



# Protected Resources Program Update

*Department of Environmental Quality*

Marine Fisheries | Fisheries Management Section | Protected Resources Program

Barbie Byrd | August 2023





# *Endangered Species Act (ESA)*

## *Section 10 Incidental Take Permits (ITP)*

**Sea turtles (5 species) ITP 2013-2023**



**Atlantic sturgeon ITP 2014-2024**

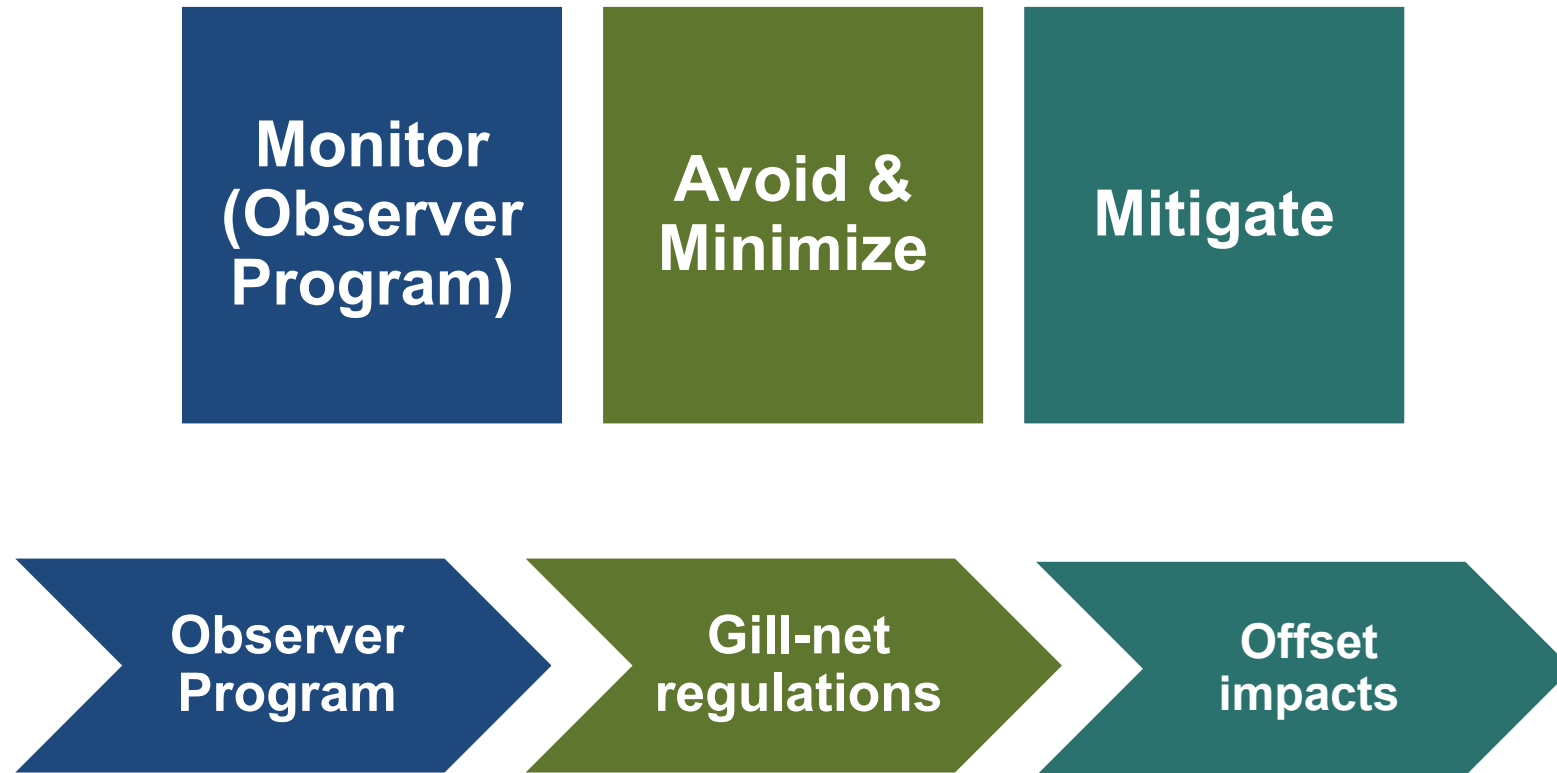


National Marine Fisheries Service (NMFS) also known as NOAA Fisheries



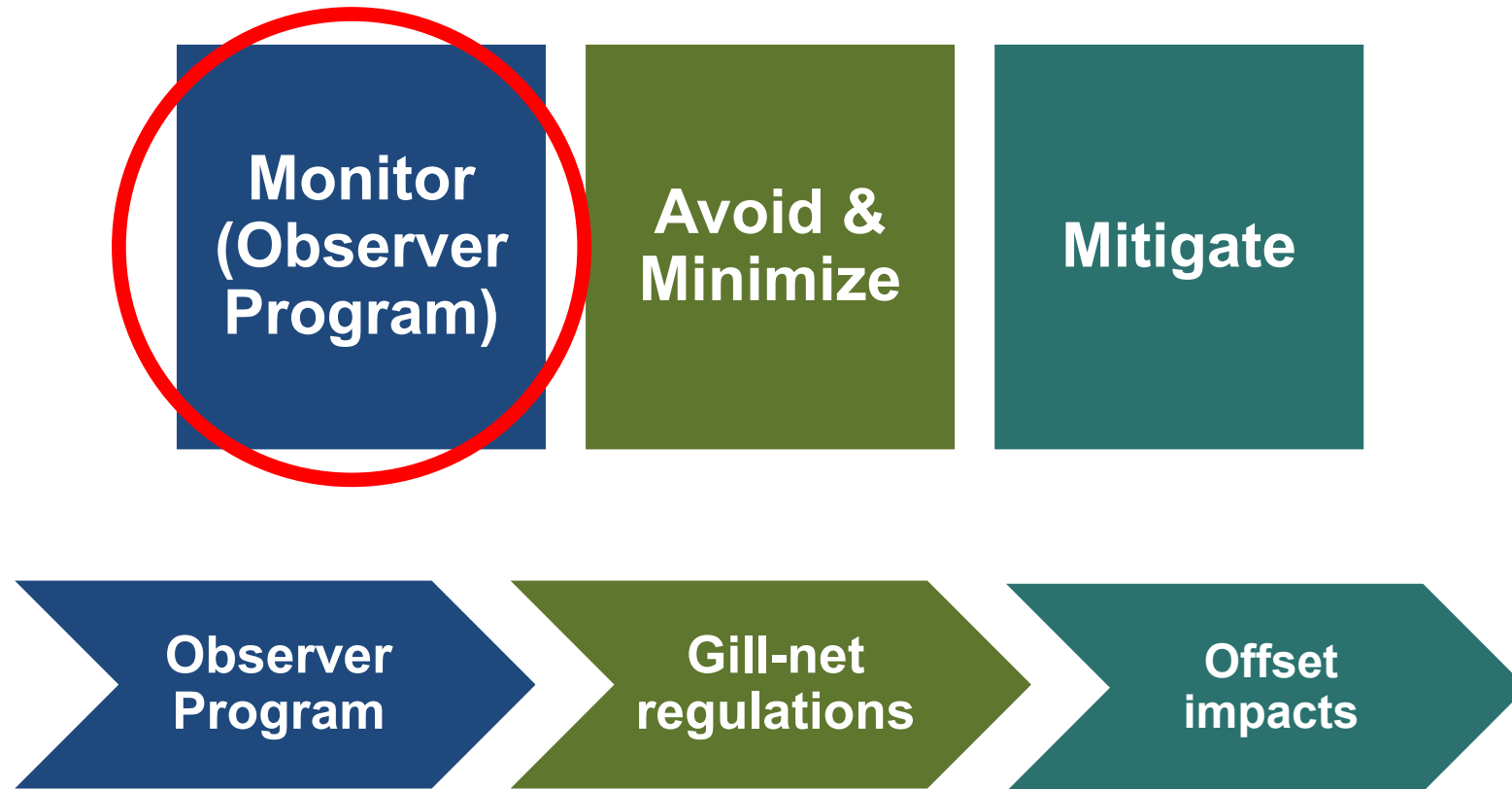
# *Incidental Take Permits (ITP)*

**ESA Section 10 ITPs have three primary components**



# Incidental Take Permits (ITP)

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# Incidental Take Permits (ITP)

## Observer Coverage Requirements

LARGE-MESH ANCHORED  
GILLNETS  
(ESTUARINE)  
7-10% Observer Coverage

SMALL-MESH ANCHORED  
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1-2% Observer Coverage



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### How does Observer Program get observed trips NOW?

1. Observers call Estuarine Gillnet Permit (EGNP) holders
2. Observers and Marine Patrol search for fishing effort on the water
3. Observers visit boat ramps / seafood dealers



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AFTER OTSS- How WILL the Observer Program get observed trips?



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### AFTER OTSS- How WILL the Observer Program get observed trips?

1. EGNP holders call the Observer Trip Scheduling System (OTSS) to report planned fishing activity for the upcoming week
2. Observers and Marine Patrol will still approach fishermen on the water for alternative platform observations
3. Observers may still visit boat ramps / seafood dealers





# Observer Trip Scheduling System (OTSS) - Initial Steps



# Observer Trip Scheduling System (OTSS)–Public Meetings

## ➤ Five locations:

- Barco
- Hatteras
- Washington
- Morehead City
- Wilmington

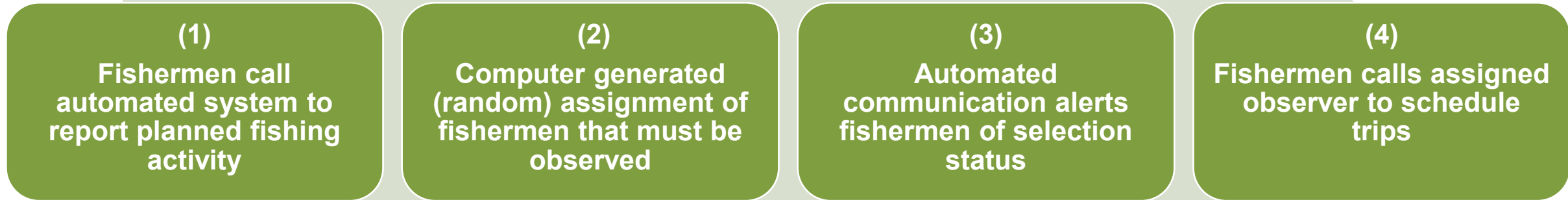
## ➤ 26 attendees

## ➤ Feedback & next steps

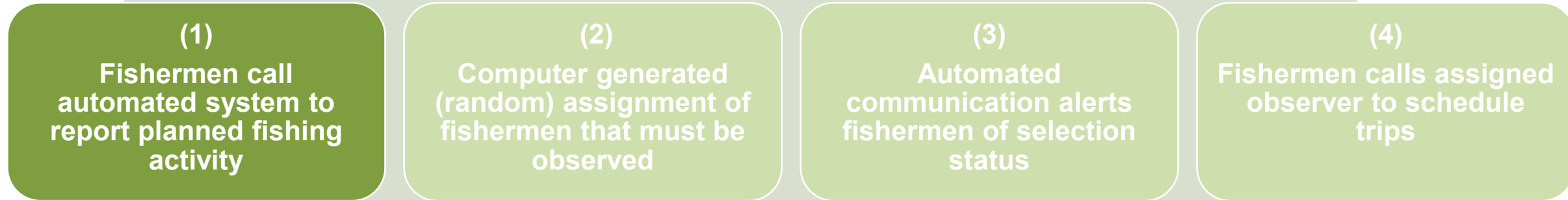
1. Items that will be implemented
2. Items that we are looking into
3. Items where we can't be as flexible as desired



# Observer Trip Scheduling System (OTSS)-Overview



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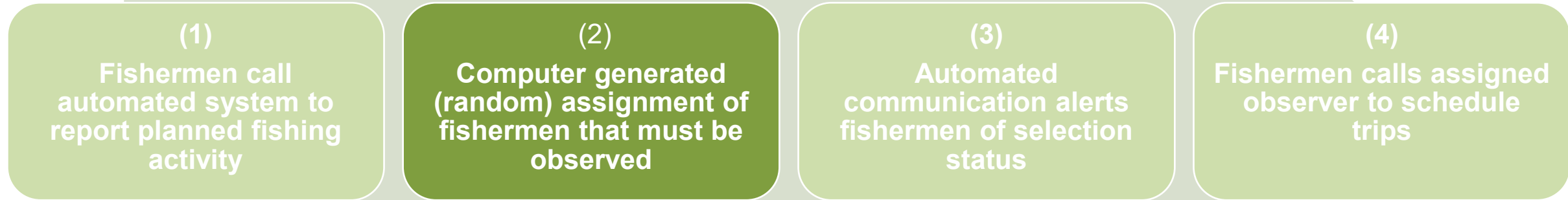


## WEDNESDAY

- Fishermen call automated system by **Wednesday @ 11:59 PM** if they PLAN to fish the NEXT week (Monday-Sunday):
- Fishermen will choose:
  - Primary Management Unit: A, B, C, D1, D2, E
  - Mesh-size category: large, small, large & small
  - Week portion(s) they plan to fish: Mon-Tue, Wed-Thu, Fri-Sun
- OTSS sends two automated reminders: **Monday at NOON** and **Wednesday at NOON**



# Observer Trip Scheduling System (OTSS)-Overview



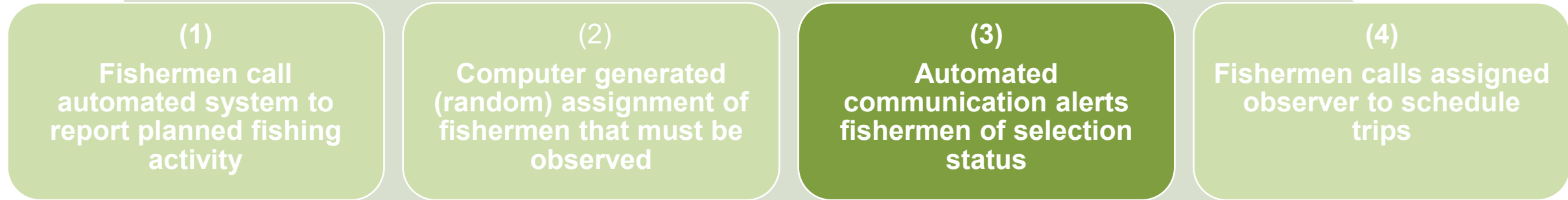
## THURSDAY AM

- OTSS selects fishermen to be observed based on:
  - Random assignment
  - Trips needed per Management Unit
  - Down-weight fishermen that have been observed the week or two prior





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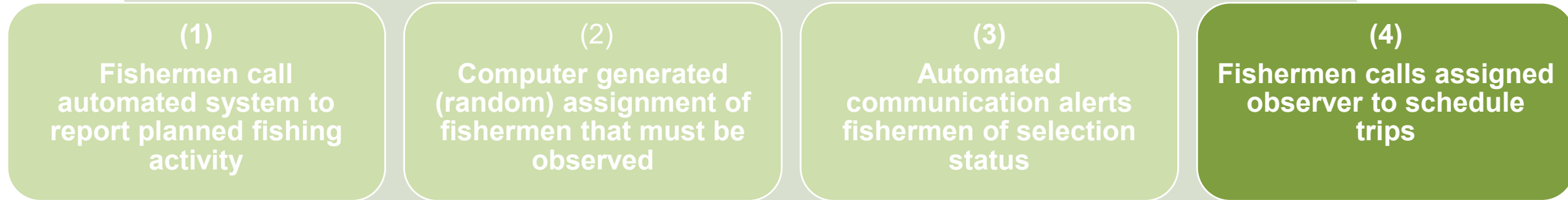


## THURSDAY PM

- OTSS sends automated communication about selection status for EACH week portion
  - Communication will be Phone call/Text/Email
    - Not selected – confirmation number(s) (needed if checked by Marine Patrol)
    - Selected fishermen – observer name and contact number



# Observer Trip Scheduling System (OTSS)-Overview



## FRIDAY BY 4 PM

- Fishermen initiate contact with assigned observer (can be phone or text)

## DAY BEFORE SCHEDULED TRIP

- Fishermen contact assigned observer to confirm trip is a go.
  - If Fisherman has to cancel? Contact observer
  - If Observer has to cancel? Fisherman will be given a confirmation number.



# *Observer Trip Scheduling System (OTSS) - Next Steps*

- **DMF finalize development of OTSS this fall**
- **Beta testing with fishermen afterward**
- **Training meetings before full roll out**
- **Full implementation timing TBD – but before Sept. 2024**
- **Onboard and Alternative Platform observations continue**



# *ITP Application - Next Steps*

- **NMFS published draft Environmental Assessment (EA) with 30-day public comment period**
- **Concurrently NMFS initiates ESA Section 7 consultation on the action of granting a Section 10 ITP**
- **ITP renewal unlikely before sea turtle ITP expires (Aug. 31, 2023)**
- **Verbal guidance from NMFS to operate under current ITP while renewal is being processed**



# *Questions?*

**Email questions  
([Observer.Program@deq.nc.gov](mailto:Observer.Program@deq.nc.gov))**

