southern Fishery Management Area that ranges from the southern flank of Georges Bank through the Mid-Atlantic Bight to North Carolina.

In 2006, North Carolina and National Oceanic and Atmospheric Association (NOAA) Fisheries Southeast Regional Office entered into an agreement enabling limited large mesh gill net fisheries for striped bass and monkfish in state waters. The large mesh monkfish fishery, for gill nets with a stretched mesh greater than seven inches, is open by proclamation from March 16 through April 14 unless closed sooner by proclamation. The Atlantic Ocean is closed to the use of gill nets greater than seven inches stretched mesh from December 22 through April 14 by proclamation, with the exception of the monkfish and striped bass fisheries. The agreement

allows the state to implement Atlantic sturgeon, sea turtle and marine mammal conservation measures under its proclamation authority as well as gear restrictions on large mesh gillnets. Participants in this fishery must confine their fishing efforts to waters from the NC/VA state line to Wimble Shoals (out two miles but not more than three), and report any sea turtle or marine mammal interactions. Each year, North Carolina contacts the NOAA Fisheries Southeast Regional Office to ensure that they have enough days-at-sea observer coverage for the opening of the fishery. Once NOAA Fisheries has confirmed observer coverage a proclamation is issued opening the large mesh fishery to gill nets greater than seven inches in the Atlantic Ocean. Large mesh gill nets were required to be fished every 48 hours, weather permitting. The area could be closed if reliable sea surface temperature data indicated water temperatures greater than 11° C or if an interaction occurred between large mesh gill nets and marine mammals or sea turtles. Masters of vessels that fish for monkfish in the specified area are required to possess a current year monkfish large mesh gill net permit issued by North Carolina Division of Marine Fisheries (NCDMF) to valid commercial license holders. The permit requires holders to report weekly trip information to NCDMF and mandated participation in the NOAA Fisheries observer program, in order to monitor interactions with protected species.

The original FMP was modified and amended to include an annual measure of the status of the stocks and adjustment to management measures as needed to maintain a 10-year rebuilding schedule. In April 1999, the councils adopted Amendment 1 to the monkfish FMP, which described and identified the essential fish habitat for the monkfish fishery, compliant with provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Framework Adjustment 1 to the FMP, effective June 1999, implemented management measures for FY 2002, provided for a one-year delay in default measures for Year 4, and adjusted trip limits to account for court decision on differential gear-based limits.

Framework Adjustment 2 to the FMP, effective May 2004, established a process to determine an annual total allowable catch and appropriate fishing measures for each management area. This method is based upon the relationship between the three-year running average of the NOAA Fisheries fall trawl survey biomass index and established biomass index targets. The data indicated that the biomass indices were less than the current targets for both management areas. Due to concern about the ability of the stocks to rebuild to target levels by the end of the 10-year rebuilding period under this process, the Councils modified the management measures in the Northern Fishery Management Area and changed the annual adjustment process.

Amendment 2 to the FMP, effective May 2005, included measures to address Essential Fish Habitat and bycatch issues, as well as other issues raised during the public scoping process. Amendment 2 did not modify the stock-rebuilding program established in Framework Adjustment 2. Amendment 2 implemented the following measures: a new limited access permit for qualified vessels fishing south of 38° 20' N latitude (south of Ocean City, MD); an offshore monkfish fishery in the Southern Fishery Management Area; a maximum roller-gear disc diameter of six inches in the Southern Fishery Management Area; closure of two deep-sea canyon areas to all gears when fishing under monkfish days-at-sea; establishment of a research days-at-sea set-aside program and a days-at-sea; a North Atlantic Fisheries Organization Regulated Area Exemptions Program; adjustments to the monkfish incidental catch limits (from 50 lb/trip to 50 lb/day not to exceed 150 lb/trip or, for qualified vessels, no more than five

percent of the total weight of fish on board, not to exceed 450 lb tail weight); a decrease in the monkfish minimum size in the Southern Fishery Management Area (from 14 inch to 11 inch tail length or 21 inch to 17 inch total length) to correspond to the size limits in the Northern Fishery Management Area Northern Fishery Management Area; removal of the 20-day block requirement; and new additions to the list of actions that can be taken under the framework adjustment process contained in the FMP.

A stock assessment (40th Northeast Regional Stock Assessment Workshop) from November of 2004 showed that monkfish were not overfished in either the Northern Fishery Management Area or the Southern Fishery Management Area based on existing reference points. Overfishing could not be determined as fishing mortality rates estimated from the NEFMC and Cooperative survey data were not reliable.

Despite several years of increase in biomass in both stocks, by the fall of 2006 both stocks were considered to be in decline with approximately 50 percent of the biomass being below the annual biomass index targets. Framework Adjustment 3 to the FMP, effective November 2006, prohibited targeting monkfish on Multispecies permit B-regular days-at-sea. In 2007, Framework Adjustment 4 to the FMP was proposed by the Council to revise the monkfish management program so that the goals of the rebuilding plan could be met. Framework Adjustment 4 included, among other measures, a backstop provision that would adjust and potentially close, the directed monkfish fishery in 2009 if the landings in the 2007 fishing year exceeded the target total allowable catch by more than 30 percent.

Amendment 3 to the FMP, effective February 2008, included monkfish in part of the standardized bycatch reporting methodology omnibus amendment. The omnibus amendment was applied to FMPs of the MAFMC and NEFMC and was developed to address the requirements of the Magnuson-Stevens Act to include, in all FMPs, a standardized bycatch reporting methodology.

In July 2007, the Northeast Data Poor Stocks Working Group (Data Poor Stocks Working Group) completed a new stock assessment which indicated that the monkfish stocks were not overfished and overfishing was no longer occurring. The council adopted new revised reference points recommended by the Data Poor Stocks Working Group in May 2008, as Framework Adjustment 5 to the FMP. Framework Adjustment 6 to the FMP was also implemented in 2008, eliminating the backstop provision adopted in Framework Adjustment 4. The backstop provision would have adjusted and possibly closed the monkfish fishery in FY 2009 if landings exceeded the target total allowable catch by more than 30 percent. Given that both stocks were rebuilt, the backstop provision was no longer deemed necessary.

Amendment 5 to the FMP, effective May 2011, was issued to bring the Monkfish FMP into compliance with the 2007 re-authorization of the Magnuson-Stevens Act. The Magnuson-Stevens Act was reauthorized and revised; it included the requirement that all FMPs establish Annual Catch Limits and measures to ensure accountability measures. For stocks not subject to overfishing, such as monkfish, the Act set a deadline of 2011 for the implementation of Annual Catch Limits and accountability measures. Amendment 5 established the mechanism for specifying Annual Catch Limits, accountability measures, annual catch target and associated

measures for days-at-sea. Amendment 5 also brought the biological and management reference points in the FMP into compliance with the revised 2009 National Standard 1 Guidelines.

In June 2010, another stock assessment, Stock Assessment Review Committee 50, concluded that both stocks were above their respective biomass thresholds, and also above newly established biomass thresholds recommended during the assessment, indicating that both stocks are not overfished. The estimated fishing mortality rate for each stock was below its respective fishing mortality threshold, therefore overfishing was not occurring on either stock. The Stock Assessment Review Committee 50 Report did however emphasize the continuing high degree of uncertainty in the assessment.

As a result of Stock Assessment Review Committee 50, the NEFMC's Scientific and Statistical Committee revised the estimate of Annual Catch Limits for both stocks. The revised Annual Catch Limit for the Northern Fishery Management Area is below the proactive accountability measure annual catch target for that area proposed in Amendment 5. Framework Adjustment 7, effective October 2011, adjusted the annual target catch for the Northern Fishery Management Area to be consistent with the most recent scientific advice regarding the acceptable biological catch for monkfish. Framework Adjustment 7 also specifies a new days-at-sea allocation and trip limits for the Northern Fishery Management Area consistent with the new annual target catch. As well as, established revised biomass reference points for the Northern Fishery Management Area and Southern Fishery Management Area.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, South Atlantic Fishery Management Council, or the Atlantic States Marine Fisheries Commission by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic States Marine Fisheries Commission plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

In North Carolina, monkfish are managed under the NEFMC/MAFMC FMP compliance requirements in federal waters (3 to 200 miles). Figure 1 illustrates the northern and southern fishery management areas.

Goal and Objectives

The FMP is intended to manage the monkfish fishery pursuant to the Magnuson-Stevens Fishery Conservation Management Act of 1976, as amended by the Sustainable Fisheries Act in 1996. The purpose of the amendment was to bring this FMP into compliance with the new and revised

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – MONKFISH

National Standards and other required provisions of the Sustainable Fisheries Act by implementing the following:

1. To end and prevent overfishing; rebuilding and maintaining a healthy spawning stock;
2. To optimize yield and maximize economic benefits to the various fishing sectors;
3. To prevent increased fishing on immature fish;
4. To allow the traditional incidental catch of monkfish to occur.

STATUS OF THE STOCK

Stock Status

Both the North and South monkfish stock statuses are not currently unknown, due problems with the vertebrate aging method and the inability to estimate growth of monkfish. Monkfish was removed from the N.C. Stock Status Report due to the limited fishery in North Carolina.

Stock Assessment

The NEFMC Scientific and Statistical Committee recommended not updating the monkfish assessment using the Statistical Catch at Length (SCALE) Model used during the update assessment in 2016. This was based on new scientific evidence that the method of aging monkfish using vertebrae is not valid. The inability to accurately estimate monkfish growth would have made any analysis using the SCALE model unusable for providing catch advice. The Assessment Oversight Panel recommended that the stock status be evaluated during the 2016 data update due to the lack of biological reference points to allow for status determination.

STATUS OF THE FISHERY

Current Regulations

North Carolina is allowed to have a directed monkfish commercial fishery from March 16 through April 14 in the Atlantic Ocean. During this time, fishermen harvesting monkfish in the Atlantic Ocean using gill nets greater than seven inch stretched mesh, must hold a valid N.C. Monkfish Large Mesh Gill Net Permit and limit fishing activity to a one-mile-wide area extending from two miles seaward of the coastline to three miles seaward of the coastline from the North Carolina/Virginia state line southward to Wimble Shoals (Latitude 35°30'N). The minimum size length for monkfish is 17 inch total length or 11 inch tail length for both commercial and recreational anglers. North Carolina does not set trip or possession limits for monkfish.

Commercial Landings

Annual landings of monkfish were lower in 2016 compared to 2015. Monkfish landings in North Carolina predominately occur as marketable by-catch from the summer flounder trawl fishery. In 2012 and 2013, shoaling of Oregon Inlet prevented flounder trawlers from landing in Wanchese, North Carolina, the closest North Carolina port to the monkfish fishing grounds. During these

years, North Carolina transferred summer flounder quota to Virginia to allow vessels to land summer flounder at Virginia fish houses when Oregon Inlet was impassible for larger vessels. In 2014, the transfer of quota between North Carolina and other states was limited to vessels with mechanical issues, or crew emergencies; boats landed further south accessing ports through Beaufort Inlet or attempted entering Oregon Inlet when inlet conditions allowed. Tables 1 and 2 illustrate the magnitude of landings in pounds by year from each gear in both estuarine and ocean waters. For 2013, 2014, 2015, and 2016, the Atlantic Ocean large mesh gill net fishery had no reported trips and participation in the fishery has been declining. Landings from large mesh and small mesh gill nets are assumed to be as marketable by-catch and not from the targeted fishery. Prior to 2013, the landings from large mesh gill nets were significant. In recent years, weather conditions, water temperature, fish availability and activity in other fisheries have kept participation and landings low.

Recreational Landings

Not available due to low recreational activity.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

North Carolina does not have a fishery dependent monitoring program for monkfish.

Fishery-Independent Monitoring

North Carolina does not have a fishery independent monitoring program for monkfish.

MANAGEMENT STRATEGY

The monkfish fishery is managed in federal waters primarily with a days-at-sea management system with corresponding trip limits per days-at-sea. Every three years the biological objectives and reference points are reviewed to evaluate threshold and target biological reference points. The MAFMC or NEFMC may initiate a framework adjustment, at any time, if they find it necessary to meet or be consistent with the goals and objectives of the Monkfish FMP. The management adjustments or amendments for monkfish will require majority approval of both the MAFMC and the NEFMC. The Monkfish Monitoring Committee meets six months prior to the beginning of the next fishing year to review available data pertaining to: discards and landings; days-at-sea and other measures of fishing effort; stock status and fishing mortality rates; enforcement of and compliance with management measures; and any other relevant information. The data is provided to the Monitoring Committee (MC) by NOAA Fisheries, but the MC may also consider data provided by the states, ASMFC, the U.S. Coast Guard and other sources. The MC reviews the data and develops target Total Allowable Catch recommendations and management options necessary to achieve the FMP goals and objectives.

The FMP defines overfishing as when F exceeds F_{max} . Overfished is defined as when the total stock biomass or $B_{threshold}$ is less than half of the B_{max} Projected. The 2013 Monkfish Operational

Assessment conducted by the Northeast Fisheries Science Center updated the biological reference points from the 2010 stock assessment needed to evaluate stock status for both the northern and southern stock and based on the long-term projections determined that neither stock was overfished or experiencing overfishing. All of the biological reference points are based on results of the Statistical Catch at Length Model used in the 2010 stock assessment and are subject to a high level of uncertainty due to the poor quality of data used. The 2016 Monkfish Operational Assessment did not include any updated biological reference points, due to a lack of valid age data.

Northern Stock (based on 2013 Monkfish Operational Assessment)

- $F_{max} = 0.44$
- $B_{threshold} = 0.5 * B_{max}$ Projected = 23,037 metric tons
- $B_{target} = B_{max}$ Projected = 46,074 metric tons
- $B_{msy} = F_{max}$ Projected = 9,383 metric tons

Southern Stock (based on 2013 Monkfish Operational Assessment)

- $F_{max} = 0.37$
- $B_{threshold} = 0.5 * B_{max}$ Projected = 35,834 metric tons
- $B_{target} = B_{max}$ Projected = 71,667 metric tons
- $B_{msy} = F_{max}$ Projected = 14,328 metric tons

RESEARCH NEEDS

From the Northeast Fisheries Science Center 2016 monkfish operational stock assessment the panel recommended further research into (NEFMC 2016):

- Age determination should be resolved to address model uncertainties noted above. This may include evaluation of alternative age structures and use of the 2015 cohort to validate age estimates and growth patterns (see below).
- The 2015 cohort should be tracked through the suite of available surveys to evaluate effect on abundance, and potentially help determine growth with monthly sampling when possible. Density dependent growth has been observed in other species and should be considered when tracking this cohort.
- Continue monitoring distribution of stock over shifting climate conditions.
- Continue microsatellite research to determine stock structure.
- Continue tagging studies to elucidate movement patterns.

Note: The information for this Fishery Management Plan (FMP) update can be found on the MAFMC and NEFMC websites (<http://www.mafmc.org> or <http://www.nefmc.org>). Information is also available on NOAA Fisheries website for the Greater Atlantic Region (<http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/monkfish/>). Please refer to these websites for additional information.

LITERATURE CITED

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Northeast Fisheries Science Center. 2016. 2016 Monkfish Operational Assessment. U.S. Department of Commerce, Northeast Fisheries Science Center Reference Document. 16-09; 109 pp.

TABLES

Table 1. Estuarine landings (lb) of monkfish by gear 2007-2016 (NC Trip Ticket Program).

Gear	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Gill Nets	491	180	340	92	48	71	149	51	60	196
Trawls	61	0	5	0	0	0	0	0	0	0
Others	7	5	0	0	0	22	0	0	0	0
Total	559	185	345	92	48	93	149	51	60	196

Table 2. Ocean landings (lb) of monkfish by gear 2007-2016 (NC Trip Ticket Program).

Gear	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Crab Trawl	11		5							
Gill Nets	104,698	54,443	70,286	15,225	8,879	9,239	2,272	1,952	556	2,692
Trawls	43,280	53,243	28,335	31,225	29,533	11,828	8,009	72,450	110,300	47,380
Others	964	186	80	28	74	156	11	22	524	0
Total	148,942	107,872	98,701	46,478	38,486	21,223	10,292	74,424	111,380	50,072

FIGURES

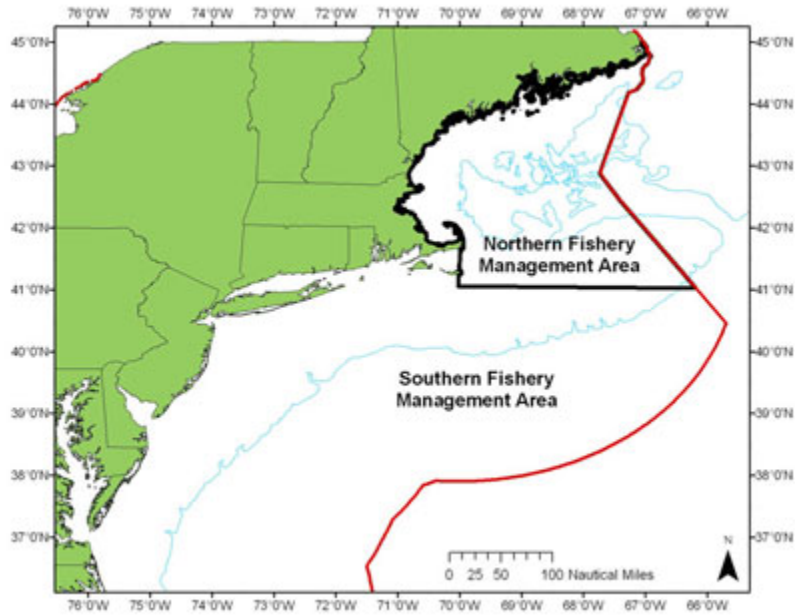


Figure 1. 2016 Monkfish fishery management areas (NOAA Fisheries).

**FISHERY MANAGEMENT PLAN UPDATE
SCUP NORTH OF CAPE HATTERAS
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	Incorporated into the Summer Flounder FMP through Amendment 8 in 1996
Amendments:	Amendment 8 in 1996 Regulatory Amendment in 1996 Amendment 10 in 1997 Amendment 11 in 1998 Amendment 12 in 1999 Framework 1 in 2001 Addendum III in 2001 Addendum IV in 2001 Addendum V in 2002 Addendum VII in 2002 Framework 3 in 2003 Framework 4 in 2003 Addendum IX in 2003 Addendum X in 2003 Amendment 13 in 2003 Framework 5 in 2004 Addendum XI in 2004 Addendum XIII in 2004 Addendum XVI in 2005 Framework 7 in 2007 Addendum XIX in 2007 Amendment 14 in 2007 Amendment 16 in 2007 Addendum XX in 2009 Amendment 15 in 2011 Amendment 19 (Recreational Accountability Amendment) in 2013 Amendment 17 in 2015 Amendment 18 in 2015 Framework 9 in 2016
Revisions:	None
Supplements:	None

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	A benchmark stock assessment was completed in 2015 and a new stock assessment update is scheduled in 2017. No benchmark stock assessment has been scheduled.

Because of their presence in, and movement between, state waters (0 to 3 miles) and federal waters (3 to 200 miles), the Mid-Atlantic Fisheries Management Council (MAFMC) manages scup north of Cape Hatteras cooperatively with the Atlantic States Marine Fisheries Commission (ASMFC). The two management entities work in conjunction with the National Oceanic and Atmospheric Administration (NOAA) Fisheries as the federal implementation and enforcement entity. The Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP) and amendments use output controls (catch and landings limits) as the primary management tool, with landings divided between the commercial (78 percent) and recreational (22 percent) fisheries. The FMP also includes minimum fish sizes, bag limits, seasons, gear restrictions, permit requirements, and other provisions to prevent overfishing and ensure sustainability of the fisheries. Recreational bag and size limits and seasons are determined on a state-by-state basis using conservation equivalency in state waters and coastwide measures in federal waters. The commercial quota is coastwide.

Specific details for each Amendment include:

Amendment 8 - incorporated scup into the Summer Flounder FMP; established scup management measures, including commercial quotas, recreational harvest limits, size limits, gear restrictions, permits, and reporting requirements.

Regulatory Amendment – established seasonal quota periods of the commercial scup fishery.

Amendment 10 – modified commercial minimum mesh requirements; continued commercial vessel moratorium; prohibited transfer of summer flounder at sea; established a special permit for the summer flounder party/charter sector.

Amendment 11 - modified certain provisions related to vessel replacement and upgrading, permit history transfer, splitting, and permit renewal regulations.

Amendment 12 - revised the Summer Flounder, Scup, and Black Sea Bass FMP to comply with the Sustainable Fisheries Act and established a framework adjustment process; established quota set-aside for research for summer flounder, scup and black sea bass; established state-specific conservation equivalency measures; allowed the rollover of the winter scup quota; revised the start date for the scup summer quota period; established a system to transfer scup at sea.

Framework 1 – established quota set-aside for research for summer flounder, scup and black sea bass.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

Addendum III – established recreational fishing specifications for 2001 for summer flounder and scup.

Addendum IV – provided that upon the recommendation of the relevant monitoring committee and joint consideration with the Mid-Atlantic Fishery Management Council, the Mid-Atlantic Fishery Management Board will decide the state regulations rather than forward a recommendation to the National Marine Fisheries Science center; made states responsible for implementing the Mid-Atlantic Fishery Management Boards decisions on regulations.

Addendum V – created state-specific shares of the summer period quota that will remain in place until the Atlantic States Marine Fisheries Commission Management Board takes direct action to modify them.

Addendum VII – established recreational fishing specifications for scup for 2002.

Framework 3 – allowed the rollover of winter scup quota; revised the start date for the summer quota period for the scup fishery.

Framework 4 – established a system to transfer scup at sea.

Addendum IX – established recreational specifications for scup in 2003.

Addendum X – established quota rollover and quota period specifications for the commercial scup fishery.

Amendment 13 - revised black sea bass commercial quota system; addressed other black sea bass management measures; established multi-year specification setting of quota for summer flounder, scup and black sea bass; established region-specific conservation equivalency measures for summer flounder; built flexibility into process to define and update status determination criteria for each plan species. Amendment 13 also removed the necessity for fishermen who have both a Northeast Region (NER) black sea bass permit and a Southeast Region (SER) snapper/grouper permit to relinquish their permits for a six-month period prior to fishing south of Cape Hatteras during the northern closure.

Framework 5 – established multi-year specification setting of quota for summer flounder, scup, and black sea bass.

Addendum XI – proposed that the recreational scup fishery be constrained to the coastwide recreational harvest limit, allow states to customize scup recreational management measures to deal with burden issues associated with the implementation of coastwide measures, minimize the administrative burden when implementing conservation equivalency.

Addendum XIII – modified the Summer Flounder, Scup, and Black Sea Bass FMP so that Total Allowable Landings for summer flounder, scup, and/or black sea bass can be specified for up to three years.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

Addendum XVI – established guidelines for delayed implementation of management strategies.

Framework 7 – built flexibility into process to define and update status determination criteria for summer flounder, scup and black sea bass.

Addendum XIX – continued the state-by-state black sea bass commercial management measures, without a sunset clause; broadened the descriptions of stock status determination criteria contained within the Summer Flounder, Scup, and Black Sea Bass FMP to allow greater flexibility in those definitions, while maintaining objective and measurable status determination criteria for identifying when stocks or stock complexes covered by the fishery management plan are overfished.

Amendment 14 - established a rebuilding schedule for scup; scup gear restricted areas made modifiable through framework adjustment process.

Amendment 16 - standardized bycatch reporting methodology.

Addendum XX – set policies to reconcile commercial quota overages to address minor inadvertent quota overages; streamlined the quota transfers process and established clear policies and administrative protocols to guide the allocation of transfers from states with underages to states with overages; allowed for commercial quota transfers to reconcile quota overages after a years end.

Amendment 15 - established annual catch limits and accountability measures.

Amendment 19 – (Recreational Accountability Amendment) – modified the accountability measures for the MAFMC recreational fisheries.

Amendment 17 – implemented standardized bycatch reporting methodology.

Amendment 18 – eliminated the requirement for vessel owners to submit “did not fish” reports for the months or weeks when their vessel was not fishing; removed some of the restrictions for upgrading vessels listed on federal fishing permits.

Framework 9 – modified the southern and eastern boundaries of the southern scup gear restricted area (in effect January 1-March 15).

Specific details for each Amendment under development include:

Commercial Scup Quota Period Framework - The MAFMC and the ASMFC are considering a joint management action which would modify the dates of the commercial scup quota periods, while leaving all other management measures unchanged, including the possession limits for each quota period and allocations of quota among the periods.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

U.S. waters in the western Atlantic Ocean from Cape Hatteras northward to the U.S.-Canadian border.

Goal and Objectives

The objectives of the Summer Flounder, Scup, and Black Sea Bass FMP are to:

1. Reduce fishing mortality in the summer flounder, scup and black sea bass fisheries to assure that overfishing does not occur;
2. Reduce fishing mortality on immature summer flounder, scup and black sea bass to increase spawning stock biomass;
3. Improve the yield from these fisheries;
4. Promote compatible management regulations between state and federal jurisdictions;
5. Promote uniform and effective enforcement of regulations;
6. Minimize regulations to achieve the management objectives stated above.

The 2011 Omnibus Amendment contains Amendment 15 to the Summer Flounder, Scup and Black Sea Bass FMP. The amendment is intended to formalize the process of addressing scientific and management uncertainty when setting catch limits for the upcoming fishing year(s) and to establish a comprehensive system of accountability for catch (including both landings and discards) relative to those limits, for each of the managed resources subject to this requirement. Specifically: (1) Establish allowable biological catch control rules, (2) Establish a MAFMC risk policy, which is one variable needed for the allowable biological catch control rules, (3) Establish annual catch limits, (4) Establish a system of comprehensive accountability, which addresses all components of the catch, (5) Describe the process by which the performance of the annual catch limit and comprehensive accountability system will be reviewed, (6) Describe the process to modify the measures above in 1-5 in the future.

STATUS OF THE STOCK

Stock Status

The 2015 scup benchmark stock assessment included data through 2014 and indicated that the stock was not overfished and overfishing was not occurring in 2014. A scup stock assessment update has been scheduled for 2017. No scup benchmark stock assessment has been scheduled.

Stock Assessment

The 2015 scup benchmark stock assessment estimated fishing mortality and stock sizes using a statistical catch at age model calculated by using the Age Structured Assessment Program. This indicated that the fishing mortality rate was below the threshold reference point and the spawning stock biomass was above the target reference point so the stock was not overfished and overfishing was not occurring as outlined by the biological reference points.

STATUS OF THE FISHERY

Current Regulations

Commercial: nine-inch fork length minimum size limit in Atlantic Ocean and internal coastal waters. Landings windows are set by proclamation with variable harvest limits by gear and time-period (see most recent North Carolina Division of Marine Fisheries (NCDMF) proclamation).

Recreational: eight-inch fork length minimum size, 50-fish creel limit in state Atlantic Ocean and internal coastal waters; nine-inch fork length minimum size, 50-fish creel limit in federal Atlantic Ocean waters. Season is year-round.

Commercial Landings

Most scup landings from north of Cape Hatteras were from trawls. Annual landings were variable from 2007 to 2016 with very low landings during 2012-2013 (Figure 1). The low landings in 2012-2013 were partly due to the closure of Oregon Inlet to large vessels (such as trawlers) and the consequent transfer of most of North Carolina's quota allocation to Virginia and other states. In 2014 and 2015, more winter trawl vessels returned to North Carolina to land catches rather than transferring quota to Virginia and other states. Trends in commercial trips have generally followed landings trends (Figure 1). Trips include the number of trip ticket records with landings of scup reported. Trips may represent more than one day of fishing, especially for trawling.

Recreational Landings

Recreational harvest and trips for scup north of Cape Hatteras only occurred in 2011, 2012, and 2015 (Table 1).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Two NCDMF sampling programs collect biological data on commercial and recreational fisheries that catch scup north of Cape Hatteras. Program 433 (Winter Trawl Fishery) is the primary program that collects harvest length data. Other commercial sampling programs focusing on fisheries that do not target scup rarely collect biological data. NCDMF sampling of the recreational fishery through the marine recreational information program collects harvest length data. Age data have not been collected by NCDMF for scup north of Cape Hatteras.

There were no clear trends in commercial length data in 2007-2016 (Table 2). Annual mean lengths were fairly consistent for the time-series and 2016 was typical.

Recreational harvest length data were only collected in 2011, 2012, and 2015 for scup north of Cape Hatteras (Table 3). Only one fish was measured each year. Very few scup are encountered in this fishery.

Fishery-Independent Monitoring

NCDMF independent sampling programs encounter very low numbers of scup north of Cape Hatteras in 2007-2016. A total of five in 2009, two in 2010, 16 in 2012, one in 2013, one in 2014, and three in 2016 were collected by NCDMF independent sampling programs. NCDMF currently does not have independent sampling programs in ocean waters north of Cape Hatteras.

MANAGEMENT STRATEGY

An update of the scup stock assessment is completed each year by NOAA Fisheries Northeast Fisheries Science Center (NEFSC). Results from the 2015 benchmark stock assessment are used to guide management. Data are analyzed from the previous year based on decisions made for the previous benchmark assessment. Projections based on stock assessments are used to set the coastwide quota level each year. Amendments to the FMP are undertaken as issues arise that require action.

RESEARCH NEEDS

The following research needs were reviewed (existing needs) or developed (new) during the 2015 Stock Assessment Workshop by the Southern Demersal Working Group and the MAFMC Scientific and Statistical Committee. Text in parentheses indicates known progress made to address needs.

- Evaluation of indicators of potential changes in stock status that could provide signs to management of potential reductions of stock productivity in the future would be helpful (some progress has been made but more development work is needed).
- A management strategy evaluation of alternative approaches to setting quotas would be helpful (progress unknown).

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

- Current research trawl surveys are likely adequate to index the abundance of scup at ages 0 to 2. However, the implementation of new standardized research surveys that focus on accurately indexing the abundance of older scup (ages 3 and older) would likely improve the accuracy of the stock assessment (Rhode Island has conducted research but funding was halted which has prohibited further research).
- Continuation of at least the current levels of at-sea and port sampling of the commercial and recreational fisheries in which scup are landed and discarded is critical to adequately characterize the quantity, length and age composition of the fishery catches (adequate sampling is ongoing).
- Quantification of the biases in the catch and discards, including non-compliance, would help confirm the weightings used in the model. Additional studies would be required to address this issue (progress unknown).
- The commercial discard mortality rate was assumed to be 100 percent in this assessment. Experimental work to better characterize the discard mortality rate of scup captured by different commercial gear types should be conducted to more accurately quantify the magnitude of scup discard mortality (progress unknown).
- Improve estimates of discards and discard mortality for commercial and recreational fisheries (some progress has been made on discard estimates and have been included in the latest assessment but progress is unknown for discard mortality estimates).
- Evaluate indices of stock abundance from new surveys (some progress has been made from the Northeast Area Monitoring and Assessment Program, Rhode Island Department of Fish and Wildlife, and New York State Department of Environmental Conservation and has been included in the latest assessment).
- Quantify the pattern of predation on scup (NEFSC has done some research but more data is needed).
- Conduct biological studies to investigate maturity schedules and factors affecting annual availability of scup to research surveys (NEFSC has made some progress with this research),
- Explore the utility of incorporating ecological relationships, predation, and oceanic events that influence scup population size on the continental shelf and its availability to resource surveys into the stock assessment mode (NEFSC has made some progress).
- Evaluate alternate forms of survey selectivity in the assessment to inform indices of abundance at higher ages (some progress has been made and was included in the latest assessment).
- A standardized fishery dependent catch per unit effort of scup targeted tows, from either Northeast Fisheries Observer Program observer samples or the commercial study fleet, might

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

be considered as an additional index of abundance to complement survey indices in future benchmark assessments (progress unknown).

- Explore additional sources of length and age data from fisheries and surveys in the early parts of the time series to provide additional context for model results (progress unknown).
- Explore experiments to estimate the catchability of scup in NEFSC and other research trawl surveys (side-by-side, camera, gear mensuration, acoustics, etc.) (progress unknown).
- Refine and update the Manderson et al. availability analysis when/if a new ocean model is available (need additional support). Explore alternative niche model parameterizations including laboratory experiments on thermal preference and tolerance (progress unknown).
- Explore study fleet data in general for information that could provide additional context and/or input for the assessment (progress unknown).
- A scientifically designed survey to sample larger and older scup would likely prove useful in improving knowledge of the relative abundance of these large fish (progress unknown).

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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

TABLES

Table 1. Recreational hook and line harvest of scup in numbers of fish north of Cape Hatteras from marine recreational information program data 2007-2016.

Year	Harvest (numbers)
2007	0
2008	0
2009	0
2010	0
2011	27
2012	148
2013	0
2014	0
2015	596
2016	0

Table 2. Summary of scup length (fork length, mm) and age data from NCDMF commercial fishery sampling programs north of Cape Hatteras. “ND” represents no data available.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	281	190	404	1,660	ND	ND	ND	ND
2008	281	183	415	3,493	ND	ND	ND	ND
2009	281	153	403	1,740	ND	ND	ND	ND
2010	276	200	386	1,450	ND	ND	ND	ND
2011	267	198	407	1,076	ND	ND	ND	ND
2012	327	287	401	7	ND	ND	ND	ND
2013	253	192	389	261	ND	ND	ND	ND
2014	281	193	441	2,725	ND	ND	ND	ND
2015	283	127	429	2,998	ND	ND	ND	ND
2016	273	165	388	1,175	ND	ND	ND	ND

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SCUP

Table 3. Summary of scup length (fork length, mm) and age data from NCDMF recreational fishery sampling programs north of Cape Hatteras. “ND” represents no data available.

Year	Mean Length	Minimum Length	Maximum Length	Total Measured	Modal Age	Minimum Age	Maximum Age	Total Aged
2007	0	0	0	0	ND	ND	ND	ND
2008	0	0	0	0	ND	ND	ND	ND
2009	0	0	0	0	ND	ND	ND	ND
2010	0	0	0	0	ND	ND	ND	ND
2011	181	181	181	1	ND	ND	ND	ND
2012	290	290	290	1	ND	ND	ND	ND
2013	0	0	0	0	ND	ND	ND	ND
2014	0	0	0	0	ND	ND	ND	ND
2015	110	110	110	1	ND	ND	ND	ND
2016	0	0	0	0	ND	ND	ND	ND

FIGURES

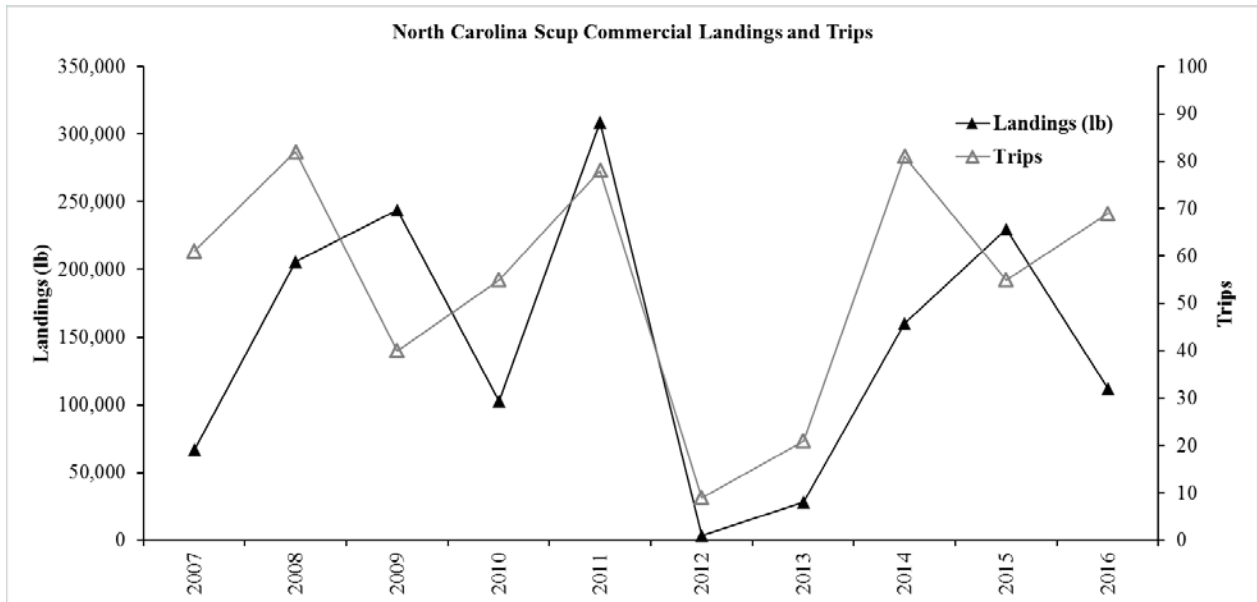


Figure 1. North Carolina commercial landings (total pounds, lb) and trips for scup north of Cape Hatteras 2007-2016.

**FISHERY MANAGEMENT PLAN UPDATE
SHARKS
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	August 2008 Addendum I – September 2009 Addendum II – May 2013 Addendum III – October 2013 Addendum IV – August 2016
Amendments:	None
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	None

The Atlantic States Marine Fisheries Commission (ASMFC) adopted a fishery management plan (FMP) for coastal sharks in 2008 (ASMFC 2008) to complement federal management actions and increase protection of pregnant females and juveniles in inshore nursery areas. The FMP regulates 40 different species of coastal sharks found on the Atlantic coast. The ASMFC does not actively set quotas for any shark species and follows NOAA Fisheries (National Oceanic and Atmospheric Administration) openings and closures for all shark management groups. Species in the prohibited category may not be possessed or taken. Sandbar sharks (*Carcharhinus plumbeus*) may only be taken with an Atlantic Highly Migratory Species (HMS) Shark Research Fishery Permit. All species must be landed with their fins attached to the carcass by natural means through offloading, with the exception of smooth dogfish (*Mustelus canis*).

Addendum I (ASMFC 2009) modified the FMP to allow limited smooth dogfish processing at sea (removal of fins from the carcass), removed smooth dogfish recreational possession limits, and removed gill net check requirements for smooth dogfish fishermen. The goal of Addendum I was to remove restrictive management intended for large coastal sharks from the smooth dogfish fishery, and to allow fishermen to continue their operations while upholding the conservation measures of the FMP.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SHARKS

In 2012, NOAA Fisheries created the smoothhound complex for the management of both the Florida smoothhound and smooth dogfish, smooth dogfish is the only species in the complex allowed to be processed at sea. Addendum II (ASMFC 2013a) modified the FMP to allow year-round smooth dogfish processing at sea and allocated state-shares of the smooth dogfish federal quota. The goal of Addendum II was to implement an accurate fin-to-carcass ratio and prevent the quota of the smoothhound shark complex from being harvested by one state.

Addendum III (ASMFC 2013b) modified the species groups for hammerhead and blacknose sharks to ensure consistency with NOAA Fisheries. The addendum also increased the recreational size limit for all hammerhead shark species to 78 inches fork length (FL) and for blacknose and finetooth sharks to 54 inches FL.

Addendum IV (ASMFC 2016) allows smooth dogfish carcasses to be landed with corresponding fins removed from the carcass if the total retained catch, by weight, is composed of at least 25 percent smooth dogfish, consistent with federal management measures.

To ensure compliance with interstate requirements, North Carolina also manages this species complex under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The management unit includes the entire coastwide distribution of the resource from the estuaries eastward to the inshore boundary of the exclusive economic zone (EEZ). The management unit is split between the Atlantic and Gulf of Mexico regions for aggregated large coastal, hammerhead, non-blacknose small coastal and blacknose sharks. No regional quotas are in place for pelagic shark species.

Goal and Objectives

The Interstate FMP for Coastal Sharks (ASMFC 2008) established the following goal and objectives.

The goal of the Interstate FMP for Coastal Sharks is to promote stock rebuilding and management of the coastal shark fishery in a manner that is biologically, economically, socially, and ecologically sound.

In support of this goal, the following objectives are in place for the Interstate Shark FMP:

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SHARKS

1. Reduce fishing mortality to rebuild stock biomass, prevent stock collapse, and support a sustainable fishery.
2. Protect essential habitat areas such as nurseries and pupping grounds to protect sharks during particularly vulnerable stages in their life cycle.
3. Coordinate management activities between state and federal waters to promote complementary regulations throughout the species' range.
4. Obtain biological and improved fishery related data to increase understanding of state water shark fisheries.
5. Minimize endangered species bycatch in shark fisheries.

STATUS OF THE STOCK

Stock Status

Stock status is assessed by species complex for most coastal sharks and by species group for those with enough data for an individual assessment (Table 1). NOAA Fisheries produces and annual Stock Assessment and fisheries Evaluation (SAFE) Report that reviews the status of Atlantic HMS fish stocks (tunas, swordfish, billfish, and sharks). These reports are required under the Magnuson-Stevens Fishery Conservation and Management Act and provide the public with information on the latest developments in Atlantic HMS management. The 2016 SAFE Report included information on the stock assessment update for dusky sharks and the continued shark nursery ground research and essential fish habitat studies (NOAA Fisheries 2016).

Stock Assessment

Refer to Table 1 for stock status information by species and species group. The Southeast Data, Assessment and Review (SEDAR) completed a benchmark stock assessment on the smoothhound shark complex (*Mustelus spp.*) in the Gulf of Mexico and Atlantic smooth dogfish in the Atlantic through SEDAR 39. The assessment found that neither stock was overfished or experiencing overfishing (SEDAR 2015). The SEDAR 21 (2011) benchmark assessment of dusky (*Carcharhinus obscurus*), sandbar, and blacknose (*Carcharhinus acronotus*) sharks indicated that both sandbar and dusky sharks were to be overfished with overfishing occurring for dusky sharks. Blacknose sharks, part of the small coastal sharks (SCS) complex, were also overfished with overfishing occurring. The Board approved the assessment for management use in February 2012, and NOAA Fisheries' Highly Migratory Species Division (HMS) incorporated the results of the assessment as part of Amendment 5a to its FMP (HMS 2013). This stock assessment was updated only for dusky sharks in 2016, the results indicated dusky sharks are overfished and overfishing is occurring. The ASMFC has yet to finalize measures for dusky shark management from the results of the most recent stock assessment.

Porbeagle sharks (*Lamna nasus*) were assessed by the International Commission for the Conservation of Atlantic Tunas (ICCAT) Standing Committee on Research and Statistics in 2009 (ICCAT 2010). The assessment found that while the Northwest Atlantic stock was increasing in biomass, the stock was considered to be overfished with overfishing not occurring. The 2007 SEDAR 13 assessed the SCS complex, finetooth (*Carcharhinus isodon*), Atlantic sharpnose (*Rhizoprionodon terraenovae*), and bonnethead (*Sphyrna tiburo*) sharks (SEDAR 2013). The

SEDAR 13 peer reviewers considered the data to be the ‘best available at the time’ and determined the status of the SCS complex to be adequate. Finetooth, Atlantic sharpnose and bonnethead were all considered to be not overfished and not experiencing overfishing. Atlantic sharpnose and bonnethead were more recently assessed by SEDAR 34, and are still considered not overfished or undergoing overfishing (SEDAR 2013).

SEDAR 11 (2006) assessed the LCS complex and blacktip sharks (*Carcharhinus limbatus*). The LCS assessment suggested that it was inappropriate to assess the LCS complex as a whole due to the variation in life history parameters, different intrinsic rates of increase, and different catch and abundance data for all species included in the LCS complex. Based on these results, NOAA Fisheries changed the status of the LCS complex from overfished to unknown. As part of SEDAR 11, blacktip sharks were assessed for the first time as two separate populations: Gulf of Mexico and Atlantic. The results indicated that the Gulf of Mexico stock was not overfished and overfishing was not occurring, while the status of blacktip sharks in the Atlantic region was unknown.

STATUS OF THE FISHERY

Current Regulations

Commercial

All non-prohibited coastal shark complexes opened on January 1, 2016 (Table 2). These openings followed NOAA Fisheries openings of the species complexes. NOAA Fisheries closes the shark complexes when 80 percent of their quota is reached. When the fishery closes in federal waters, the Interstate FMP dictates that the fishery also closes in state waters. No harvest or size restrictions are in place except for large coastal sharks, it is unlawful to possess more than 36 large coastal sharks per trip. It is unlawful to possess any shark (with the exception of smooth dogfish) without tail and fins naturally attached to the carcass through offloading. Commercial fishermen may completely remove the fins of smooth dogfish, if the total retained catch, by weight, is composed of at least 25 percent smooth dogfish. If fins are removed, the total wet weight of the shark fins may not exceed 12 percent of the total dressed weight of smooth dogfish carcasses landed or found onboard a vessel. It is unlawful for a vessel to retain, transship, land, store or sell scalloped hammerhead, great hammerhead or smooth hammerhead sharks with pelagic longline gear onboard. It is unlawful for a vessel to retain sandbar sharks unless the vessel is selected to participate in the shark research fishery, subject to retention limits established by NOAA Fisheries and only when a NOAA Fisheries approved observer is onboard. It is unlawful to use gears other than rod and reel, handlines, large and small mesh gill nets, shortlines (maximum of two shortlines, 500 yards each with 50 hooks or less, hooks shall not be corrosion resistant and must be designated by the manufacturer as circle hooks), pound nets/fish traps, and trawl nets. It is unlawful to use a large mesh (stretched mesh size greater than or equal to five inch) gill net more than 2,734 yards in length to capture sharks. It is unlawful to sell sharks to anyone who is not a federally-permitted shark dealer.

NOAA Fisheries sets quotas for coastal sharks through their 2006 Consolidated Highly Migratory Species Fishery Management Plan (HMS FMP) (NOAA Fisheries 2006). As indicated

above, the states follow NOAA Fisheries openings and closings, which are based on those quotas (Table 2).

Recreational

All non-prohibited coastal shark complexes opened on January 1, 2016. These openings followed NOAA Fisheries openings of the species complexes. It is unlawful for a recreational angler to possess more than one Atlantic sharpnose, and one bonnethead and one additional shark from the recreationally permitted species list per person per calendar day (Table 3). Additionally, if fishing from a vessel, it is unlawful to have more than one additional shark from the recreationally permitted species list aboard a vessel, per calendar day, regardless of the number of people on board the vessel. It is unlawful to possess silky sharks (*Carcharhinus falciformis*) and sandbar sharks for recreational purposes. It is unlawful to possess great hammerhead, smooth hammerhead and scalloped hammerhead sharks less than 78 inches fork length (Table 4). It is unlawful to possess the rest of the large coastal shark, blacknose, finetooth, and pelagic shark species less than 54 inches fork length (Table 4). Smooth dogfish and small coastal sharks have no minimum size, except for blacknose sharks. It is unlawful for recreational fishermen to possess any shark without head, tail, and fins intact with the carcass through the point of landing. Anglers may still gut and bleed the carcass as long as the tail is not removed. Filleting sharks at sea is prohibited. It is unlawful to fail to return all sharks not meeting harvest requirements (including prohibited species) to the water in a manner that ensures the highest likelihood of survival. It is unlawful for recreational fishermen to catch sharks by any method other than rod and reel or handlines. Handlines are defined as a mainline with no more than two gangions or hooks attached that are retrieved by hand only. It is unlawful to possess a great hammerhead, scalloped hammerhead, smooth hammerhead or oceanic whitetip shark while in possession of tunas, billfish or swordfish.

Commercial Landings

Coastwide commercial landings of Atlantic aggregated LCS species in 2016 were 356,403 pounds dressed weight (dw). Commercial landings of hammerhead sharks were 30,900 pounds dw. Large Coastal Sharks 2016 landings were slightly higher compared to 2015 by a total of 45,350 pounds dw. In 2016, hammerhead landings were 8,645 pounds dw less than 2015. Commercial landings of non-blacknose SCS shark species in 2016 were 180,942 pounds dw, a decrease of 126,429 pounds dw compared to 2015. Commercial landings of blacknose sharks south of 34° N latitude (Kure Beach, North Carolina) in 2016 were 26,842 pounds dw. Commercial retention of blacknose sharks is prohibited north of 34° N latitude. Landings of pelagic species of sharks were 230,840 pounds dw 2016. This is an increase of approximately 17,980 pounds dw from 2015. Commercial landings of smoothhound sharks in 2016 were 686,857 pounds dw. This was the first year for smoothhound quota monitoring, therefore 2015 landings were not previously reported under the Atlantic shark commercial fishery landings update.

Recreational Landings

Recreational harvest for small coastal sharks has fluctuated from a peak harvest number of 6,299 in 2007 to a low of 550 in 2016, and averaged 3,119 sharks from 2007 to 2016. Recreational landings ranged from 8,038 pounds whole weight (ww) to 36,544 pounds ww and averaged 21,826 pounds ww from 2007 to 2016 (Table 5).

Recreational harvest for large coastal sharks has been on a much smaller magnitude compared to small coastal sharks. Annual harvest numbers have ranged from 0 to 1,105 and averaged 243 sharks from 2007 to 2016 (Table 6).

Recreational harvest of pelagic sharks is similar to large coastal sharks. Harvest numbers for pelagic sharks ranged from 28 to 581 and averaged 121 sharks from 2007 to 2016 (Table 7).

Recreational harvest of smooth dogfish contributes to the highest release number. Harvest numbers for smooth dogfish ranged from 0 to 3,342 and averaged 1,641 sharks from 2007 to 2016 (Table 8).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

North Carolina does not collect individual lengths for sharks other than spiny dogfish, due to the fish arriving at the dock dressed (i.e gutted with head and tail removed).

Fishery-Independent Monitoring

NCDMF has an independent red drum longline project established in 2007, which captures and allows for tagging of Atlantic coastal sharks. The independent red drum longline project in the Pamlico Sound resulted in a catch of three coastal sharks in 2016 (Table 9). One of the blacktip sharks were tagged with a Northeast Fisheries Science Center's Apex Predators Program tag.

A fisheries independent gill net survey was initiated in the Pamlico Sound of North Carolina in 2001. The objective of this project is to provide annual indices of abundance for key estuarine species in the sounds and rivers that can be incorporated into stock assessments and used to improve bycatch estimates, evaluate management measures, and evaluate habitat usage. Results from this project are used by the NCDMF and other Atlantic coast fishery management agencies to evaluate the effectiveness of current management measures and to identify additional measures that may be necessary to conserve marine and estuarine stocks. Developing fishery independent indices of abundance for target species allows the NCDMF to assess the status of these stocks without relying solely on commercial and recreational fishery dependent data. Sampling is a stratified random sampling design in Pamlico Sound, utilizing multiple mesh gill nets (3.0-6.5 inch in one-half inch increments). In 2016, a total of 84 individual coastal sharks were captured in the Pamlico Sound independent gill net survey, down from 278 sharks in 2015 (Table 10).

MANAGEMENT STRATEGY

Sharks cross domestic and international boundaries; NOAA Fisheries' HMS Management Division is responsible for managing them under the Magnuson-Stevens Fishery Conservation and Management Act. In cooperation with an advisory panel, the division develops and implements FMPs for these species considering various domestic and international requirements. The ASMFC adopts NOAA Fisheries regulations in state waters.

RESEARCH NEEDS

The 2015 review of the ASMFC FMP (ASMFC 2016) for coastal sharks lists the following research needs:

Species-Specific Priorities

- Investigate the appropriateness of using vertebrae for ageing adult sandbar sharks. If appropriate, implement a systematic sampling program that gathers vertebral samples from entire size range for annual ageing to allow tracking the age distribution of the catch as well as updating of age-length keys.
- Develop and conduct tagging studies on dusky and blacknose stock structure with increased international collaboration (e.g., Mexico) to ensure wider distribution and returns of tags. Expand research efforts directed towards tagging of individuals in south Florida and Texas/Mexico border to get better data discerning potential stock mixing.

General Priorities

- Update age and growth and reproductive studies for all species currently assessed
- Determine gear-specific post-release mortality estimates for all species currently assessed.
- Determine life history information for data-poor species that are currently not assessed.
- Examine female sharks during the pupping periods to determine the proportion of reproductive females. Efforts should be made to develop non-lethal methods of determining pregnancy status.
- Expand or develop monitoring programs to collect appropriate length and age samples from the catches in the commercial sector by gear type, from catches in the recreational sector, and from catches taken in research surveys to provide reliable length and age compositions for stock assessment.
- Continue investigations into stock structure of coastal sharks using genetic, conventional and electronic tags to determine appropriate management units.
- Evaluate to what extent the different CPUE indices track population abundance (e.g., through power analysis).
- Explore modeling approaches that do not require an assumption that the population is at virgin level at some point in time.
- Increase funding to allow hiring of additional HMS stock assessment scientists. There are currently inadequate staff to conduct stock assessments on more than one or two stocks/species per year.

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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SHARKS

TABLES

Table 1. Stock status of Atlantic coastal shark species and species groups (ASMFC 2017).

Species or Complex Name	Stock Status		References/Comments
	Overfished	Overfishing is Occuring	
Pelagic			
Porbeagle	Y	N	Porbeagle Stock Assessment, ICCAT Standing Committee on Research and Statistics Report (2009); Rebuilding ends in 2018 (HMS Year)
Blue	N	N	ICCAT Standing Committee on Research and Statistics Report (2015)
Shortfin mako	N	N	ICCAT Standing Committee on Research and Statistics Report (2012)
All other pelagic sharks	Unknown	Unknown	
Large Coastal Sharks			
Blacktip	Unknown	Unknown	SEDAR 11 (2006)
Aggregated Large Coastal Sharks-Atlantic Region	Unknown	Unknown	SEDAR 11 (2006); difficult to assess as a species complex due to various life history characteristics/lack of available data
Non-blacknose Small Coastal Sharks (SCS)			
Atlantic Sharpnose	N	N	SEDAR 34 (2013)
Bonnethead	N	N	SEDAR 34 (2013)
Finetooth	N	N	SEDAR 13 (2007)
Hammerhead			
Scalloped	Y	Y	SEFSC Scientific Review (2009)
Blacknose			
Blacknose	Y	Y	SEDAR 21 (2010); Rebuilding ends in 2043 (HMS Am. 5a)
Smoothhound			
Smooth Dogfish	N	N	SEDAR 39 (2015)
Research			
Sandbar	Y	N	SEDAR 21 (2010)
Prohibited			
Dusky	Y	Y	SEDAR 21 (2010); Rebuilding ends in 2108 (HMS Am. 2)
All other prohibited sharks	Unknown	Unknown	

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SHARKS

Table 2. Summary of the 2016 coastwide Atlantic coastal shark commercial fishery landings and annual quota in pounds by dressed weight (lb dw) (NOAA Fisheries 2017).

Management Group	Region	2016 Annual Adjusted Quota (lb dw)	Season Opening Date	Season Closing Date	2016 Landings (lb dw)
Aggregated Large Coastal Sharks	Atlantic	372,552	1/1/2016	12/31/2016	356,403
Hammerhead Sharks		59,736			30,900
Non-Blacknose Small Coastal Sharks		582,333	1/1/2016	12/31/2016	180,942
Blacknose Sharks (South of 34° N. latitude only)		34,653		5/29/2016	0
Blue Sharks	601,856	12/31/2016		< 2,000	
Porbeagle Sharks	No Regional Quotas	0		Closed 2016	0
Pelagic Sharks Other Than Porbeagle or Blue		1,075,856		12/31/2016	230,840
Smoothhound		2,647,725			686,857

Table 3. Recreationally permitted species list.

SPECIES AUTHORIZED FOR RECREATIONAL HARVEST			
Large Coastal Sharks (LCS) (non-ridgeback* LCS & tiger)	Small Coastal Sharks (SCS)	Pelagic Sharks	Other
Blacktip Bull Hammerhead, great** Hammerhead, scalloped** Hammerhead, smooth** Lemon Nurse Spinner Tiger	Atlantic Sharpnose Blacknose Bonnethead Finetooth	Blue Oceanic whitetip** Porbeagle Shortfinmako Thresher	Smoothhound Shark (Smooth Dogfish)

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SHARKS

Table 4. Recreational size and bag limits.

RECREATIONAL SIZE / BAG LIMITS and SEASONS			
Species	Minimum Size (Fork Length) in Inches (")	Trip Bag Limit/Calendar Day	Season
Atlantic sharpnose	None	1 per person of each species	Jan. 1 – Dec. 31
Bonnethead	None		
Hammerheads (Great, Smooth and Scalloped)	78"	1 per vessel <u>OR</u> 1 per person for shore-anglers	
Non-Hammerhead LCS, Tiger, Pelagic, Blacknose, and Finetooth Sharks	54"		
Small Coastal Sharks (SCS)	None		

Table 5. Small coastal sharks recreational harvest, discards, and percent standard error (PSE) (including blacknose) 2007-2016.

Year	Harvest		Weight (lb)		Number Released	
	Number	PSE		PSE		PSE
2007	6,299	60.7	33,127	52.2	2,782	70.8
2008	3,268	66.4	18,610	66.4	0	
2009	3,402	38.7	29,148	44.6	1,260	65.3
2010	5,989	31.9	36,544	34.1	12,358	59.6
2011	2,127	42.8	15,414	44.0	11,049	29.9
2012	1,449	51.6	9,839	51.6	3,319	46.5
2013	1,325	37.6	8,038	39.4	5,736	43.6
2014	2,796	32.0	15,657	31.1	1,662	45.1
2015	3,973	32.7	24,188	32.1	5,132	50.1
2016	550	60.2	2,709	57.8	18,011	40.6

*PSE higher than 50 indicates a very imprecise estimate.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SHARKS

Table 6. Large coastal sharks recreational harvest, discards, and percent standard error (PSE) 2007-2016.

Year	Harvest		Weight (lb)		Number Released	
	Number	PSE		PSE		PSE
2007	1,105	70.0	17,344	46.0	8,731	46.9
2008	61	104.8	798	104.8	0	
2009					582	89.1
2010	388	94.0	685	94.0	10589	57.2
2011	305	99.9	471	99.9	3,342	77.9
2012	243	76.7	22,634	64.1	3,898	59.7
2013	59	113.4	11,128	113.4	2,776	35.1
2014	242	79.0	4,464	80.2	7,993	54.6
2015	10	99.9	0		25,511	50.9
2016	14	102.2	1,212	102.2	4,520	39.9

*PSE higher than 50 indicates a very imprecise estimate.

Table 7. Pelagic sharks recreational harvest, discards, and percent standard error (PSE) 2007-2016.

Year	Harvest		Weight (lb)		Number Released	
	Number	PSE		PSE		PSE
2007	80	74.3	7,439	74.9	11	112.3
2008	30	79.8	2,693	79.8		
2009	102	55.6	9,009	55.1		
2010	87	78.2	13,559	84.4	116	98.9
2011	88	77.0	5,356	68.6	25	63.8
2012	172	63.2	11,697	61.1	13	98.0
2013	28	100.8	1,219	100.8	374	96.4
2014	37	56.0	2,981	53.4	62	110.8
2015	576	78.0	63,862	84.1	467	93.9
2016					891	71.4

*PSE higher than 50 indicates a very imprecise estimate.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SHARKS

Table 8. Recreational harvest, discards, and percent standard error (PSE) of smooth dogfish 2007-2016.

Year	Harvest		Weight (lb)		Number Released	
	Number	PSE		PSE		PSE
2007	3,342	100.9	5,037	100.9	34,958	42.9
2008	3,337	69.6	2,433	68.0	41,265	41.2
2009	929	82.4	16,251	98.9	19,972	74.3
2010	1,540	63.4	3,035	62.8	55,306	26.5
2011	3,087	54.8	3,792	54.1	95,873	28.0
2012	176	71.5	743	80.7	3,951	35.9
2013	1,581	100.0	4,009	100.0	12,777	46.3
2014					20,142	31.8
2015	961	81.4	1,799	85.3	21,315	45.6
2016	1,459	89.1	2,602	90.7	14,587	44.1

*PSE higher than 50 indicates a very imprecise estimate.

Table 9. Shark species captured in the NCDMF 2016 independent red drum longline project in the Pamlico Sound.

*Only one blacktip shark was measured during the survey.

Species	Number Measured	Min of TL (mm)	Max of TL (mm)	Average of TL (mm)
Blacktip Shark	2	*1,750	*1,750	
Bonnethead Shark	1	811	811	

Table 10. Shark species captured in the NCDMF 2016 Pamlico Sound Independent Gill Net Survey.

Species	Number Measured	Min of TL (mm)	Max of TL (mm)	Average of TL (mm)
Bonnethead Shark	8	714	1,122	943
Bull Shark	12	665	1,288	904
Sandbar Shark	6	448	945	759
Smooth Dogfish	2	594	861	728
Atlantic Sharpnose Shark	56	290	932	457

**FISHERY MANAGEMENT PLAN UPDATE
SNAPPER GROUPE COMPLEX
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption: August 1983 (SAFMC 1983a, b; 48 FR 39463)

Amendments:

- Regulatory Amendment 1 - March 1987
- Regulatory Amendment 2 - March 1989
- Amendment 1 - January 1989
- Regulatory Amendment 3 - November 1990
- Amendment 2 - December 1990
- Amendment 3 - January 1991
- Amendment 4 - January 1992
- Amendment 5 - April 1992
- Regulatory Amendment 4 - July 1993
- Regulatory Amendment 5 - July 1993
- Amendment 6 - July 1994
- Amendment 7 - January 1995
- Regulatory Amendment 6 - May 1995
- Amendment 8 - December 1998
- Regulatory Amendment 7 - January 1999
- Amendment 9 - February 1999/October 2000
- Amendment 10 - July 2000
- Amendment 11 - December 1999
- Regulatory Amendment 8 - November 2000
- Amendment 12 - September 2000
- Amendment 13a - April 2004
- Amendment 13c - October 2006
- Amendment 14 - February 2009
- Amendment 15a - March 2008
- Amendment 15b - February 2010
- Amendment 16 - July 2009
- Amendment 19 - July 2010
- Amendment 17a - March 2011
- Amendment 17b - January 2011
- Regulatory Amendment 10 - May 2011
- Regulatory Amendment 9 - July 2011
- Regulatory Amendment 11 - May 2012
- Amendment 25 - April 2012
- Amendment 24 - July 2012
- Amendment 23 - January 2012

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPEL

- Amendments (continued):
 - Amendment 18a - July 2012/January 2013
 - Amendment 20a - October 2012
 - Regulatory Amendment 12 - October 2012
 - Amendment 18b - May 2013
 - Regulatory Amendment 13 - July 2013
 - Regulatory Amendment 14 - December 2014
 - Regulatory Amendment 15 - September 2013
 - Amendment 27 - January 2014
 - Amendment 31 - January 2014
 - Amendment 28 - August 2013
 - Regulatory Amendment 18 - September 2013
 - Regulatory Amendment 19 - October 2013
 - Regulatory Amendment 21 - November 2014
 - Amendment 32 - March 2015
 - Amendment 29 - July 2015
 - Regulatory Amendment 22 - August/September 2015
 - Regulatory Amendment 20 - August 2015
 - Amendment 33 - January 2016
 - Amendment 34 - February 2016
 - Amendment 35 - June 2016
 - Regulatory Amendment 25 - August 2016
 - Regulatory Amendment 16 - December 2016/March 2017

Revisions: N/A

Supplements: N/A

Information Updates: N/A

Schedule Changes: N/A

Next Benchmark Review: N/A

Of the 75-species managed by the South Atlantic Fishery Management Council (SAFMC), 55 of these are included in the Snapper-Grouper management complex. Because of its mixed species nature, this fishery offers the greatest challenge for SAFMC to manage. Initially, Fishery Management Plan (FMP) regulations consisted of minimum sizes, gear restrictions, and a provision for the designation of Special Management Zones (SMZs). Early attempts to develop more effective management measures were thwarted by lack of data on both the resource and the fishery. The condition of many of the species within the snapper grouper complex is unknown. Improved data collection (in terms of quantity and quality) during the 1980s and 90s has provided more management information on some of the more commercially and recreationally valuable species, but lack of basic management data on many of the species remains the major obstacle to successful management.

Management of the snapper-grouper fishery is also difficult because many of these species are slow growing, late maturing, hermaphroditic, and long lived; thus, rebuilding efforts for some species will take years to full recovery. Strict management measures, including prohibition of harvest in some cases, have been implemented to rebuild overfished species in the snapper-grouper complex. Such harvest restrictions are beneficial, not only in rebuilding species, but also in helping to prevent species from undergoing overfishing in the future.

Regulatory Amendment 1 (48 FR 9864) prohibited fishing in SMZs, except with hand-held hook-and-line and spearfishing gear; prohibited harvest of goliath grouper in SMZs; and implemented SMZs off South Carolina and Georgia.

Regulatory Amendment 2 (54 FR 8342) established two artificial reefs off Fort Pierce, Florida as SMZs.

Amendment 1 (SAFMC 1988; 54 FR 1720) prohibited use of trawl gear to harvest fish in the snapper-grouper fishery south of Cape Hatteras, North Carolina and north of Cape Canaveral, Florida; defined directed snapper-grouper fishery as a vessel with trawl gear and greater than or equal to 200-pounds of snapper grouper species onboard; and established the rebuttable assumption that vessels with snapper grouper species onboard harvested these fish in the U.S. Exclusive Economic Zone (EEZ).

Regulatory Amendment 3 (55 FR 40394) established an artificial reef at Key Biscayne, Florida as an SMZ in Dade County, Florida; prohibited fish trapping, bottom longlining, spearfishing and harvesting of Goliath grouper in SMZs.

Amendment 2 (SAFMC 1990a; 55 FR 46213) prohibited harvest or possession of Goliath grouper in or from the EEZ in the South Atlantic and defined overfishing for snapper-grouper species according to NMFS 602 guidelines.

Amendment 3 (SAFMC 1990b; 56 FR 2443) established a management program for the wreckfish fishery which: added wreckfish to the snapper grouper management unit; defined Optimum Yield (OY) and overfishing; required an annual permit to fish for, land or sell wreckfish; established a control date of March 28, 1990 for the area bounded by 33° and 30° N latitude; established a fishing year beginning April 16; established a process whereby annual quotas would be specified; implemented a 10,000 pound trip limit and a January 15 – April 15 spawning season closure.

Amendment 4 (SAFMC 1991a; 56 FR 56016) prohibited the use of various gear, including fish traps, the use of bottom longlines for wreckfish, and powerheads in SMZ off South Carolina; established bag limits and minimum size limits for several species; established income requirements to qualify for permits; and required that all snapper-grouper species possessed in South Atlantic federal waters must have heads and fins intact through landing.

Amendment 5 (SAFMC 1991b; 57 FR 7886) established an Individual Transferable Quota (ITQ) management program for the wreckfish fishery.

Regulatory Amendment 4 (SAFMC 1992a; 58 FR 36155) modified the definition of black sea bass pots; allowed for multi-gear trips and the retention of incidentally caught fish.

Regulatory Amendment 5 (SAFMC 1992b; 58 FR 35895) established eight additional SMZs off the coast of South Carolina.

Amendment 6 (SAFMC 1993; 59 FR 27242) established commercial quotas for snowy grouper, golden tilefish; established commercial trip limits for snowy grouper, golden tilefish, speckled hind, and Warsaw grouper; included golden tilefish in grouper recreational aggregate bag limits; prohibited sale of Warsaw grouper and speckled hind; created the Oculina Experimental Closed Area; and specified data collection needs for evaluation of possible future Individual Fishing Quota (IFQ) system.

Amendment 7 (SAFMC 1994a; 59 FR 66270) established size limits and bag limits for hogfish and mutton snapper; specified allowable gear; prohibited the use of explosive charges, including powerheads, off South Carolina; and required dealer, charter, and headboat federal permits.

Regulatory Amendment 6 (SAFMC 1994b; 60 FR 19683) includes provisions to rebuild and protect hogfish by implementing a recreational bag limit of five fish per person off Florida; protect cubera snapper by implementing a recreational bag limit of two per person for fish 30-inches total length or larger off Florida; and protect gray triggerfish by implementing a minimum size limit of 12-inches total length (TL) off Florida.

Amendment 8 (SAFMC 1997; 63 FR 38298) established a limited entry system for the snapper-grouper fishery.

Regulatory Amendment 7 (63 FR 71793) established ten SMZs at artificial reefs off South Carolina.

Amendment 9 (SAFMC 1998a; 64 FR 3624; 65 FR 55203) increased the minimum size limits on red porgy, black sea bass, vermillion snapper (recreational only), gag, and black grouper; changed bag limits for red porgy, black sea bass, greater amberjack, gag, and black grouper; established an aggregate recreational bag limit of 20 fish per person per day inclusive of all snapper grouper species currently not under a bag limit, excluding tomtate and blue runners; and specified that vessels with bottom longline gear aboard may only possess snowy grouper, Warsaw grouper, yellowedge grouper, misty grouper, golden tilefish, blueline tilefish, and sand tilefish.

Amendment 10 (SAFMC 1998b; 65 FR 37292) identified Essential Fish Habitat (EFH) and EFH - Habitat Areas of Particular Concern (HAPCs) for species in the snapper-grouper management unit.

Amendment 11 (SAFMC 1998c; 64 FR 59126) amended the FMP as required to make definitions of Maximum Sustainable Yield (MSY), OY, overfishing and overfished consistent with "National Standard Guidelines"; identified and defined fishing communities; and addressed bycatch management measures.

Regulatory Amendment 8 (65 FR 61114) established 12 SMZs at artificial reefs off Georgia; revised boundaries of seven existing SMZs off Georgia to meet Coast Guard permit specifications; restricted fishing in new and revised SMZs.

Amendment 12 (SAFMC 2000; 65 FR 51248) set regulatory limits for red porgy including a recreational bag limit, a commercial incidental catch limit, and a recreational and commercial size limit. It also permitted the transfer of the 225-pound trip limited commercial permit to another vessel (not another person) regardless of vessel size.

Amendment 13A (SAFMC 2003; 69 FR 15731) extended regulations within the Oculina Experimental Closed Area off the east coast of Florida that prohibit fishing for and retention of snapper grouper species for an indefinite period with a 10-year re-evaluation by the Council. The Council will review the configuration and size of the area within three years of publication of the Final Rule (March 26, 2004).

Amendment 13C (SAFMC 2006; 71 FR 55096) addressed overfishing for snowy grouper, golden tilefish, black sea bass and vermilion snapper. The amendment also allowed for a moderate increase in the harvest of red porgy as stock continues to rebuild.

Amendment 14 (SAFMC 2007a; 74 FR 1621) established a series of deepwater marine protected areas in the South Atlantic EEZ.

Amendment 15A (SAFMC 2008a; 73 FR 14942) updated management reference points for snowy grouper, black sea bass, and red porgy; modified rebuilding schedules for snowy grouper and black sea bass; defined rebuilding strategies for snowy grouper, black sea bass, and red porgy; and redefined the minimum stock size threshold for the snowy grouper stock.

Amendment 15B (SAFMC 2008b; 74 FR 58902) prohibited sale the sale of bag-limit caught snapper grouper species; reduced the effects of incidental hooking on sea turtles and smalltooth sawfish; changed the commercial permit renewal period and transferability requirements; implemented a plan to monitor and address bycatch; and established management reference points for golden tilefish. Amendment 15B also established allocations between recreational and commercial fishermen for snowy grouper and red porgy.

Amendment 16 (SAFMC 2009a; 74 FR 30964) included measures to end overfishing for gag grouper and vermilion snapper; established commercial and recreational allocations for both species; established a January through April spawning season closure for gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney; reduced the aggregate grouper bag limit from five fish to three fish, and within that, reduced the gag bag limit from two fish to one gag or black grouper, combined; reduced the vermilion snapper bag limit from 10 fish to five fish; established a recreational closed season for vermilion snapper of November through March; excluded captain and crew on for-hire vessels from retaining a bag limit of groupers; and required the use of dehooking tools to reduce bycatch mortality.

Amendment 19 (SAFMC 2009b; 75 FR 35330) was included under the Comprehensive Ecosystem-Based Amendment 1 (CE-BA 1) and included measures to provide presentation of spatial information for EFH and EFH-HAPC designations under the Snapper-Grouper FMP; and designation of deepwater coral HAPCs.

Amendment 17A (SAFMC 2010a; 75 FR 76874) addressed management measures to end overfishing of red snapper and rebuild the stock, including Annual Catch Limits (ACLs) and Accountability Measures (AMs). It extended the prohibition of red snapper in federal waters throughout the South Atlantic EEZ effective immediately. Amendment 17A also included a regulation requiring the use of non-stainless circle hooks north of 28 degrees N latitude effective March 3, 2011.

Amendment 17B (SAFMC 2010b; 75 FR 82280) established ACLs and AMs and addressed overfishing for nine species in the snapper grouper management complex: golden tilefish, snowy grouper, speckled hind, Warsaw grouper, black grouper, black sea bass, gag, red grouper, and vermilion snapper. Measures in Amendment 17B included a deepwater closure (240 feet seaward) for deepwater species to help protect Warsaw grouper and speckled hind. Additional measures in the amendment included a reduction in the snowy grouper bag limit; establishment of a combined ACL for gag, black grouper, and red grouper; an allocation of 97% commercial and 3% recreational for the golden tilefish fishery based on landings history; and establishment of AMs as necessary.

Regulatory Amendment 10 (SAFMC 2011a; 76 FR 23728) eliminated the large area closure in Amendment 17A for all snapper grouper species off the coasts of southern Georgia and north/central Florida. The regulatory amendment modified measures implemented in Amendment 17A to end overfishing for red snapper.

Regulatory Amendment 9 (SAFMC 2011b; 76 FR 34892) reduced the bag limit for black sea bass from 15 fish per person to five fish per person, established trip limits on vermilion snapper and gag, and increased the trip limit for greater amberjack.

Regulatory Amendment 11 (SAFMC 2011c; 77 FR 27374) eliminated a restriction on the possession or harvest of some deepwater snapper-grouper species in waters greater than 240 feet deep.

Amendment 25 (Comprehensive Annual Catch Limit Amendment) (SAFMC 2011d; 77 FR 15916) met the 2011 deadline mandated by the Magnuson-Stevens Act to establish ACLs and AMs for species managed by the Council that are not undergoing overfishing.

Amendment 24 (SAFMC 2011e; 77 FR 34254) proposed measures to end overfishing and establish a rebuilding plan for red grouper. The amendment also implemented or revised parameters such as Maximum Sustainable Yield (MSY), Minimum Stock Size Threshold (MSST), ACLs, AMs, and specified allocations for the commercial and recreational sectors.

Amendment 23 (Comprehensive Ecosystem-Based Amendment 2) (SAFMC 2011f; 76 FR 82183) included measures to designate the Deepwater MPAs as EFH-HAPCs; limited harvest of

snapper-grouper species in South Carolina SMZs to the bag limit; and modified sea turtle release gear.

Amendment 18A (SAFMC 2012a; 77 FR 32408; 77 FR 72991) established management actions to limit participation and effort in the black sea bass fishery. Measures included establishment of an endorsement program and other modifications to the commercial black sea bass pot fishery; establishment of a commercial trip limit (all gear-types) for black sea bass; and increased minimum size limits for both commercial and recreational black sea bass fisheries.

Amendment 20A (SAFMC 2012b; 77 FR 59129) defined and reverted inactive shares within the wreckfish ITQ program; redistributed reverted shares to active shareholders; established a share cap; and implemented an appeals process.

Regulatory Amendment 12 (77 FR 61295) adjusted the ACL and OY for golden tilefish; specified a commercial Annual Catch Target (ACT); and revised recreational AMs for golden tilefish.

Amendment 18B (SAFMC 2012c; 78 FR 23858) addressed management of golden tilefish. Actions included in the amendment are: An endorsement program for the longline sector of the golden tilefish component of the snapper-grouper fishery; establishment of landings criteria to determine who will receive endorsements; an appeals process for the golden tilefish endorsement program; establishment of a procedure to allow transferability of golden tilefish endorsements; allocation of 75% of the commercial ACL to the longline sector and 25% to the hook-and-line sector; and modification of the golden tilefish trip limit.

Regulatory Amendment 13 (SAFMC 2012d; 78 FR 36113) revised the acceptable biological catch estimates, ACLs (including sector ACLs), and recreational annual catch targets for 37 un-assessed snapper-grouper species. The revisions incorporated updates to the recreational data for these species, as per the new Marine Recreational Information Program, as well as revisions to commercial and for-hire landings. Regulatory Amendment 13 was necessary to avoid triggering AMs for these snapper-grouper species based on ACLs that were established by the Comprehensive Annual Catch Limit Amendment in April 2012, using recreational data under the Marine Recreational Fisheries Statistics Survey system.

Regulatory Amendment 14 (SAFMC 2013a; 79 FR 66316) modified the fishing year for greater amberjack; revised the minimum size limit measurement for gray triggerfish; increased the minimum size limit for hogfish; modified the commercial and recreational fishing year for black sea bass; adjusted the commercial fishing season for vermilion snapper; modified the aggregate grouper bag limit; and revised the AMs for gag and vermilion snapper.

Regulatory Amendment 15 (SAFMC 2013b; 78 FR 49183) modified the existing specification of OY and ACLs for yellowtail snapper in the South Atlantic; modified existing regulations for yellowtail snapper in the South Atlantic; and modified the existing gag commercial ACL and AM for gag that requires a closure of all other shallow water groupers (black grouper, red grouper, scamp, red hind, rock hind, graysby, coney, yellowmouth grouper, and yellowfin grouper) in the South Atlantic when the gag commercial ACL is met or projected to be met.

Amendment 27 (SAFMC 2013c; 78 FR 78770) assumed management of Nassau grouper in the Gulf of Mexico; modified the crew size restriction for dual-permitted vessels (those with a Snapper Grouper Unlimited or 225-Pound Permit and a Charter/Headboat Permit for Snapper-Grouper); modified the bag limit retention restriction for captain and crew of for-hire vessels; changed the existing snapper grouper framework procedure to allow for more timely adjustments to ACLs; and removed blue runner from the fishery management unit.

Amendment 31 (Joint South Atlantic and Gulf of Mexico Generic Headboat Reporting Amendment) (SAFMC 2013d; 78 FR 78779) modified logbook reporting for headboats to require fishing records to be reported electronically for snapper-grouper species on a weekly basis.

Amendment 28 (SAFMC 2013e; 78 FR 44461) established a process to determine if a red snapper fishing season will occur each year, including specification of the allowable harvest for both sectors and season length for the recreational sector; an equation to determine the ACL for red snapper for each sector; and management measures if fishing for red snapper is allowed.

Regulatory Amendment 18 (SAFMC 2013f; 78 FR 47574) adjusted the ACL (and sector ACLs) for vermilion snapper and red pogy based on the stock assessment updates for those two species and removed the annual recreational closure for vermilion snapper.

Regulatory Amendment 19 (SAFMC 2013g; 78 FR 58249) adjusted the black sea bass ACLs based on the results of the 2013 assessment. Because the increase to the ACL was substantial, there was concern that this could extend fishing with pots into the calving season for right whales and create a risk of entanglement for large migratory whales during the fall months. To minimize this risk, the amendment also established a closure to black sea bass pot gear from November 1 to April 30.

Regulatory Amendment 21 (SAFMC 2014a; 79 FR 60379) prevents snapper-grouper species with low natural mortality rates (red snapper, blueline tilefish, gag, black grouper, yellowtail snapper, vermilion snapper, red pogy, and greater amberjack) from being unnecessarily classified as overfished. For these species, even small fluctuations in biomass due to natural conditions rather than fishing mortality may cause a stock to be classified as overfished. Modifying the minimum stock size threshold definition (used in determining whether a species is overfished) prevents these species from being classified as overfished unnecessarily.

Amendment 32 (SAFMC 2014b; 80 FR 16583) addressed the determination that blueline tilefish are overfished and undergoing overfishing. The amendment removed blueline tilefish from the deep-water complex; established blueline tilefish commercial and recreational sector ACLs and AMs; revised the deep-water complex ACLs and AMs; established a blueline tilefish commercial trip limit; and revised the blueline tilefish recreational bag limit and harvest season.

Amendment 29 (SAFMC 2014c; 80 FR 30947) revised ACLs and recreational annual catch targets (ACTs) for four unassessed snapper grouper species (bar jack, Atlantic spadefish, scamp, and gray triggerfish) and three snapper grouper species complexes (snappers, grunts, and shallow water groupers) based on an update to the Acceptable Biological Catch (ABC) control rule and

revised ABCs for 14 snapper-grouper stocks (bar jack, margate, red hind, cubera snapper, yellowedge grouper silk snapper, Atlantic spadefish, gray snapper, lane snapper, rock hind, tomtate, white grunt, scamp, and gray triggerfish). Additionally, this final rule revises management measures for gray triggerfish in federal waters in the South Atlantic region, including modifying minimum size limits, establishing a split commercial season, and establishing a commercial trip limit.

Regulatory Amendment 22 (SAFMC 2015a; 80 FR 48277) adjusted the ACLs and OY for gag and wreckfish. Changes to the gag recreational bag limit were proposed, but status quo was maintained.

Regulatory Amendment 20 (SAFMC 2014d; 80 FR 43033) increased the recreational and commercial ACLs for snowy grouper, increased the commercial trip limit, and modified the recreational fishing season. This amendment also adjusted the re-building strategy for snowy grouper.

Amendment 33 (SAFMC 2015b; 80 FR 80686) updated regulations that allow snapper-grouper fillets to be brought into the U.S. EEZ from the Bahamas. Snapper-grouper fillets from the Bahamas must have the skin intact, two fillets (regardless of size) will count as one fish towards the bag limit, and fishermen must abide by both U.S. and Bahamian bag/possession limits (whichever is more restrictive). All boats must have the proper permits, and fishermen must carry passports which are required to be stamped and dated to prove vessel passengers were in the Bahamas. All fishing gear must be appropriately stowed while in transit.

Amendment 34 (SAFMC 2015c; 81 FR 3731) revised the AMs for several snapper grouper species (black grouper, mutton snapper, yellowtail snapper, greater amberjack, red porgy, gag, golden tilefish, red grouper, snowy grouper, gray triggerfish, hogfish, scamp, Atlantic spadefish, bar jack, snappers complex, jacks complex, shallow water grouper complex, porgies complex, and wreckfish (recreational).

Amendment 35 (SAFMC 2015d; 81 FR 32249) clarified regulations governing the use of golden tilefish longline endorsements to align them with the SAFMC's intent when the program was originally implemented. Four species will also be removed from the FMP (black snapper, mahogany snapper, dog snapper, and schoolmaster).

Regulatory Amendment 25 (SAFMC 2016b; 81 FR 45245) revised the commercial and recreational ACLs, the commercial trip limit, and recreational bag limit for blueline tilefish. This amendment also revised the black seabass recreational bag limit and the commercial and recreational fishing years for yellowtail snapper.

Regulatory Amendment 16 (SAFMC 2016a; 81 FR 95893) revised the current seasonal prohibition on the use of black sea bass pot gear in the South Atlantic and added an additional gear marking requirement for black sea bass pot gear.

There are several other amendments either in development or under secretarial review (Table 1).

To ensure compliance with interstate requirements, North Carolina also manages this species complex under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the Mid-Atlantic Fishery Management Council, SAFMC, or the Atlantic States Marine Fisheries Commission by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic States Marine Fisheries Commission plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The original SAFMC plan stated the management unit of the snapper-grouper fishery is the stocks within the EEZ from North Carolina/ Virginia border through the east coast of Florida. In the case of black sea bass, the unit is limited to south of Cape Hatteras, North Carolina. Since the inception of the FMP, there has been the addition of four species: wreckfish, spadefish, banded rudderfish, and lesser amberjack. In recent years, 14 species have been removed; 13 in 2012 (tiger grouper, sheepshead, queen triggerfish, puddingwife, black margate, yellow jack, Crevalle jack, porkfish, grass porgy, small mouth grunt, French grunt, Spanish grunt, and blue striped grunt) and one in 2014 (blue runner). In June 2016, Amendment 35 removed four additional species from the complex (black snapper, mahogany snapper, dog snapper, and schoolmaster).

Objectives

The following are the fishery management plan objectives for the snapper grouper fishery as specified by the Council. These were last updated in Snapper-Grouper FMP Amendment 8 in July 1997 (SAFMC 1997).

1. Prevent overfishing.
2. Collect necessary data.
3. Promote orderly utilization of the resource.
4. Provide for a flexible management system.
5. Minimize habitat damage.
6. Promote public compliance and enforcement.
7. Mechanism to vest participants.
8. Promote stability and facilitate long-run planning.

9. Create market-driven harvest pace and increase product continuity.
10. Minimize gear and area conflicts among fishermen.
11. Decrease incentives for overcapitalization.
12. Prevent continual dissipation of returns from fishing through open access.
13. Evaluate and minimize localized depletion.

STATUS OF THE STOCK

Stock Status

Concern – Of the 55 species in the South Atlantic Fishery Management Council (SAFMC) management unit, several species are either overfished or experiencing some degree of overfishing. The overfished stocks include red grouper, red porgy, red snapper, hogfish (East Florida) and snowy grouper. Stocks experiencing overfishing are red grouper, red snapper, blueline and golden tilefish, speckled hind, Warsaw grouper, and hogfish (East Florida).

Stock Assessment

The status of several species within the snapper grouper complex is unknown. However, for some of the species, assessments are available through various federal entities; the snapper grouper complex is regionally (North Carolina south to eastern Florida) managed, and none of the assessments have been conducted by NCDMF (Table 2).

Since 2002, stock assessments have been conducted through the SouthEast Data, Assessment, and Review (SEDAR) which is the cooperative process by which stock assessment projects are conducted in NOAA Fisheries' Southeast Region. Currently, stock assessments are available for 16 of the complex species. Assessments scheduled for completion in 2017 include red grouper (SEDAR 53) and blueline tilefish (SEDAR 50). Assessments scheduled for completion in 2018 include gray snapper (SEDAR 51), vermillion snapper (SEDAR 55) and black sea bass (SEDAR 56). Gag and greater amberjack currently have updates to their assessments scheduled for 2018.

Some of the other species have status updates provided by National Oceanic and Atmospheric Administration (NOAA) Fisheries. These updates are based on landings data to determine whether the stock is overfished or undergoing overfishing. This information is updated quarterly by NOAA Fisheries and available on their website (http://www.nmfs.noaa.gov/sfa/fisheries_eco/status_of_fisheries/status_updates.html).

STATUS OF THE FISHERY

Current Regulations

The following species have state and federal regulations for minimum lengths:

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPEL

- Greater amberjack: 28-inch FL (recreational); 36-inch FL (commercial)
- Black and gag groupers: 24-inch TL
- Red, scamp, yellowfin, and yellowmouth groupers: 20-inch TL
- Black sea bass: 13-inch TL (recreational); 11-inch (commercial)
- Red porgy: 14-inch TL
- Vermilion, gray, cubera, queen, silk, yellowtail and blackfin snappers: 12-inch TL
- Hogfish (not pigfish): 12-inch FL
- Mutton snapper: 16-inch TL
- Gray triggerfish: 12-inch FL
- Lane snapper: 8-inch TL

All species have sector ACLs and recreational bag limits. See the SAFMC or NCDMF websites for the most current information.

The fisheries are open year-round, with the exception of:

- Goliath grouper, Nassau grouper, Warsaw grouper, and speckled hind, unlawful to possess/harvest (commercial and recreational)
- Red snapper, unlawful to possess/harvest (commercial and recreational); limited season may occur based on previous years' data
- January-April shallow water grouper spawning closure (commercial and recreational); Commercial also has same closure for red porgy
- Wreckfish have commercial spawning closure January 15-April 15; recreational fishery open July 1-August 31 annually
- April commercial closure for greater amberjack
- Snowy grouper and blueline tilefish recreational fishery open May 1- August 31

Temporary closures may result for a species if the ACL is met. NOAA fisheries monitors the landings for the species managed by SAFMC, and this information is available online for both the commercial and recreational sectors (http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/index.html). See also the SAFMC or NCDMF websites for more details, and the most current information.

Commercial Landings

Commercial gear used in the snapper grouper fishery includes bandit reels, electromate reels, manual hook-and-line, long lines, fish pots, spear, and trolling. Bandit reels, followed by electromate rods and reels are the two most prevalent gear types used, especially south of Cape Hatteras (NCDMF 2015a). Spear fishing seems to be limited to south of Cape Hatteras, while longlines are primarily fished north of Hatteras (NCDMF 2015a); their use is limited to six deepwater species and depths greater than 50 fathoms. Fish pots are used primarily to target black sea bass. Trip lengths vary dependent on the area fished and the gear used, but tended to average between 2 to 3 days in length over the past five years; trips ranged from one day to 12 days for the entire commercial snapper grouper fleet (NCDMF 2015a).

The average landings for commercially caught snapper grouper from 2007-2016 was 2,039,206 pounds with a dockside value of \$4,551,830.¹ The highest landings from the past 10 years were in 2008 and 2009, after which landings dropped; landings have been under two million pounds for the last five years (Table 3). The decline in landings over the past five years is most likely due to the removal of species from the complex, as well as the changes to annual catch limits and trip limits and implementation of a seasonal spawning closure by the SAFMC (i.e., gag grouper).

Over the last five years, landings have been dominated by six main aggregates, sea bass, grouper, snapper, triggerfish, jacks and tilefish though the dominant group varies by year (Table 4). The top ten dominant species are: black sea bass, vermillion snapper, blueline tilefish, gag, triggerfish, red grouper, red porgy, amberjack, scamp, and grunts (NCDMF 2015a).

Recreational Landings

Recreational fishing uses many of the same gear types as the commercial fishery, with the exception of fish pots and longlines. The average recreational catch of snapper grouper species was 1,345,512 pounds for 2007-2016. Since 2008, the total amount of fish landed declined steadily until 2015 (2016 landings were higher than 2013-2015); the highest amount landed was in 2007 and 2008 and the lowest in 2014 (Table 5). Recreational landings have dropped by approximately 75%. As with the commercial fishery this is most likely due to the removal of species from the complex, as well as the changes to ACLs and the seasonal spawning closure by the SAFMC. For the last five years, the number of releases has been above 80% of the total fish caught (driven by the 13-inch (TL) size limit for black sea bass implemented in 2013, which has resulted in an increase of sublegal fish being discarded).

For 2016, the dominant species (by pounds) landed were black sea bass, jacks, triggerfish, snappers, tilefish, and groupers. This pattern mainly holds true for the last five years; however, other species are occasionally more dominant (Table 6).

MONITORING PROGRAM DATA

Most of the data (dependent and independent) collected by NCDMF is provided to NOAA Fisheries. The division received a grant, which ended in 2014, to look the age structure and release mortality of the commercial snapper grouper fishery in general and at the south of Hatteras black sea bass stock age structure specifically. Data collected for this grant is summarized in the final Marine Initiative (MARFIN) reports (NCDMF 2015a, b).

Fishery-Dependent Monitoring

Commercial fisheries are monitored by port agents (state and federal) who collect information on trips, as well as biological information. Information is collected through the Trip Information Program (TIP), seafood dealer reporting, and logbooks (SAMFC 2014e). Recreational fisheries are monitored by creel clerks through the Southeast Region Headboat Survey program and the

¹ These averages do not include sheepshead, as well as a number of other species, as they were removed from the complex in 2012. See Amendment 25 for list of species removed from complex.

Marine Recreation Information Program (MRIP) (SAFMC 2014e). North Carolina contributes to this data through the collection of trip and biological information for both fisheries.

Fishery-Independent Monitoring

The Southeast Reef Fish Survey (SERFS) maintains the fisheries independent data for the snapper grouper complex. SERFS is a collective program for gathering fisheries independent data within the South Atlantic federal waters. There are three primary programs that contribute to the data:

- Marine Resources Monitoring, Assessment, and Prediction (MARMAP) survey
- Southeast Fisheries-Independent Survey (SEFIS), and
- Southeast Area Monitoring and Assessment Program (SEAMAP) - South Atlantic. (SAFMC 2015e).

North Carolina has contributed to the data collected through programs such as the gag ingress and tagging work done in partnership with SEAMAP and MARFIN.

MANAGEMENT STRATEGY

The snapper grouper complex is managed under the various amendments of the SAFMC fisheries management plan. The fishery is a regional fishery, and the Council has authority within the federal 200-mile limit of the Atlantic Ocean off the coasts of North Carolina, South Carolina, Georgia, and east Florida to Key West with the exception of black sea bass north of Cape Hatteras, North Carolina. In state waters, North Carolina defers to the Council and the same regulations are followed. Thresholds and targets for the species are determined by the SAFMC and are species dependent.

RESEARCH NEEDS

The reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act in 2006 directed that all regional management councils develop a prioritized research plan for annual submission to the Secretary of Commerce. The following (below) are research and management needs as determined by the council in 2007 (SAFMC 2007b). All needs are ongoing; however, the emphasis changes annually based on the SAFMC Science and Statistical Committee review of these needs. The reviewed list and priorities for the year are then approved for submission to the NOAA Fisheries Southeast Fisheries Science Center. The council has a series of research and monitoring needs for the period of 2012-2016 (SAFMC 2012e), and has developed another set of needs for 2015-2019 (SAFMC 2017). Research needs include:

- Continue monitoring of catches
- Collect otoliths and spines for ageing
- Estimate mortality rates
- Determine if stock structure exists for many of the species
- Note seasonal and spawning migrations
- Identify and map essential/critical fish habitat

- Determine spawning locations and seasons
- Continue life history studies
- Estimate reproductive parameters including fecundity, age and size of maturity, age and size of sexual transition, and sex ratio
- Determine reliability of historical landings
- Expand diet studies
- Develop juvenile and adult indexes

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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPER

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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPE

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TABLES

Table 1. Amendments under consideration/review by the SAFMC. Summaries of the issues the amendment addresses are included; documentation is provided as available

Amendment	Issue addressed	Where in process	Documentation
26 [Comprehensive Ecosystem-Based Amendment (CE-BA) 3]	Modify bycatch and discard data collection methods/reporting for commercial and for-hire vessels	Under development by council (SAFMC)	
36	Establish spawning Special Management Zones (SMZs) to enhance protection for the snapper-grouper species in spawning condition (including speckled hind and Warsaw grouper)	Approved by SAFMC December 2015; under secretarial review	SAFMC 2016c
37	Modify the hogfish fishery management unit (separate into two stocks- N.C. to Georgia and Florida Keys/East Florida); specify fishing levels for the two stocks; establish a rebuilding plan for the FKEF stock; establish/revise management measures for both stocks (including, size limits, recreational bag limits, and commercial trip limits)	Approved by SAMFC September 2016: under secretarial review	SAFMC 2016d
38	Expand the management boundaries for species in the snapper-grouper fishery management unit; revise management measures for blueline tilefish	Under development by council (SAFMC)	
41	Update the ABC, ACL, MSY, MSST, OY, and revise management measures for mutton snapper	Under development by council (SAFMC)	SAFMC 2016e
43	Management measures for red snapper	Under development by council (SAFMC)	
Regulatory 17	Proposed Marine Protected Areas for speckled hind and Warsaw grouper	Not developed	
22	Establish a recreational harvest tag program for species with low ACLs	Not developed	

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPEL

Table 2. Stock status of the 59 species within the snapper grouper complex. Documentation is provided for the assessment associated with each species. No assessments have been conducted by NCDMF due to the nature of the fishery.

Family (species aggregate)	Species	Overfishing?	Overfished?	Approaching overfished condition?	Documentation
Serranidae (Sea basses and Groupers)	Gag (<i>Mycteroperca microlepis</i>)	No** (**based on NMFS assessment)	No	No	SEDAR 10 Update (SEDAR 2014); NMFS 2016
	Red grouper (<i>Epinephelus morio</i>)	Yes	Yes	Yes	SEDAR 53 (SEDAR 2017)
	Scamp (<i>Mycteroperca phenax</i>)	No	Unknown	Unknown	NMFS 2016
	Black grouper (<i>Mycteroperca bonaci</i>)	No	No	No	SEDAR 19 (SEDAR 2010b); NMFS 2016
	Rock hind (<i>Epinephelus adcionis</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Red hind (<i>Epinephelus guttatus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Graysby (<i>Cephalopholis cruentata</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Yellowfin grouper (<i>Mycteroperca venenosa</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Coney (<i>Cephalopholis fulva</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Yellowmouth grouper (<i>Mycteroperca interstitialis</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Goliath grouper (<i>Epinephelus itajara</i>)	No (Permanent closure)	Unknown	Unknown	SEDAR 23 (SEDAR 2011a); NMFS 2016
	Nassau grouper (<i>Epinephelus striatus</i>)	No (Permanent closure)	Unknown	Unknown	NMFS 2016
	Snowy grouper (<i>Epinephelus niveatus</i>)	No	Yes	No	SEDAR 36 (SEDAR 2013a); NMFS 2016
	Yellowedge grouper (<i>Epinephelus flavolimbatus</i>)	Unknown	Unknown	Unknown	NMFS 2016

* indicates ecosystem component species which do not have management measures in place and are not assessed.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPER

Table 2 (continued).

Family (species aggregate)	Species	Overfishing?	Overfished?	Approaching overfished condition?	Documentation
Serranidae (Sea basses and Groupers)	Warsaw grouper (<i>Epinephelus nigritus</i>)	Yes (Permanent closure)	Unknown	Unknown	SG Amendment 17b (SAFMC 2010b); NMFS 2016
	Speckled hind (<i>Epinephelus drummondhayi</i>)	Yes (Permanent closure)	Unknown	Unknown	SG Amendment 17b (SAFMC 2010b); NMFS 2016
	Misty grouper (<i>Epinephelus mystacinus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Black sea bass (<i>Centropristis striata</i>)	No	No	No	SEDAR 25 (SEDAR 2013b); NMFS 2016
	*Bank sea bass (<i>Centropristis ocyurus</i>)	N/A	N/A	N/A	
	*Rock sea bass (<i>Centropristis philadelphica</i>)	N/A	N/A	N/A	
Polyprionidae (Wreckfish)	Wreckfish (<i>Polyprion americanus</i>)	No	No	No	NMFS 2016
Lutjanidae (Snappers)	Queen snapper (<i>Etelis oculatus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Yellowtail snapper (<i>Ocyurus chrysurus</i>)	No	No	No	SEDAR 27A (SEDAR 2012c); NMFS 2016
	Gray snapper (<i>Lutjanus griseus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Mutton snapper (<i>Lutjanus analis</i>)	No	No	No	SEDAR 15A Update (SEDAR 2015); NMFS 2016
	Lane snapper (<i>Lutjanus synagris</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Cubera snapper (<i>Lutjanus cyanopterus</i>)	Unknown	Unknown	Unknown	NMFS 2016

* indicates ecosystem component species which do not have management measures in place and are not assessed.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPER

Table 2 (continued).

Family (species aggregate)	Species	Overfishing?	Overfished?	Approaching overfished condition?	Documentation
Lutjanidae (Snappers)	Vermilion snapper (<i>Rhomboplites aurorubens</i>)	No	No	No	SEDAR 17 Update (SEDAR 2012a); NMFS 2016
	Red snapper (<i>Lutjanus campechanus</i>)	Yes	Yes	N/A	SEDAR Assessment 41 (SEDAR 2016a); NMFS 2016
	Silk snapper (<i>Lutjanus vivanus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Blackfin snapper (<i>Lutjanus buccanella</i>)	Unknown	Unknown	Unknown	NMFS 2016
Sparidae (Porgies)	Red Porgy (<i>Pagrus pagrus</i>)	No	Yes	No	SEDAR 1 Update (SEDAR 2012b); NMFS 2016
	Knobbed porgy (<i>Calamus nodosus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Jolthead porgy (<i>Calamus bajonado</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Scup (<i>Stenotomus chrysops</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Whitebone porgy (<i>Calamus leucosteus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Saucereye porgy (<i>Calamus calamus</i>)	Unknown	Unknown	Unknown	NMFS 2016
	*Longspine porgy (<i>Stenotomus caprinus</i>)	N/A	N/A	N/A	
Haemulidae (Grunts)	White grunt (<i>Haemulon plumieri</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Margate (<i>Haemulon album</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Tomtate (<i>Haemulon aurolineatum</i>)	Unknown	Unknown	Unknown	NMFS 2016

* indicates ecosystem component species which do not have management measures in place and are not assessed.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPER

Table 2 (continued).

Family (species aggregate)	Species	Overfishing?	Overfished?	Approaching overfished condition?	Documentation
Haemulidae (Grunts)	Sailor's choice (<i>Haemulon parra</i>)	Unknown	Unknown	Unknown	NMFS 2016
	*Cottonwick (<i>Haemulon melanurum</i>)	N/A	N/A	N/A	
Carangidae (Jacks)	Greater Amberjack (<i>Seriola dumerili</i>)	No	No	No	SEDAR 15 (SEDAR 2008); NMFS 2016
	Almaco jack (<i>Seriola rivoliana</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Banded rudderfish (<i>Seriola zonanta</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Bar jack (<i>Caranx ruber</i>)	Unknown	Unknown	Unknown	NMFS 2016
	Lesser Amberjack (<i>Seriola fasciata</i>)	Unknown	Unknown	Unknown	NMFS 2016
Malacanthidae (Tilefishes)	Golden tilefish (<i>Lopholatilus chamaeleonticeps</i>)	Yes	No	No	SEDAR 25 Update (SEDAR 2016b); NMFS 2016
	Blueline (or gray) tilefish (<i>Caulolatilus microps</i>)	Yes	No** (**based on NMFS assessment)	No	SEDAR Assessment 32 (SEDAR 2013c); NMFS 2016
	Sand tilefish (<i>Malacanthus plumier</i>)	Unknown	Unknown	Unknown	NMFS 2016
Balistidae (Triggerfishes)	Gray triggerfish (<i>Balistes capriscus</i>)	No	Unknown	Unknown	NMFS 2016; SEDAR Assessment 41 (SEDAR 2016c)
	*Ocean triggerfish (<i>Canthidermis sufflamen</i>)	N/A	N/A	N/A	
Labridae (Wrasses)	Hogfish (<i>Lachnolaimus maximus</i>)	Unknown (Carolinas); Yes (Florida)	Unknown (Carolinas); Yes (Florida)	No (Carolinas and Florida)	NFMS 2016; SEDAR 37 (SEDAR 2013d)
Eppiphidae (Spadefishes)	Atlantic spadefish (<i>Chaetodipterus faber</i>)	Unknown	Unknown	Unknown	NMFS 2016

* indicates ecosystem component species which do not have management measures in place and are not assessed.

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPER

Table 3. Landings of all snapper grouper species for the commercial fishery for 2007-2016. Sheepshead were removed from the fishery in 2012 and therefore not included past 2011.

Year	Weight of harvested fish (pounds)	Value of Landings (U.S. dollars)
2007	2,432,494	5,343,507
2008	2,996,691	6,221,744
2009	2,913,935	5,442,271
2010	2,424,148	4,980,908
2011	1,948,428	4,088,660
2012	1,705,870	4,237,922
2013	1,514,275	3,987,052
2014	1,628,296	3,863,302
2015	1,438,280	3,520,984
2016	1,389,641	3,831,952

Table 4. Landings (in pounds) of snapper grouper, by aggregate groups, for the commercial fishery from 2007-2016. Aggregate groups are those used by the SAFMC and are done by family (as in Table 2). Sheepshead were removed from the fishery in 2012 and therefore not included past 2011; these are included in the porgy aggregate. Only black sea bass from south of Cape Hatteras are included, as the northern populations are managed by the Atlantic States Marine Fisheries Commission (ASMFC) and the Mid-Atlantic Fisheries Management Council (MAFMC). Wreckfish landings are confidential after 2011.

Species	Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Black sea bass	277,451	275,754	437,951	292,879	173,681	194,778	241,363	316,420	226,337	197,264
Grouper	827,766	785,555	637,447	561,926	408,507	382,085	308,891	300,002	261,124	257,717
Wreckfish	23	--	--	--	--	--	--	--	--	--
Snapper	550,608	602,838	374,081	320,260	326,371	279,367	276,533	251,062	232,033	275,427
Porgies	97,919	114,457	98,771	84,781	211,768	83,918	72,664	82,779	54,386	45,918
Grunts	118,545	91,292	74,054	47,219	33,443	49,733	44,698	39,312	32,606	39,843
Jacks	135,695	164,259	157,990	131,050	73,865	140,525	104,672	202,207	154,144	142,300
Tilefish	58,218	404,295	469,293	430,394	133,824	361,094	217,079	91,074	45,354	111,788
Triggerfish	155,261	198,724	215,759	225,682	220,204	143,114	160,861	116,782	131,536	131,626
Hogfish	7,112	13,035	10,839	13,046	10,793	8,256	7,847	9,767	8,238	9,195
Spadefish	19,567	11,694	20,636	18,827	21,535	24,238	20,369	22,761	15,994	15,231
Unclassified	19,874	20,025	18,165	17,763	7,692	12,038	14,914	22,052	23,341	29,705

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SNAPPER GROUPEL

Table 5. Landings of all snapper grouper species for the recreational fishery for 200-2016. Sheepshead were removed from the fishery in 2012 and therefore not included past 2011.

Year	Number Harvested	Weight of harvested fish (pounds)	Number Released	Percent Released
2007	796,483	2,676,376	1,845,786	70%
2008	733,013	3,000,717	1,453,381	66%
2009	620,080	2,360,469	1,181,280	66%
2010	555,203	1,771,445	1,341,356	71%
2011	260,892	715,181	1,196,614	82%
2012	313,001	840,786	2,183,573	87%
2013	190,045	514,086	1,503,181	89%
2014	175,747	448,386	1,439,193	89%
2015	174,411	514,530	1,610,973	90%
2016	234,400	613,141	2,201,952	90%

Table 6. Recreational landings (in pounds), by aggregate groups, for 2011-2015. Aggregate groups are those used by the SAFMC and are done by family (as in Table 2). Sheepshead were removed from the fishery in 2012 and therefore not included past 2011; these are included in the porgy aggregate. Only black sea bass from south of Cape Hatteras are included, as the northern population is managed by ASMFC and MAFMC.

Species	Year									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Black sea bass	162,870	61,615	113,998	170,538	95,924	120,468	58,233	131,171	96,260	86,347
Groupers	783,122	1,298,572	923,952	275,085	107,852	126,567	54,417	18,972	21,125	36,247
Snappers	32,448	66,429	54,948	35,041	25,167	60,164	14,013	15,016	15,147	49,828
Porgies	778,673	467,687	292,941	460,919	191,262	26,249	16,720	15,658	9,420	7,120
Grunts	175,164	175,864	117,684	56,802	44,213	95,724	26,769	39,266	32,119	30,861
Jacks	134,964	426,588	517,542	440,846	138,703	175,197	197,482	88,427	272,051	193,280
Tilefish	382,710	316,174	120,173	43,211	27,163	43,681	33,525	36,760	4,821	159,953
Triggerfish	124,040	175,409	178,157	160,737	77,371	148,982	96,262	68,138	55,208	45,813
Hogfish	0	1,587	1,731	1,398	1,539	14,961	3,619	0	0	349
Spadefish	101,230	7,090	35,277	125,088	2,711	25,905	12,459	34,789	7,804	2,768
Wreckfish	0	0	0	0	0	525	0	0	0	0

**FISHERY MANAGEMENT PLAN UPDATE
SPANISH MACKEREL
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	February 1983
Amendments:	Amendment 2 – July 1987 Amendment 3 – August 1989 Amendment 4 – October 1989 Amendment 5 – August 1990 Amendment 6 – December 1992 Amendment 8 – March 1998 Amendment 9 – April 2000 Amendment 10 – July 2000 Amendment 11 – December 1999 Amendment 13 – August 2002 Amendment 14 – August 2005 Amendment 15 – February 2004 Amendment 17 – June 2006 Amendment 18 – January 2012 Amendment 19 – July 2010 Amendment 20A – August 2014 Framework Action 2013 – December 2014 Amendment 20B – March 2015 Framework Amendment 1 – December 2014 Amendment 22 – January 2014 Amendment 23 – January 2014 Omnibus Amendment – August 2011 Addendum I to Omnibus Amendment – August 2013
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	The next assessment has not been scheduled.

Spanish mackerel is managed under the Atlantic States Marine Fisheries Commission's (ASMFC) Fishery Management Plan (FMP) for Spanish Mackerel and the South Atlantic Fishery Management Council's (SAFMC) Coastal Migratory Pelagics FMP (ASMFC 2011; SAFMC 1982). The original Gulf and South Atlantic fishery management councils' fishery management plan (FMP) for Coastal Migratory Pelagic Resources (mackerels) was approved in 1983 (SAMFC 1983). This plan treated Spanish mackerel as one U.S. stock. Allocations were established for recreational and commercial fisheries, and the commercial allocation was divided between net and hook and line fishermen. The plan also established procedures for the Secretary of Commerce to act by regulatory amendment to resolve possible future conflicts in the fishery, such as establish fishing zones and local quotas to each gear or user group. Numerous amendments have been implemented since the first FMP.

Amendment 2 revised Spanish mackerel maximum sustainable yield (MSY) downward, recognized two migratory groups, and set commercial quotas and bag limits (SAFMC 1987). Charter boat permits were required, and it was clarified that total allowable catch (TAC) for overfished stocks must be set below the upper range of acceptable biological catch (ABC). The use of purse seines on overfished stocks was prohibited.

Amendment 3 prohibited drift gill nets for coastal pelagics and purse seines and run-around gill nets for the overfished groups of mackerels (SAMFC 1989a). The habitat section of the FMP was updated and vessel safety considerations were included in the plan. A new objective to minimize waste and bycatch in the fishery was added to the plan.

Amendment 4 reallocated Spanish mackerel equally between recreational and commercial fishermen on the Atlantic group with an increase in TAC (SAFMC 1989b).

Amendment 5 extended the management area for the Atlantic groups of mackerels through Mid-Atlantic Fishery Management Council (MAFMC) jurisdiction (SAMFC 1990). It revised problems in the fishery and plan objectives, revised the definition of "overfishing", provided that the SAFMC will be responsible for pre-season adjustments of TACs and bag limits for the Atlantic migratory groups of mackerels, redefined recreational bag limits as daily limits, created a provision specifying that the bag limit catch of mackerel may be sold, provided guidelines for corporate commercial vessel permits, and included a definition of "conflict" to provide guidance to the Secretary.

Amendment 6 identified additional problems and an objective in the fishery, provided for rebuilding overfished stocks of mackerels within specific periods, provided for biennial assessments and adjustments, provided for more seasonal adjustment actions, including size limits, vessel trip limits, closed seasons or areas, and gear restrictions, provided for commercial Atlantic Spanish mackerel possession limits, changed commercial permit requirements to allow qualification in one of three preceding years, discontinued the reversion of the bag limit to zero when the recreational quota is filled, modified the recreational fishing year to the calendar year, and changed all size limit measures to fork length only (SAMFC 1992).

Amendment 8 identified additional problems in the fishery, specified allowable gear, revised qualifications for a commercial permit, revised the seasonal framework procedures to: provide

for consideration of public comment, redefine overfishing and allow for adjustment by framework procedure, allow changes in allocation ratio of Atlantic Spanish mackerel, allow setting zero bag limits, and allow gear regulation including prohibition (SAMFC 1996).

Amendment 9 allowed possession of cut-off (damaged) Spanish mackerel that comply with the minimum size limits and the trip limits in the Gulf, Mid-Atlantic, or South Atlantic exclusive economic zone (EEZ) (sale of such cut-off fish is allowed as long as such fish are within the existing allowance for possession) (SAFMC 2000).

Amendment 10 designated Essential Fish Habitat (EFH) and EFH-Habitat Areas of Particular Concern for coastal migratory pelagics (SAFMC 1998a).

Amendment 11 amended the FMP as required to make definitions of MSY, optimal yield (OY), overfishing and overfished consistent with National Standard Guidelines; identified and defined fishing communities and addressed bycatch management measures (SAFMC 1998).

Amendment 13 established two marine reserves in the EEZ of the Gulf of Mexico near the Dry Tortugas, Florida known as Tortugas North and Tortugas South, in which fishing for coastal migratory pelagic species is prohibited. This action complements previous actions taken under the National Marine Sanctuaries Act (SAFMC 2002).

Amendment 14 established a three-year moratorium on the issuance of for-hire (charter vessel and head boat) permits for coastal migratory pelagic species in the Gulf of Mexico unless sooner replaced by a comprehensive effort limitation system. This resulted in separate for-hire permits for the Gulf and South Atlantic. The control date for eligibility was established as March 29, 2001 (SAFMC 2002). The amendment also includes other provisions for eligibility, application, appeals, and transferability of permits.

Amendment 15 changed the fishing year to March 1 through February 28/29 for Atlantic group king and Spanish mackerels.

Amendment 17 (SAFMC 2006) established a permanent limited entry system for Gulf of Mexico coastal migratory pelagics for-hire (charter and headboat) permits, building on the moratorium established under Amendment 14.

Amendment 18 establishes Annual Catch Limits (ACLs), Annual Catch Targets (ACTs) and accountability measures (AMs) for Spanish mackerel (SAFMC 2011) as required under the 2006 Magnuson Stevens Reauthorization Act.

Amendment 19 updated existing EFH and HAPC designations for South Atlantic species and prohibited the use of certain gear types within Deepwater Coral Habitat Areas of Particular Concern.

Amendment 20A prohibits the sale of Spanish mackerel caught under the bag limit unless the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity (SAFMC 2014).

Framework Action 2013 established provisions to allow for the transfer at sea of Spanish mackerel caught in gillnet when one set exceeds the trip limit and modified the trip limit for the Florida East Coast subzone by moving the potential step-up to 75 fish/day in the last month of the season and if less than 70 percent of the subzone's ACL has been met.

Amendment 20B creates Northern and Southern Zones for Atlantic migratory group Spanish mackerel. National Oceanic and Atmospheric Administration Fisheries will close each zone when the respective quota is met or expected to be met (SAMFC 2015). The dividing line between the zones is at the North Carolina/South Carolina state line.

Framework Amendment 1 (SAFMC 2014) updated the ACLs and ACTs for Gulf and Atlantic migratory groups of Spanish mackerel based on the results of the 2012 stock assessment.

Amendment 22 modified headboat reporting regulations to require weekly electronic reporting of all SAFMC managed species (SAFMC 2013).

Amendment 22 modified headboat reporting regulations to require weekly electronic reporting of all SAFMC managed species (SAFMC 2013).

Amendment 23 (SAFMC 2013) required dealers to possess a federal Gulf and South Atlantic universal dealer permit to purchase king and Spanish mackerel and required weekly electronic dealer reporting. It also required federally-permitted king and Spanish mackerel fishermen to sell only to a federally-permitted dealer.

The ASMFC approved the Omnibus Amendment in 2011 (ASMFC 2011). The management goal for the Omnibus Amendment is to bring the Fishery Management Plan for Spanish Mackerel under authority of the Atlantic Coastal Fisheries Cooperative Management Act, providing for more efficient and effective management and changes to management in the future.

Addendum I to the Omnibus Amendment (ASMFC 2013) establishes a pilot program that would allow states to reduce the Spanish mackerel minimum size limit for the commercial pound net fishery to 11.5 inches during the summer months of July through September for the 2013 and 2014 fishing years only. In August 2015, the South Atlantic Board formally extended the provisions of Addendum I for the 2015 and 2016 fishing seasons. Reports by North Carolina, the only state to reduce their minimum size, are reviewed annually.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, SAFMC, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to "ensure long-term viability" of these fisheries (NCDMF 2015).

Management Unit

The management unit is defined for South Atlantic Spanish mackerel within U.S. waters north of Miami-Dade/Monroe County line, Florida in the Atlantic Ocean.

Goal and Objectives

The goal of the FMP for Coastal Migratory Pelagics resources was to institute management measures necessary to prevent exceeding maximum sustainable yield (MSY), establish a mandatory statistical reporting system for monitoring catch, and to minimize gear and user conflicts (SAMFC 1982). Amendment 12 to the Gulf and South Atlantic fishery management councils' FMP for Coastal Migratory Pelagics lists eight plan objectives:

1. The primary objective of the FMP is to stabilize yield at MSY, allow recovery of overfished populations, and maintain population levels sufficient to ensure adequate recruitment.
2. To provide a flexible management system for the resource which minimizes regulatory delay while retaining substantial Council and public input in management decisions and which can rapidly adapt to changes in resource abundance, new scientific information, and changes in fishing patterns among user groups or by areas.
3. To provide necessary information for effective management and establish a mandatory reporting system.
4. To minimize gear and user group conflicts.
5. To distribute the TAC of Atlantic migratory group Spanish mackerel between recreational and commercial user groups based on the catches that occurred during the early to mid-1970s, which is prior to the development of the deep water run-around gill net fishery and when the resource was not overfished.
6. To minimize waste and bycatch in the fishery.
7. To provide appropriate management to address specific migratory groups of king mackerel.
8. To optimize the social and economic benefits of the coastal migratory pelagic fisheries.

The primary goal of the ASMFC Omnibus Amendment is to bring the FMPs for Spanish mackerel, spot, and spotted seatrout under the authority of the Act, providing for more efficient and effective management and changes to management for the future (ASMFC 2011). Omnibus amendment 1 objectives include:

1. Manage the Spanish mackerel fishery by restricting fishing mortality to rates below the threshold fishing mortality rates to provide adequate spawning potential to sustain long-term abundance of the Spanish mackerel populations.
2. Manage the Spanish mackerel stock to maintain the spawning stock biomass above the target biomass levels.
3. Minimize endangered species bycatch in the Spanish mackerel fishery.
4. Provide a flexible management system that coordinates management activities between state and federal waters to promote complementary regulations throughout Spanish mackerel's range which minimizes regulatory delay while retaining substantial ASMFC, Council, and public input into management decisions; and which can adapt to changes in resource

abundance, new scientific information and changes in fishing patterns among user groups or by area.

5. Develop research priorities that will further refine the Spanish mackerel management program to maximize the biological, social, and economic benefits derived from the Spanish mackerel population.

STATUS OF THE STOCK

Stock Status

In 2012, Atlantic Spanish mackerel was assessed and peer reviewed through the Southeast Data, Assessment and Review (SEDAR 2012). The results of the assessment (SEDAR 28) indicate Atlantic Spanish mackerel are not overfished and overfishing is not occurring. The next assessment has not been scheduled.

Stock Assessment

There is a lack of available fishery independent indices of abundance for this species. Many of the indices of abundance that were made available were rejected due to concerns about the way the fishers targeted Spanish mackerel. The schooling behavior of Spanish mackerel makes a random survey of their population particularly difficult. The one fishery independent index used (Southeast Area Monitoring and Assessment Program Trawl Survey young of the year) was highly variable, as would be expected for a recruitment index. The base run of the age-structured assessment model indicated that the stock is not overfished and that overfishing is not occurring. The sensitivity analyses yielded similar results and there was no retrospective pattern of concern. Conclusions about stock status during the analysis were most sensitive to different combinations of input data and variance around fixed parameters (steepness, recreational discard mortality, historical recreational landings, and natural mortality). A statistical catch-age model was used to assess the population of Atlantic Spanish mackerel. The age-structured assessment indicated that the stock was not overfished and that overfishing was not occurring.

STATUS OF THE FISHERY

Current Regulations

The North Carolina Division of Marine Fisheries currently complements the management measures of the Coastal Migratory Pelagic FMP through rule (15A NCAC 03M .0515) and proclamation. Current regulations include a recreational bag limit of 15 Spanish mackerel per person per day and 12-inch fork length minimum size. Commercial regulations also include a 12-inch fork length minimum size and a trip limit of 3,500 pounds. Federal vessel permits are required for commercial, charter and head boats fishing in the EEZ. Sale of Spanish mackerel caught under the bag limit are prohibited unless the fish are caught as part of a state-permitted tournament and the proceeds from the sale are donated to charity.

Commercial Landings

Predominant commercial fisheries for Spanish mackerel include gill nets and estuarine pound nets. In 2016, commercial landings were 601,515 pounds (Figure 1) and 95 percent of the Spanish mackerel harvest was taken in gill nets. 2016 landings are slightly under the 10 year average of 702,227 pounds, with most landings falling between May and October in inshore waters. The North Carolina commercial fishery is responsible for landing approximately 20 percent of the South Atlantic landings annually.

Recreational Landings

Spanish mackerel are a favorite of many anglers due to their exciting behavior when hooked and their delicious taste when cooked. Recreational anglers target Spanish mackerel by trolling spoons and plugs inshore. Anglers catch most Spanish mackerel between May and September, once the water temperature has warmed up to 70°F. Anglers harvested 411,353 pounds of Spanish mackerel in 2016 (Figure 2). Recreational harvest has been relatively steady between 400,000 and 600,000 pounds since an initial sharp decline from 968,108 pounds in 2008.

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Length-frequency information for the commercial Spanish mackerel fishery in North Carolina is collected by port agents through the trip ticket program and fish house samplers, specifically the Culled Sciaenid Pound Net, Culled Ocean Gill Net Fishery, Culled Long Haul Seine Fishery, and Estuarine Gill Nets and Seine Sampling programs (431, 434, 437, and 461). Maximum sizes of Spanish mackerel sampled over the last 10 years have fluctuated from less than 700 mm to over 1,000 mm but, average lengths of harvested fish have remained steady at about 400 mm (Table 1).

Fishery-Independent Monitoring

Spanish mackerel are frequently caught in the division's statewide Independent Gill Net Survey (Program 915) and Pamlico Sound Trawl Survey (Program 195) from which ageing structures are also collected. Ageing structures are collected from both independent and dependent sampling programs and sent to the Southeast Fisheries Science Center in Panama City, Florida for processing and ageing (Table 2). The average size of Spanish mackerel caught in the independent surveys (398 mm) is slightly smaller than the fish sampled from the fisheries (409 mm; Tables 1 and 3).

MANAGEMENT STRATEGY

In North Carolina, Spanish mackerel is managed under the SAFMC's Coastal Migratory Pelagics FMP and the ASMFC's FMP for Spanish Mackerel (SAFMC 2015; ASMFC 2013).

Spanish mackerel is currently managed under recent Amendment 20A (SAFMC 2014a), Amendment 20B (SAFMC 2015) and Framework Amendment 1 (SAMFC 2014b) to the Coastal Migratory Pelagics Fishery Management Plan. Amendment 20A prohibits the sale of all bag-limit-caught Spanish mackerel, except those harvested during a state-permitted tournament. Amendment 20B establishes separate commercial quotas of Atlantic Spanish mackerel for a Northern Zone (north of North Carolina and South Carolina state line) and Southern Zone (south of North Carolina and South Carolina state line). Framework Amendment 1 modifies the annual catch limits for Spanish mackerel in the U.S. Atlantic and modifies the recreational annual catch target, based on the results of the most recent stock assessments for these stocks. North Carolina currently has a 12-inch fork length minimum size limit, a 15 fish per day bag limit for recreational anglers and a 3,500-pound commercial trip limit. The harvest season is open year-round, and is based on a fishing year of March 1 to the last day in February with commercial and recreational fisheries closing when the quota is reached.

The ASMFC's South Atlantic State-Federal Fisheries Management Board approved the Omnibus Amendment for Spot, Spotted Seatrout, and Spanish Mackerel in 2011 (ASMFC 2011). For Spanish mackerel, the Amendment includes commercial and recreational management measures, adaptive management measures, and a process for Board review and action in response to changes in the federal regulations. This allows for complementary management throughout the range of the species.

The Board approved Addendum I (ASMFC 2013) to establish a pilot program to allow states to reduce the Spanish mackerel minimum size limit for the commercial pound net fishery to 11.5 inches from July through September for the 2013 and 2014 fishing years. In August 2015, the Board evaluated the success of the pilot program and extended the provisions of Addendum I for the 2015 and 2016 fishing years. The program was created to reduce waste of these shorter fish, which are discarded dead in the summer months, by converting them to landed fish that will be counted against the quota. The addendum responded to reports about the increased incidence of Spanish mackerel one-quarter to one-half inch short of the 12-inch fork length minimum size limit in pound nets during the summer months which die prior to being released, possibly due to a combination of temperature, stress, and crowding. While work has been done to experiment with wall or panel mesh sizes and escape panels, little success has been made in releasing undersized fish quickly enough to prevent dead discards during this time of year. North Carolina, the only state to implement the Addendum thus far, provides annual reports to the Board on Spanish mackerel catch in its pound net fishery. Current management strategies for Spanish mackerel in South Atlantic waters are summarized in Table 4.

RESEARCH NEEDS

From Omnibus Amendment (ASMFC 2011):

- Increase collection of fishery-dependent length, sex, age, and CPUE data to improve stock assessment accuracy. Simulations on CPUE trends should be explored and impacts on assessment results determined. Data collection is needed for all states, particularly those north of North Carolina.
- Develop fishery independent methods to monitor stock size.

- Develop methodology for predicting year class strength and determination of the relationship between juvenile abundance and subsequent year class strength.
- To ensure more accurate estimates of t^0 , increase efforts to collect age-0 specimens for use in estimating von Bertalanffy growth parameters.
- Provide better estimates of recruitment, natural mortality rates, fishing mortality rates, and standing stock. Specific information should include an estimate of total amount caught and distribution of catch by area, season, and type of gear.
- Commission and member states should support and provide the identified data and input needed to improve the SEDAR process.
- Conduct yield per recruit analyses relative to alternative selective fishing patterns.
- Investigate the discard mortality of Spanish mackerel in the commercial and recreational trolling fisheries and commercial gill net fishery.
- Need observer coverage for Spanish mackerel fisheries: gill nets, cast nets, handlines, pound nets, and shrimp trawl bycatch.
- Evaluate potential bias of the lack of appropriate stratification of the data used to generate age-length keys.
- Evaluate CPUE indices related to standardization methods and management history, with emphasis on greater temporal and spatial resolution in estimates of CPUE.
- Expand Trip Interview Program (TIP) sampling to better cover all statistical areas.
- Complete research on the application of assessment and management models relative to dynamic species such as Spanish mackerel.
- Establish a monitoring program to characterize the bycatch and discards of Spanish mackerel in the directed shrimp fishery in Atlantic Coastal waters.
- Obtain adequate data to determine gutted to whole weight relationships.
- Conduct inter-lab comparisons of age readings from test sets of otoliths in preparation for any future stock assessment.
- Address issue of fish retained for bait (undersized) or used for food by crew (how to capture these as landings).
- Investigate whether catchability varies as a function of fish density and/or environmental conditions.
- Investigate how temporal changes in migratory patterns may influence indices of abundance.
- Investigate the possibility of using models that allow catchability to follow a random walk, which can be useful in tracking longer-term trends in time-varying catchability and thus detect changes over time in CPUE (from SEDAR 2009).

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TABLES

Table 1. Mean, minimum and maximum fork lengths (mm) and total number sampled of Spanish mackerel from fishery dependent sampling programs.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	372.3	64	810	2,445
2008	376.7	75	668	2,489
2009	395.3	54	971	3,606
2010	411.6	172	677	4,785
2011	420.9	256	1080	5,523
2012	413.4	30	704	5,576
2013	417.9	31	723	4,009
2014	411.0	77	766	4,558
2015	404.0	52	701	5,935
2016	409.4	52	739	7,486

Table 2. Mean, minimum and maximum fork lengths (mm) and total number sampled of Spanish mackerel through Comprehensive Life History (Program 930).

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	379.3	265	805	297
2008	362.6	196	684	328
2009	387.9	235	638	317
2010	377.5	174	645	411
2011	383.3	155	712	430
2012	367.5	159	670	557
2013	385.1	188	699	370
2014	373.7	192	656	515
2015	375.5	183	701	412
2016	382.4	215	739	579

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SPANISH MACKEREL

Table 3. Mean, minimum and maximum fork lengths (mm) and total number sampled of Spanish mackerel from fishery independent sampling programs.

Year	Mean Length	Minimum Length	Maximum Length	Total Number Measured
2007	291.2	55	553	164
2008	328.7	80	680	371
2009	356.6	110	568	547
2010	344.6	75	550	378
2011	356.5	52	520	132
2012	340.9	38	580	122
2013	301.1	117	608	80
2014	266.0	42	483	45
2015	316.0	43	680	266
2016	398.7	175	568	42

Table 4. Summary of management strategies by North Carolina for Spanish Mackerel

Management Strategy	Implementation Status
12 inch minimum size limit	Rule 15A NCAC 03M .0301(a)(1)
15 fish creel limit	Rule 15A NCAC 03M .0301(a)(2)
15 fish creel limit outside three miles only with a NMFS Commercial Vessel Permit	Rule 15A NCAC 03M .0301(a)(3)
Charter vessels or head boats with NMFS Commercial Vessel Permit must comply with possession limits when fishing with more than three persons	Rule 15A NCAC 03M .0301(c)
Commercial trip limit of 3,500 pounds of Spanish mackerel, king mackerel or in aggregate	Rule 15A NCAC 03M .0301(d)
Prohibits purse gill nets when taking king or Spanish mackerel	Rule 15A NCAC 03M .0302
Prohibits sale of Spanish Mackerel harvested from the EEZ in a commercial fishing operation without a valid Federal Commercial Spanish Mackerel Permit; Prohibits charter vessels or headboats with both a valid Federal Atlantic Charter/Headboat Coastal Migratory Pelagics Permit and a valid Federal Commercial Spanish Mackerel Permit to sell Spanish Mackerel from the EEZ when fishing with more than three persons; Prohibits purchase of Spanish Mackerel harvested from the Atlantic Ocean without a valid Federal Gulf and South Atlantic Dealer Permit; Prohibits purchase of Spanish Mackerel from the EEZ from a vessel that does not have a valid Federal Commercial Spanish Mackerel Permit.	Proclamation FF-21-2017
11 ½ inch fork length minimum size limit for Spanish mackerel for pound nets	Proclamation FF-25-2017

FIGURES

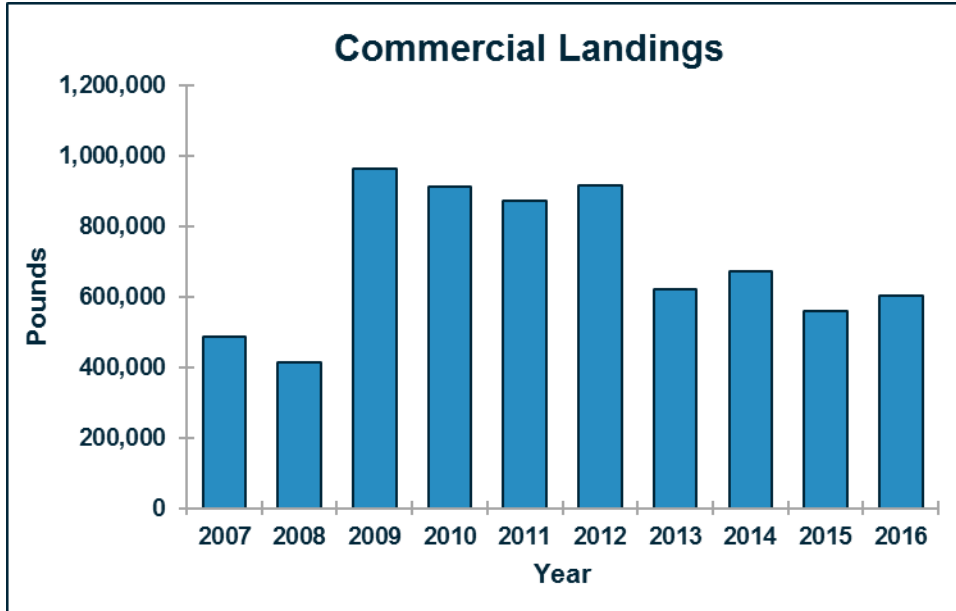


Figure 1. Commercial landings of Spanish mackerel in North Carolina from 2007-2016.

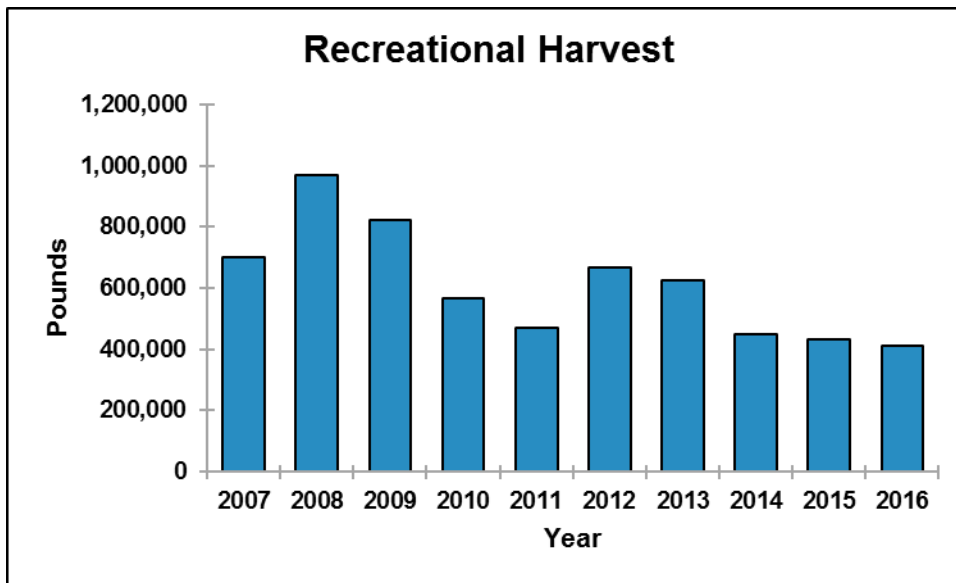


Figure 2. Estimated recreational harvest of Spanish mackerel in North Carolina from 2007-2016.

**FISHERY MANAGEMENT PLAN UPDATE
SPINY DOGFISH
AUGUST 2017**

STATUS OF THE FISHERY MANAGEMENT PLAN

Fishery Management Plan History

Original FMP Adoption:	November 2002 Addendum I November 2005 Addendum II October 2008 Addendum III April 2011 Addendum IV August 2012 Addendum V October 2014
Amendments:	None
Revisions:	None
Supplements:	None
Information Updates:	None
Schedule Changes:	None
Next Benchmark Review:	August 2018

The spiny dogfish fishery is co-managed by the Mid-Atlantic and New England Fishery Management Councils (MAFMC/NEFMC) in federal waters, and the Atlantic States Marine Fisheries Commission (ASMFC) in state waters.

The Federal Spiny Dogfish Fishery Management Plan (FMP) was implemented in January 2000. This FMP includes an annual commercial quota allocated for each fishing year, which begins in May 1 and extends through April 30. The quota is subdivided into two semi-annual periods with 57.9 percent allocated to the period from May through October 31, and 42.1 percent allocated to the period from November 1 through April 30.

The MAFMC/NEFMC FMP has had two framework adjustments and four amendments since initiated in 2000. Framework 1, approved in 2006 by National Oceanic and Atmospheric Administration (NOAA) Fisheries, allowed that within a given year, the Councils could specify commercial quotas and other necessary management measures for each of the following one to five years. Amendment 1, approved by NOAA Fisheries in June 2007, required a standardized method to report by-catch. Framework 2, approved in 2009, allowed for flexibility in the process to define and update determination criteria. Amendment 2, approved by NOAA Fisheries in August 2011, established Annual Catch Limits (ACLs) and Accountability Measures (AMs).

Amendment 3, approved in May 2014, added the spiny dogfish fishery to the Research Set-Aside program, updated essential habitat definitions, established provisions to maintain existing management measures (including quota) in the event of delayed rulemaking, and eliminated the seasonal allocation of the coast-wide commercial quota. The latest, Amendment 5, approved by NOAA Fisheries in March 2015, implemented a standardized bycatch reporting methodology.

The Interstate FMP for spiny dogfish was approved by the ASMFC in November 2002 with implementation for the 2003/2004 fishing year. The 2002 FMP established the annual quota and possession limit system. The Spiny Dogfish and Coastal Shark Management Board, Advisory Panel, Technical Committee, and Plan Review Team oversee the management of spiny dogfish in state waters. The management unit includes the entire coast-wide (Maine-Florida) distribution of the resource from the estuaries eastward to the inshore boundary of the exclusive economic zone.

There are no amendments to the interstate FMP but there are five addenda. Addendum I approved in November 2005 allowed the Board to set multi-year specifications. Addendum II approved October 2008 established regional allocation of the annual quota with 58 percent to states from Maine to Connecticut. Addendum III established state shares for New York to North Carolina. For these southern region states, Addendum III also allowed for quota transfer between states, rollovers of up to five percent, state-specified possession limits, and included a three-year reevaluation of the measures. North Carolina is allocated 14.036 percent of the southern quota. Addendum IV approved in August 2012 addressed the differences in the definitions of overfishing between the NEFMC, the MAFMC and the ASMFC. The Board adopted the fishing mortality threshold to be consistent with the federal plan. Addendum V, approved in 2014, ensured consistency in spiny dogfish management with the Shark Conservation Act of 2010 by prohibiting processing at-sea, including the removal of fins.

To ensure compliance with interstate requirements, North Carolina also manages this species under the North Carolina Fishery Management Plan for Interjurisdictional Fisheries (IJ FMP). The goal of the IJ FMP is to adopt fishery management plans, consistent with N.C. law, approved by the MAFMC, South Atlantic Fishery Management Council, or the ASMFC by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved fishery management plans and amendments, now and in the future. The goal of these plans, established under the Magnuson-Stevens Fishery Conservation and Management Act (federal council plans) and the Atlantic Coastal Fisheries Cooperative Management Act (ASMFC plans) are like the goals of the Fisheries Reform Act of 1997 to “ensure long-term viability” of these fisheries (NCDMF 2015).

Management Unit

The entire coastwide distribution of the resource in the Atlantic from the estuaries eastward to the inshore boundary of the exclusive economic zone, is managed by the ASMFC, NEFMC and MAFMC. North Carolina is allotted a state specific share of the coastwide quota and allowed to specify possession limits in state waters.

Goals and Objectives

The overall goal of the joint MAFMC/NEFMC FMP is the conserve spiny dogfish to achieve optimum yield from the resource. In support of this goal, the follow objectives were adopted:

1. Reduce fishing mortality to ensure that overfishing does not occur.
2. Promote compatible management regulations between state and Council jurisdictions and the US and Canada.
3. Promote uniform and effective enforcement of regulations.
4. Minimize regulations while achieving the management objectives stated above.
5. Manage the spiny dogfish fishery to minimize the impact of the regulations on the prosecution of other fisheries, to the extent practicable.
6. Contribute to the protection of biodiversity and ecosystem structure and function.

The goal of the ASMFC FMP for spiny dogfish is to promote stock rebuilding and management of the spiny dogfish fishery in a manner that is biologically, economically, socially, and ecologically sound. In support of this goal, the following objectives are recommended:

1. Reduce fishing mortality and rebuild the female portion of the spawning stock biomass to prevent recruitment failure and support a more sustainable fishery.
2. Coordinate management activities between state, federal and Canadian waters to ensure complementary regulations throughout the species range.
3. Minimize the regulatory discards and bycatch of spiny dogfish within state waters.
4. Allocate the available resource in biologically sustainable manner that is equitable to all the fishers.
5. Obtain biological and fishery related data from state waters to improve the spiny dogfish stock assessment that currently depends upon data from the federal bottom trawl survey.

STATUS OF THE STOCK

Stock Status

The latest stock assessment, completed in 2015, indicates that spiny dogfish are not over fished and overfishing is not occurring.

Stock Assessment

The 2015 stock assessment update, the latest update, conducted by the Northeast Fisheries Science Center (NEFSC), estimates spiny dogfish are not overfished and not experiencing overfishing. Female spawning stock biomass estimates from 2009 to 2015 exceeded the biomass reference point (Figure 1).

The NEFSC report also provides the most recent estimate of fishing mortality. Fishing mortality was 0.21 in 2014 and is below the fishing mortality 40 percent ($F=0.24$). The fishing mortality 40 percent is the fishing mortality that, if remained constant, would result in a 40 percent spawning potential ratio in the stock. As such, spiny dogfish are not overfished and overfishing is not occurring. Unfortunately, record low pup production from 1997 to 2003 has left a recruitment deficit that will cause SSB to drop soon. The amplitude of this drop increases as fishing mortality increases and still occurs when fishing mortality is hypothetically zero.

Spiny dogfish was declared ‘Rebuilt’ in 2008 when SSB exceeded the target for the first time since the ASMFC began managing spiny dogfish in 2002. The next stock assessment for spiny dogfish is scheduled for 2018.

STATUS OF THE FISHERY

Current Regulations

Spiny dogfish are primarily harvested commercially with no recreational regulations in effect. Commercial harvest of spiny dogfish is quota managed with harvest periods and trip limits in federal waters and through regional and state quota allocations in state waters. The ASMFC spiny dogfish board approved a 40.36 million-pound quota for the 2016/2017 fishing season (May 1 – April 30). The quota is subdivided into a northern region share of 58 percent and state-specific shares for the southern region from New York to North Carolina. North Carolina receives 14.036 percent of the annual quota. For the 2016/2017 fishing season North Carolina was allocated 5,665,036 pounds of the southern regions quota. The NCDMF set the trip limit at 20,000 pounds effective November 16, 2016.

Commercial Landings

Spiny dogfish landings steadily increased from 2007 to 2014, but have declined in the last two years (Figure 2). Most of the spiny dogfish are landed from the ocean gill net fishery, but they also have been landed from estuarine gill nets, beach seines, ocean trawls, and hook and line gears (Figure 3).

Recreational Landings

North Carolina recreational landings are insignificant for 2007 through 2016 (Table 2) and were obtained from the Marine Recreational Information Program. As a source of total mortality, recreational catch can be considered negligible (Rago and Sosebee 2015).

MONITORING PROGRAM DATA

Fishery-Dependent Monitoring

Fishery-dependent monitoring programs for beach seine, estuarine gill net, ocean gill net and ocean trawl sampled spiny dogfish from 2007 to 2016. Samples were taken at fish packing houses while the catches were being offloaded. Captain or crew members were interviewed to obtain information including area fished, gear specifications and water depth. Samples were collected and recorded in metric units (kilograms and millimeters). Each sample was weighed to the nearest 0.1 kg, individual spiny dogfish were measured to the nearest millimeter for both total and fork length, and sex determined. The total catch weight was obtained from the fish house dealer's records. Table 3 summarizes all the length data collected from fishery-dependent sampling from all gears during 2007 to 2016. All spiny dogfish sampled in 2016 were sampled from the ocean gill net fishery, the primary gear used to target spiny dogfish in North Carolina. The number of trips sampled and spiny dogfish measured decreased since 2012 while the mean total length has stayed between 855 to 878 millimeters. Total length has ranged from 470 to 1,080 millimeters.

Numbers of spiny dogfish measured have ranged from 545 in 2008 to 2,461 in 2012 (Table 3). Female spiny dogfish contribute to the majority of the harvest and samples collected (Figure 4). Female fish are larger and more abundant in the nearshore areas where most fishing occurs. (Tables 4 and 5).

Fishery-Independent Monitoring

The NCDMF initiated a fisheries independent gill net survey in 2001 expanded its coverage in 2008 to include the Cape Fear and Neuse rivers. The objective of this project is to provide annual, independent, relative-abundance indices for key estuarine species in the near shore Pamlico Sound, Pamlico, Pungo, Neuse, and Cape Fear rivers. The survey employs a stratified random sampling design and utilizes multiple mesh gill nets (3.0-inch to 6.5-inch stretched mesh, by ½-inch increments). The majority of spiny dogfish are captured in the Pamlico Sound portion of the survey. A total of 788 spiny dogfish were measured in the Pamlico Sound portion of the independent gill net study from 2001 to present. Total length ranged from 511 to 1,010 millimeters and averaged 841 millimeters (Table 6).

MANAGEMENT STRATEGY

The spiny dogfish fishery is co-managed complementarily by the MAFMC and NEFMC in federal waters, and ASMFC in state waters. The Scientific and Statistical Committee of the MAFMC/NEFMC determine the Acceptable Biological Catch based on the best available scientific data. In order to set the annual quota a joint meeting between the ASMFC Technical Committee and MAFMC Monitoring Committee occurs each fall. The Technical and Monitoring committees make quota recommendations after considering discards, Canadian landings, and management uncertainty. These quota recommendations are then given to the Spiny Dogfish and Coastal Shark Management Board and MAFMC for the following fishing year's quota. The first step to making a quota recommendation is to calculate a harvest level that coincides with the

appropriate F rate. In 2002, ASMFC adopted the MAFMC’s target, and threshold, fishing mortality rates in the original FMP. In 2009, the MAFMC revised status determinations criteria to define $F_{\text{threshold}}$ as F_{msy} (or a reasonable proxy thereof) as a function of productive capacity, and based upon the best scientific information consistent with National Standards 1 and 2 and did not include an F_{target} value. In 2012, the ASMFC adopted the MAFMC’s $F_{\text{threshold}}$ definition to be consistent with the federal plan through Addendum IV to the FMP. Overfishing is defined as an F rate that exceeds the $F_{\text{threshold}}$. The Board retains the authority to set an F_{target} based on the Technical Committee’s recommendations. While the federal plan does not specify an F_{target} and quotas are calculated based on F_{msy} . The Board is not required to specify an F_{target} and if specified, an F_{target} would apply to one fishing season.

- $F_{\text{msy}} = 0.244$; allows for the production of 1.5 female pups per female that will recruit to the spawning stock biomass (SSB).
- $\text{SSB}_{\text{target}} = 159,288$ metric tons (351 million pounds); level of biomass that would maximize recruitment to the population (100 percent SSB_{max}).
- $\text{SSB}_{\text{threshold}} = 79,644$ metric tons (175 million pounds); 50 percent of $\text{SSB}_{\text{target}}$

RESEARCH NEEDS

Continuing research priorities from the ASMFC FMP include:

- Determine area, season, and gear specific discard mortality estimates coast wide in the recreational, commercial, and non-directed (bycatch) fisheries.
- Monitor the level of effort and harvest in other fisheries as a result of no directed fishery for spiny dogfish.
- Characterize and quantify bycatch of spiny dogfish in other fisheries.
- Increase observer trips to document the level of incidental capture of spiny dogfish during the spawning stock rebuilding period.
- Conduct a coast wide tagging study to explore stock structure, migration, and mixing rates.
- Standardize age determination along the entire East Coast. Conduct an ageing workshop for spiny dogfish, encouraging participation by NEFSC, NCDMF, Canada Department of Fisheries and Oceans, other interested agencies, academia, and other international investigators with an interest in dogfish ageing.

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ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SPINY DOGFISH

Rago P.J. and K.A. Sosebee. 2015. Update on the Status of Spiny Dogfish in 2015 and Projected Harvests at the Fmsy Proxy and Pstar of 40%. Report to MAFMC SSC August 26, 2015. 65 pp.

TABLES

Table 1. Commercial spiny dogfish landings (lb) by gear 2007-2016 (Division Trip Ticket Program)

Year	Ocean Gill Net	Beach Seine	Ocean Trawl	Ocean Hook-N-Line	Ocean Long-line	Estuarine Gill Net	Other Estuarine Gears	Annual Total
2007	148,147	800		162		434		149,543
2008	158,562					165		158,727
2009	1,405,549	10,486				327		1,416,362
2010	1,695,878	11,170	1,273			116		1,708,437
2011	2,553,293		4,500			130		2,557,923
2012	2,663,008	65,645				229		2,728,882
2013	3,000,602					10,356		3,010,958
2014	5,643,146		1,800			5,339		5,650,285
2015	4,223,979	4,090			10,000	9,139	5	4,247,213
2016	2,225,279		319		8,000	9,548		2,243,146

Table 2. North Carolina recreational spiny dogfish harvest and discards from Marine Recreational Information Program survey for 2007-2016 (NMFS 2017).

Year	Harvest Number (A+B1)	PSE (Num)	Weight (lb), (A+B1)	PSE (lb)	Number Released	PSE
2007					12,573	50.8
2008					10,139	58.4
2009					8,854	73.2
2010	1,070	64.7	5,399	69.7	31,644	37.7
2011	1,247	73.3	8,294	75.9	39,908	41.1
2012	140	71.2	712	71.2	25,515	36.9
2013	3,404	75.4	6,134	67.4	135,333	47.5
2014	853	72.1	4,296	79.4	80,131	37.1
2015	8,140	77.6	43,797	88.1	75,189	53.1
2016	1,708	72.6	11,770	70.4	5,413	44.0
10 Year Average	1,656		8,040		42,470	

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SPINY DOGFISH

Table 3. Summary table of spiny dogfish trips sampled, sample weight (kg) and length data collected from dependent sampling 2007-2016.

Year	Number of Trips Sampled	Total Number Measured	Sample Weight (kg)	Mean Total Length (mm)	Minimum Total Length (mm)	Maximum Total Length (mm)
2007	27	1,201	3,274	855	675	1,020
2008	10	545	1,369	859	724	995
2009	28	1,048	2,650	864	704	1,080
2010	23	843	2,227	861	712	1,015
2011	24	686	1,893	847	661	1,005
2012	67	2,461	7,030	876	681	1,074
2013	66	2,373	6,765	877	668	1,035
2014	63	2,168	6,025	878	470	1,065
2015	41	1,365	3,731	873	634	1,021
2016	24	795	2,463	872	600	1,015

Table 4. Length data collected from male spiny dogfish sampled from all gears 2007-2016.

Year	Mean Total Length (mm)	Minimum Total Length (mm)	Maximum Total Length (mm)	Total Number Measured
2007	764	675	930	184
2008	792	741	937	18
2009	786	721	940	54
2010	785	712	895	49
2011	765	700	829	34
2012	769	702	882	87
2013	779	670	896	88
2014	776	641	844	74
2015	795	640	968	84
2016	772	661	894	68

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SPINY DOGFISH

Table 5. Length data collected from female spiny dogfish sampled from all gears 2007-2016.

Year	Mean Total Length (mm)	Minimum Total Length (mm)	Maximum Total Length (mm)	Total Number Measured
2007	871	740	1,020	1,017
2008	862	724	995	527
2009	868	704	1,080	994
2010	865	715	1,015	794
2011	852	661	1,005	647
2012	880	681	1,074	2,373
2013	881	668	1,035	2,285
2014	882	470	1,065	2,094
2015	878	634	1,021	1,281
2016	881	600	1,015	727

Table 6. Fisheries independent assessment program length data for spiny dogfish.

Program	Time Series	Mean Total Length (mm)	Minimum Total Length (mm)	Maximum Total Length (mm)	Total Number Measured
Pamlico Sound Independent Gill Net Survey	2001-2016	841	511	1,010	788

FIGURES

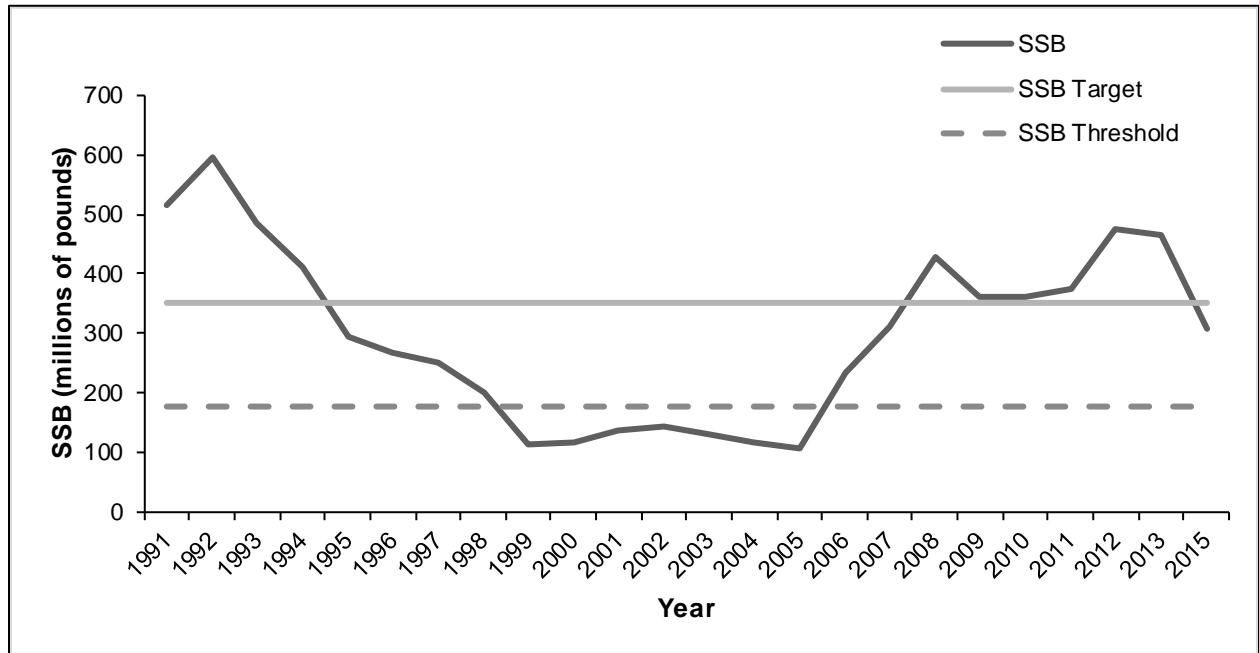


Figure 1. NEFSC spiny dogfish spawning stock biomass 1991-2015 (Note: 2014 was not included in the 2015 update due to a mechanical breakdown in the NEFSC trawl survey.)

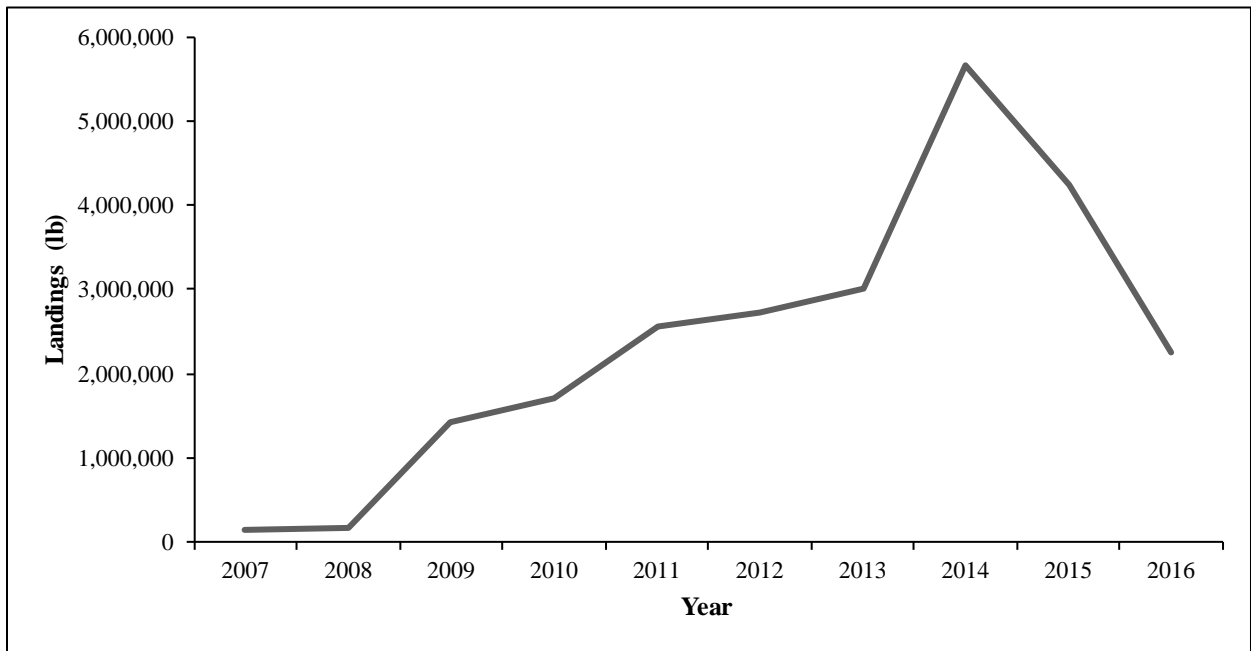


Figure 2. Annual commercial spiny dogfish landings (lb) 2007-2016 (NCDMF Trip Ticket Program).

ASMFC AND FEDERALLY-MANAGED SPECIES WITHOUT N.C. INDICES – SPINY DOGFISH

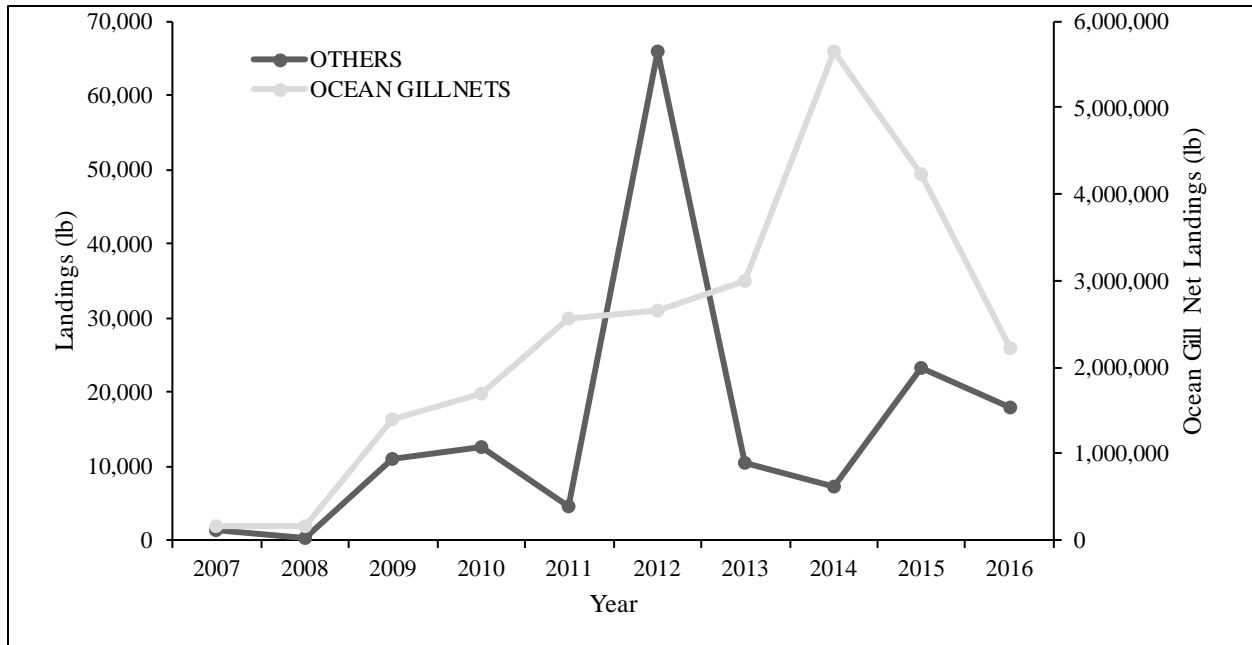


Figure 3. Annual commercial spiny dogfish landings (lb) by gear 2007-2016 (NCDMF Trip Ticket Program).

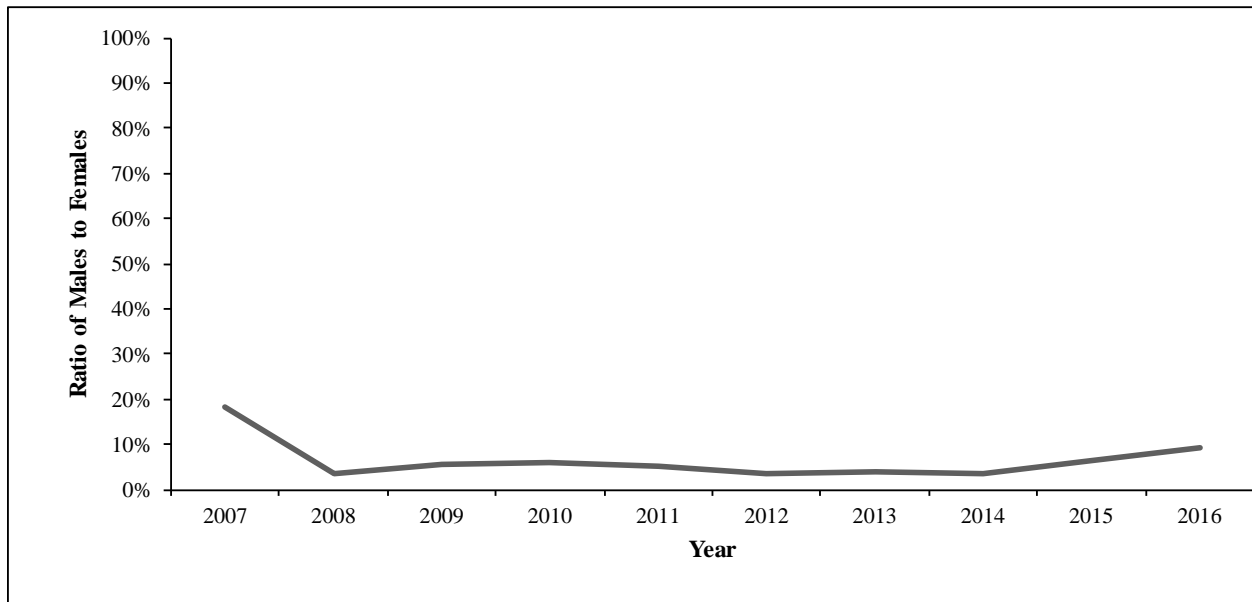


Figure 4. Ratio of male to female spiny dogfish sampled from all gears 2007-2016.



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

Aug. 2, 2017

MEMORANDUM

Rules 08-17

TO: Marine Fisheries Commission
FROM: Catherine Blum, Fishery Management Plan and Rulemaking Coordinator
SUBJECT: Rulemaking Update

This memo describes the rulemaking materials for the August 2017 commission meeting. Background information is provided below, followed by a summary of the three action items.

Background on the Periodic Review and Expiration of Existing Rules

Session Law 2013-413, the Regulatory Reform Act of 2013, implemented requirements known as the “Periodic Review and Expiration of Existing Rules.” These requirements are codified in a new section of Article 2A of Chapter 150B of the General Statutes in G.S. 150B-21.3A. Under the requirements, each agency is responsible for conducting a review of all its rules at least once every 10 years in accordance with a prescribed process.

The review has two parts: a report phase, followed by the re-adoption of rules. The process began for the commission at its February 2017 business meeting with approval of the draft report on the rules in Title 15A, Environmental Quality, Chapter 03, Marine Fisheries. This report contains 211 rules and is due to the Rules Review Commission December 2017.

Nine of these 211 rules are jointly adopted by the Marine Fisheries Commission and the Wildlife Resources Commission. They are subtitled “Jurisdiction of Agencies: Classification of Waters” and are found in 15A NCAC 03Q .0100. Similarly, the Wildlife Resources Commission has 11 rules that are jointly adopted and have the same subtitle; they are found in 15A NCAC 10C .0100. For the required steps in the periodic review process, both agencies must approve both sets of rules since the rules were all jointly adopted. These approvals occurred at the Marine Fisheries Commission’s February and May 2017 business meetings and the Wildlife Resources Commission’s April 2017 meeting.

For the reports, the first step in the process was for each agency to make a determination as to whether each rule is necessary with substantive public interest, necessary without substantive public interest, or unnecessary. After the draft reports were approved, they were posted on the Division of Marine Fisheries web site for public comment for a minimum of 60 days. It is important to note, for the purposes of these requirements, “public comment” means written comments from the public objecting to the rule. The agency must review the public comments and prepare a brief response addressing the merits of each comment. This information becomes the final report.



The second part of the periodic review process is the re-adoption of rules; this will begin for the Marine Fisheries Commission in 2018. The final report determines the process for re-adoption. Rules determined to be necessary and without substantive public interest and for which no public comment was received remain in effect without further action. Rules determined to be unnecessary and for which no public comment was received expire on the first day of the month following the date the report becomes effective. Rules determined to be necessary with substantive public interest must be readopted as though the rules were new rules. The Rules Review Commission works with each agency to consider the agency's rulemaking priorities in establishing a deadline for the re-adoption of rules.

Action Items for the Periodic Review and Expiration of Existing Rules

The final report for each commission's group of rules is scheduled to be voted on by both commissions for approval at the Marine Fisheries Commission's August 2017 business meeting and the Wildlife Resources Commission's October 2017 meeting. The final reports will be submitted to the Rules Review Commission for its December 2017 meeting, which, if approved, will be forwarded to the Joint Legislative Administrative Procedure Oversight Committee for final determination by Spring 2018.

A public comment period was held for rules in 15A NCAC 03Q .0100 from April 25-July 5, 2017. There was one comment received on Rule 15A NCAC 03Q .0105, "Posting Dividing Lines." The commenter did not agree with the agency's determination of the rule being classified as necessary with substantive public interest. The commenter determined the rule is unnecessary, but did not provide a reason. Staff recommends the rule remain classified as necessary with substantive public interest. The final report reflects one public comment without merit was received for this rule and is otherwise unchanged from the draft version. A public comment has merit if it addresses the specific substance of the rule and relates to any of the standards for review by the Rules Review Commission set forth in G.S. 150B-21.9(a).

A public comment period was held for all other rules in 15A NCAC 03 from Feb. 23-May 3, 2017; no public comments were received. The final report is unchanged from the draft version.

A public comment period was held for rules in 15A NCAC 10C .0100 from May 22-July 31, 2017; no public comments were received. The final report is unchanged from the draft version. Since this report on Wildlife Resources Commission rules will be presented to the Marine Fisheries Commission at its August meeting for approval and this occurs prior to the Wildlife Resources Commission's October meeting, the Marine Fisheries Commission's approval must be made contingent upon the Wildlife Resources Commission's approval. There is no indication this will be an issue, as all rules in the report were determined to be necessary with substantive public interest and thus, will be subject to the rule re-adoption process.

Staff recommends the Marine Fisheries Commission approve the following final reports:

- Vote to approve final report on 15A NCAC 03Q .0100 rules, per G.S. 150B-21.3A;
- Vote to approve final report on all other 15A NCAC 03 rules, per G.S. 150B-21.3A; and
- Vote to approve final report on 15A NCAC 10C .0100 rules, per G.S. 150B-21.3A and contingent on approval by the Wildlife Resources Commission.



G.S. 150B-21.3A Report for 15A NCAC 03Q, JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS

Agency - Marine Fisheries Commission/Wildlife Resources Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
SUBCHAPTER 03Q - JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS	SECTION .0100 - GENERAL REGULATIONS: JOINT	15A NCAC 03Q .0101	SCOPE AND PURPOSE	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03Q .0102	INLAND FISHING WATERS	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03Q .0103	COASTAL FISHING WATERS	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03Q .0104	JOINT FISHING WATERS	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03Q .0105	POSTING DIVIDING LINES	Eff. January 1, 1991	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest
		15A NCAC 03Q .0106	APPLICABILITY OF RULES: JOINT WATERS	Amended Eff. July 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03Q .0107	SPECIAL REGULATIONS: JOINT WATERS	Amended Eff. July 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03Q .0108	MANAGEMENT RESPONSIBILITY FOR ESTUARINE STRIPED BASS IN JOINT WATERS	Amended Eff. October 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03Q .0109	IMPLEMENTATION OF ESTUARINE STRIPED BASS MANAGEMENT PLANS: RECREATIONAL FISHING	Amended Eff. October 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest

Agency	Rule	Name	Type of Comment	Comment	Agency Response	RRC Staff Recommendation	RRC Determination [150B-21.3A(c)(2)]
Marine Fisheries Commission	15A NCAC 03Q .0105	POSTING DIVIDING LINES	Public Coment as defined in G.S. 150B-21.3A(a)(5)	Do I agree with the Agency's determination? No. I would determine this rule's classification as: Unnecessary. Do I want to submit a written comment on this rule? No.	The agency determined the rule to be necessary with substantive public interest. The commenter did not provide a reason to consider changing the determination.	Select One	Select One

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

Agency - Marine Fisheries Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	
SUBCHAPTER 03H – SCOPE OF MANAGEMENT	SECTION .0100 – SCOPE OF MANAGEMENT	15A NCAC 03H .0102	SCOPE OF MANAGEMENT	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		15A NCAC 03H .0103	PROCLAMATION AUTHORITY OF FISHERIES DIRECTOR	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
SUBCHAPTER 03I – GENERAL RULES	SECTION .0100 – GENERAL RULES	15A NCAC 03I .0101	DEFINITIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	
		15A NCAC 03I .0102	TEMPORARY SUSPENSION OF RULES	Recodified from 15A NCAC 3I .0002 Eff. December 17, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		15A NCAC 03I .0103	CONFISCATION AND DISPOSITION	Recodified from 15A NCAC 3I .0003 Eff. December 17, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	
		15A NCAC 03I .0104	INTRODUCE, TRANSFER OR HOLD IMPORTED MARINE AND ESTUARINE ORGANISMS	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest
		15A NCAC 03I .0105	LEAVING DEVICES UNATTENDED	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest
		15A NCAC 03I .0107	ENDANGERED OR THREATENED SPECIES	Amended Eff. July 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	16 USC 1533 (c)	No	No	Necessary without substantive public interest
		15A NCAC 03I .0108	OCEAN FISHING PIERS	Recodified from 15A NCAC 3I .0008 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest
		15A NCAC 03I .0109	ARTIFICIAL REEFS AND RESEARCH SANCTUARIES	Recodified from 15A NCAC 3I .0009 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest
		15A NCAC 03I .0110	MILITARY DANGER ZONES AND RESTRICTED AREAS	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	33 CFR 334.410-334.450	No	No	Necessary without substantive public interest
		15A NCAC 03I .0113	BIOLOGICAL SAMPLING	Recodified from 15A NCAC 3I .0013 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest
		15A NCAC 03I .0114	RECORDKEEPING REQUIREMENTS	Amended Eff. June 1, 2013	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest
		15A NCAC 03I .0115	REPLACEMENT COSTS OF MARINE AND ESTUARINE RESOURCES - FISH	Recodified from 15A NCAC 3I .0015 Eff. December 17, 1996.	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest
15A NCAC 03I .0116	CORAL AND LIVE ROCK	Amended Eff. April 1, 2011	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 622.223, 50 CFR 622.224(a)	No	No	Necessary without substantive public interest		
15A NCAC 03I .0118	DISPOSAL OF EVIDENCE	Recodified from 15A NCAC 3I .0018 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest		
15A NCAC 03I .0119	PROHIBITED FISHING ACTIVITY DUE TO PUBLIC HEALTH OR SAFETY	Recodified from 15A NCAC 3I .0019 Eff. December 17, 1996	Necessary without substantive public interest	No		No	No	Necessary without substantive public interest		
15A NCAC 03I .0120	POSSESSION OR TRANSPORTATION LIMITS	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest		
15A NCAC 03I .0121	MAPS AND MARKING	Eff. April 1, 2011	Necessary without substantive public interest	No		No	No	Necessary without substantive public interest		
15A NCAC 03I .0122	USER CONFLICT RESOLUTION	Eff. May 1, 2015	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest		
SUBCHAPTER 03J – NETS, POTS, DREDGES, AND OTHER FISHING DEVICES	SECTION .0100 – NET RULES, GENERAL	15A NCAC 03J .0101	FIXED OR STATIONARY NETS	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	
		15A NCAC 03J .0102	NETS OR NET STAKES	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

Agency - Marine Fisheries Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		15A NCAC 03J .0103	GILL NETS, SEINES, IDENTIFICATION, RESTRICTIONS	Amended Eff. April 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0104	TRAWL NETS	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0105	PURSE SEINES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0106	CHANNEL NETS	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0108	NETS PULLED BY MORE THAN ONE BOAT	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0109	LONG-HAUL FISHING OPERATIONS, IDENTIFICATION REQUIREMENTS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0110	SEINES	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0111	FYKE OR HOOP NETS	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0200 - NET RULES, SPECIFIC AREAS	15A NCAC 03J .0202	ATLANTIC OCEAN	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0203	CHOWAN RIVER AND ITS TRIBUTARIES	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0204	CURRITUCK SOUND AND ITS TRIBUTARIES	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0206	SOUTHPORT BOAT HARBOR	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0207	DUKE ENERGY PROGRESS BRUNSWICK NUCLEAR PLANT INTAKE CANAL	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0208	NEW RIVER	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0209	ALBEMARLE SOUND/CHOWAN RIVER RIVER HERRING MANAGEMENT AREAS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0300 - POTS, DREDGES, AND OTHER FISHING DEVICES	15A NCAC 03J .0301	POTS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0302	RECREATIONAL USE OF POTS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0303	DREDGES AND MECHANICAL METHODS PROHIBITED	Amended Eff. March 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0304	ELECTRICAL FISHING DEVICE	Amended Eff. July 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0305	TROT LINES (MULTIPLE HOOK OR MULTIPLE BAIT)	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0306	HOOK-AND-LINE	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0400 - FISHING GEAR	15A NCAC 03J .0401	FISHING GEAR	Amended Eff. June 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0402	FISHING GEAR RESTRICTIONS	Amended Eff. October 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 - POUND NETS	15A NCAC 03J .0501	DEFINITIONS AND STANDARDS FOR POUND NETS AND POUND NET SETS	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0502	POUND NET SET PERMIT APPLICATION AND PROCESSING	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

Agency - Marine Fisheries Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		15A NCAC 03J .0503	POUND NET SET PERMIT RENEWAL	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0504	POUND NET SET PERMIT TRANSFER	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03J .0505	POUND NET SET PERMIT CONDITIONS	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
SUBCHAPTER 03K - OYSTERS, CLAMS, SCALLOPS AND MUSSELS	SECTION .0100 - SHELLFISH, GENERAL	15A NCAC 03K .0101	PROHIBITED SHELLFISH AREAS/ACTIVITIES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0102	PROHIBITED RAKES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0103	SHELLFISH MANAGEMENT AREAS	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0104	PERMITS FOR PLANTING SHELLFISH FROM PROHIBITED/POLLUTED AREAS	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0105	RECREATIONAL HARVEST OF SHELLFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0106	TAKING OR UNLOADING OYSTERS AND CLAMS ON SUNDAY OR AT NIGHT	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0107	DEPURATION OF SHELLFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0108	DREDGES/MECHANICAL METHODS PROHIBITED	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0109	SHELLFISH HARVESTER AND DEALER TAGS	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0110	PUBLIC HEALTH AND CONTROL OF OYSTERS, CLAMS, SCALLOPS AND MUSSELS	Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	21 CFR 123.3, 6-9, 11, 28	No	Necessary without substantive public interest
		15A NCAC 03K .0111	PERMITS TO USE MECHANICAL METHODS FOR SHELLFISH ON SHELLFISH LEASES OR FRANCHISES	Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0200 - OYSTERS	15A NCAC 03K .0201	OPEN SEASON AND POSSESSION LIMIT	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0202	SIZE LIMIT AND CULLING TOLERANCE	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0204	DREDGES / MECHANICAL METHODS PROHIBITED	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0205	MARKETING OYSTERS TAKEN FROM PRIVATE SHELLFISH BOTTOMS	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0207	OYSTER SIZE AND HARVEST LIMIT EXEMPTION	Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0208	SEED OYSTER MANAGEMENT AREAS	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0209	OYSTER SANCTUARIES	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0300 - HARD CLAMS (MERCENARIA)	15A NCAC 03K .0301	SIZE AND HARVEST LIMIT	Amended Eff. March 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0302	MECHANICAL HARVEST SEASON	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0304	PROHIBITED TAKING	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

Agency - Marine Fisheries Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		15A NCAC 03K .0305	CLAM SIZE AND HARVEST LIMIT EXEMPTION	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0400 - RANGIA CLAMS	15A NCAC 03K .0401	PROHIBITED (POLLUTED) AREA PERMIT REQUIREMENT	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0402	SEASON, SIZE AND HARVEST LIMITS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0403	DISPOSITION OF MEATS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0404	DREDGES/MECHANICAL METHODS PROHIBITED AND OPEN SEASON	Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0405	OYSTERS, MUSSELS, HARD CLAMS PROHIBITED	Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 - SCALLOPS	15A NCAC 03K .0501	BAY SCALLOP HARVEST MANAGEMENT	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0502	TAKING BAY SCALLOPS AT NIGHT AND ON WEEKENDS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0503	PROHIBITED BAY SCALLOP DREDGE	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0504	CALICO SCALLOP SEASON	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0505	SEA SCALLOPS SIZE LIMIT AND TOLERANCE	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0507	MARKETING SCALLOPS TAKEN FROM SHELLFISH LEASES OR FRANCHISES	Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03K .0508	SCALLOP SEASON AND HARVEST LIMIT EXEMPTIONS	Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
SUBCHAPTER 03L - SHRIMP, CRAB, AND LOBSTER	SECTION .0100 - SHRIMP	15A NCAC 03L .0101	SHRIMP HARVEST RESTRICTIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0102	WEEKEND SHRIMPING PROHIBITED	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0103	PROHIBITED NETS, MESH LENGTHS AND AREAS	Amended Eff. May 1, 2015	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 222.102, 223.205(a), 223.206(d), 223.207	No	Necessary with substantive public interest
		15A NCAC 03L .0105	RECREATIONAL SHRIMP LIMITS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0200 - CRABS	15A NCAC 03L .0201	CRAB HARVEST RESTRICTIONS	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0202	CRAB TRAWLING	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0203	CRAB DREDGING	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0204	CRAB POTS	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0205	CRAB SPAWNING SANCTUARIES	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0207	HORSESHOE CRABS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0208	STONE CRABS (MENIPPE MERCENARIA)	Eff. December 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

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	SECTION .0300 – LOBSTER	15A NCAC 03L .0301	AMERICAN LOBSTER (NORTHERN LOBSTER)	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03L .0302	SPINY LOBSTER	Amended Eff. March 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest
SUBCHAPTER 03M - FINFISH	SECTION .0100 – FINFISH, GENERAL	15A NCAC 03M .0101	MUTILATED FINFISH	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0102	UNMARKETABLE FINFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0103	MINIMUM SIZE LIMITS	Amended Eff. April 1, 2014.	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0200 - STRIPED BASS	15A NCAC 03M .0201	GENERAL	Amended Eff. June 1, 2013	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0202	SEASON, SIZE AND HARVEST LIMIT: INTERNAL COASTAL WATERS	Amended Eff. June 1, 2013	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0204	SEASON, SIZE AND HARVEST LIMIT: ATLANTIC OCEAN	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0205	PROHIBITED TRAWLING	Amended Eff. December 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0300 - SPANISH AND KING MACKEREL	15A NCAC 03M .0301	SPANISH AND KING MACKEREL	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0302	PURSE GILL NET PROHIBITED	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 – OTHER FINFISH	15A NCAC 03M .0501	RED DRUM	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0502	MULLET	Amended Eff. July 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0503	FLOUNDER	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0506	SNAPPER-GROUPER COMPLEX	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0507	BILLFISH	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0508	STURGEON	Amended Eff. July 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 224.101, 16 USC 1533	No	Necessary without substantive public interest
		15A NCAC 03M .0509	TARPON	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0510	AMERICAN EEL	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0511	BLUEFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0512	COMPLIANCE WITH FISHERY MANAGEMENT PLANS	Amended Eff. October 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	16 USC §5103-5106; 16 USC § 1856(b) and 50 CFR 600.605-600.630	No	Necessary without substantive public interest
		15A NCAC 03M .0513	RIVER HERRING	Amended Eff. June 13, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

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		15A NCAC 03M .0515	DOLPHIN	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0516	COBIA	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0517	WAHOO	Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0518	KINGFISH (SEA MULLET)	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0519	SHAD	Amended Eff. April 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0520	TUNA	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03M .0521	SHEEPSHEAD	Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SUBCHAPTER 03N - FISH HABITAT AREAS	15A NCAC 03N .0101	SCOPE AND PURPOSE	Amended Eff. December 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03N .0103	NURSERY AREA BOUNDARIES	Amended Eff. December 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03N .0104	PROHIBITED GEAR, PRIMARY NURSERY AREAS	Amended Eff. May 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03N .0105	PROHIBITED GEAR, SECONDARY NURSERY AREAS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03N .0106	ANADROMOUS FISH SPAWNING AREA BOUNDARIES	Eff. December 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 03O - LICENSES, LEASES, FRANCHISES AND PERMITS	SECTION .0100 - LICENSES	15A NCAC 03O .0101	PROCEDURES AND REQUIREMENTS TO OBTAIN LICENSES, ENDORSEMENTS AND COMMERCIAL FISHING VESSEL REGISTRATIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0102	RECREATIONAL FISHING TOURNAMENT LICENSE TO SELL FISH	Amended Eff. December 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0103	AUXILIARY VESSELS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0104	COMMERCIAL UNLOADING OF FISH	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0105	BAIT AND MUSSEL DEALERS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0106	DISPLAY OF LICENSES AND REGISTRATIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0107	LOST LICENSE REPLACEMENT	Amended Eff. December 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0108	LICENSE TRANSFERS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0109	ASSIGNMENT OF SCFL	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0110	LICENSE REFUNDS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0111	SURRENDER OF LICENSES	Amended Eff. October 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0112	FOR HIRE COASTAL RECREATIONAL FISHING	Eff. July 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0113	OCEAN FISHING PIER REPORTING REQUIREMENTS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0114	SUSPENSION, REVOCATION AND REISSUANCE OF LICENSES	Eff. October 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

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	SECTION .0200 – LEASES AND FRANCHISES	15A NCAC 030 .0201	STANDARDS FOR SHELLFISH BOTTOM AND WATER COLUMN LEASES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0202	SHELLFISH BOTTOM AND WATER COLUMN LEASE APPLICATIONS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0203	SHELLFISH LEASE APPLICATION PROCESSING	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0204	MARKING SHELLFISH LEASES AND FRANCHISES	Amended Eff. September 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0205	LEASE RENEWAL	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0206	LEASE PROTEST	Amended Eff. March 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0207	PRODUCTION REPORTS	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0208	CANCELLATION	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0209	TRANSFER OF INTEREST	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0210	SHELLFISH FRANCHISES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0211	PROTECTION OF PRIVATE SHELLFISH INTEREST	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0300 – RECREATIONAL COMMERCIAL GEAR LICENSES	15A NCAC 030 .0301	ELIGIBILITY FOR RECREATIONAL COMMERCIAL GEAR LICENSES	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0302	AUTHORIZED GEAR	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0303	RECREATIONAL COMMERCIAL GEAR LICENSE POSSESSION LIMITS	Amended Eff. July 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0400 – STANDARD COMMERCIAL LICENSE ELIGIBILITY	15A NCAC 030 .0401	ELIGIBILITY BOARD	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0402	APPLICATION PROCESS	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0403	ELIGIBILITY BOARD REVIEW	Amended Eff. February 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0404	ELIGIBILITY CRITERIA	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0405	APPLICATION DOCUMENTATION	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0406	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY POOL CERTIFICATION	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 - PERMITS	15A NCAC 030 .0501	PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 030 .0502	PERMIT CONDITIONS; GENERAL	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest

G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES

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		15A NCAC 03O .0503	PERMIT CONDITIONS; SPECIFIC	Amended Eff. May 1, 2015	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 223.206	No	Necessary with substantive public interest
		15A NCAC 03O .0504	SUSPENSION/REVOCAION OF PERMITS	Eff. April 1, 2001	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03O .0506	SPECIAL PERMIT REQUIRED FOR SPECIFIC MANAGEMENT PURPOSES	Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 03P - HEARING PROCEDURES	SECTION .0100 - HEARING PROCEDURES	15A NCAC 03P .0101	LICENSE/PERMIT DENIAL: INFORMAL HEARING PROCEDURES	Amended Eff. August 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03P .0102	CONTESTED CASE HEARING PROCEDURES	Amended Eff. August 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0200 - DECLARATORY RULINGS	15A NCAC 03P .0201	DECLARATORY RULINGS: GENERALLY	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03P .0202	PROCEDURE FOR REQUESTING DECLARATORY RULINGS	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03P .0203	DEFINITION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0300 - PETITIONS FOR RULEMAKING	15A NCAC 03P .0301	FORM AND CONTENTS OF PETITION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03P .0302	REVIEW BY A COMMITTEE OF THE COMMISSION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03P .0303	PRESENTATION TO THE COMMISSION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03P .0304	RECOURSE TO DENIAL OF THE PETITION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest
SUBCHAPTER 03Q - JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS	SECTION .0200 - BOUNDARY LINES: COASTAL-JOINT-INL AND FISHING WATERS	15A NCAC 03Q .0201	SPECIFIC CLASSIFICATION OF WATERS	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03Q .0202	DESCRIPTIVE BOUNDARIES FOR COASTAL-JOINT-INLAND WATERS	Amended Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 03R - DESCRIPTIVE BOUNDARIES	SECTION .0100 - DESCRIPTIVE BOUNDARIES	15A NCAC 03R .0101	SEA TURTLE SANCTUARY	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0102	MILITARY DANGER ZONES AND RESTRICTED AREAS	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0103	PRIMARY NURSERY AREAS	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0104	PERMANENT SECONDARY NURSERY AREAS	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0105	SPECIAL SECONDARY NURSERY AREAS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03R .0106	TRAWL NETS PROHIBITED	Amended Eff. July 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0107	DESIGNATED POT AREAS	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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		15A NCAC 03R .0108	MECHANICAL METHODS PROHIBITED TO TAKE OYSTERS	Amended Eff. April 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0109	TAKING CRABS WITH DREDGES	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0110	CRAB SPAWNING SANCTUARIES	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0111	PURSE SEINES PROHIBITED	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0112	ATTENDED GILL NET AREAS	Amended Eff. April 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 03R .0113	POUND NET SET PROHIBITED AREAS	Amended Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0114	SHRIMP TRAWL PROHIBITED AREAS	Amended Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0115	ANADROMOUS FISH SPAWNING AREAS	Amended Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0116	DESIGNATED SEED OYSTER MANAGEMENT AREAS	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0117	OYSTER SANCTUARIES	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0118	EXEMPTED CRAB POT ESCAPE RING AREAS	Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	SECTION .0200 – FISHERY MANAGEMENT AREAS	15A NCAC 03R .0201	STRIPED BASS MANAGEMENT AREAS	Amended Eff. June 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest
		15A NCAC 03R .0202	RIVER HERRING MANAGEMENT AREAS	Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SUBCHAPTER 03S – ECONOMIC ASSISTANCE TO THE FISHING INDUSTRY	SECTION .0100 – ECONOMIC ASSISTANCE PROGRAMS	15A NCAC 03S .0101	GENERAL	Eff. October 1, 2004	Unnecessary	No		No	Unnecessary
		15A NCAC 03S .0102	GRANTS TO COMMERCIAL SHRIMPING INDUSTRY FOR ECONOMIC LOSSES DUE TO FOREIGN IMPORTED SHRIMP	Eff. November 1, 2004	Unnecessary	No		No	Unnecessary
		15A NCAC 03S .0103	GRANTS TO COMMERCIAL BLUE CRABBING INDUSTRY	Eff. November 1, 2004	Unnecessary	No		No	Unnecessary



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

July 21, 2017

MEMORANDUM

RS 8-17

TO: Marine Fisheries Commission
FROM: Kathy Rawls, Fisheries Management Section Chief
SUBJECT: Rule Suspensions

Attached is the temporary rule suspension information for the August 2017 meeting. In accordance with the North Carolina Division of Marine Fisheries Resource Management Policy Number 2014-2, the North Carolina Marine Fisheries Commission will vote on any new rule suspensions that have occurred since the last meeting of the commission. The following rule suspension has occurred since the May 2017 meeting, is subject to approval and noted as an action item on the agenda:

- Suspension of portions of North Carolina Marine Fisheries Commission Rule 15A NCAC 03M .0301 Spanish and King Mackerel, to a date certain. Suspension of this rule allows the division to reduce the minimum size limit for Spanish mackerel in the commercial pound net fishery to reduce seasonal dead discards in this fishery. These restrictions were implemented in FF-25-2017, effective July 1, 2017 until midnight September 30, 2017.

In accordance with the policy, the division will report current rule suspensions previously approved by the commission as non-action items. The current rule suspensions are as follows:

- Continued suspension of North Carolina Marine Fisheries Commission Rule 15A NCAC 03M .0516 Cobia, for an indefinite period of time. Suspension of this rule allows the division to implement season closures, increase the recreational size limit and decrease the recreational harvest limit for cobia in response to management actions taken by the commission at their February 2017 meeting. This suspension was implemented in Proclamation FF-13-2017, with an effective date of May 1, 2017.
- Continued suspension of portions of North Carolina Marine Fisheries Commission Rule 15A NCAC 03J .0301 Pots, for an indefinite period of time. This suspension allows the division to implement the crab pot escape ring requirements adopted by the commission in the May 2016 Revision to Amendment 2 of the North Carolina Blue Crab Fishery Management Plan. This suspension was effective January 15, 2017, implemented in Proclamation M-11-2016.

- Continued suspension of portions of North Carolina Marine Fisheries Commission Rule 15A NCAC 03L .0201 Crab Harvest Restrictions, and portions of 03L .203 Crab Dredging, for an indefinite period of time. This continued suspension allows the division to implement the blue crab harvest restrictions adopted by the commission in the May 2016 Revision to Amendment 2 of the North Carolina Blue Crab Fishery Management Plan. These suspensions were implemented in Proclamation M-11-2016.
- Continued suspension of portions of North Carolina Marine Fisheries Commission Rule 15A NCAC 03J .0501 Definitions and Standards for Pound Nets and Pound Net Sets, for an indefinite period of time. Suspension of portions of this rule allows the division to increase the minimum mesh size of escape panels for flounder pound nets in accordance with Supplement A to Amendment 1 of the North Carolina Southern Flounder Fishery Management Plan. This suspension was implemented in Proclamation M-34-2015.
- Continued suspension of portions of North Carolina Marine Fisheries Commission Rule 15A NCAC Shad and 03Q .0107 Special Regulations: Joint Waters, for an indefinite period of time. Suspension of portions of these rules allows the division to change the season and creel limit for American shad under the management framework of the North Carolina American Shad Sustainable Fishery Plan. These suspensions were implemented in Proclamation FF-59-2016.