



# CHAIRMAN'S REPORT

**Ethics Training & SEI Reminder**

**2022 Meeting Calendar**

**Commission Committee Assignments**

**Letters & Online Comments**



## EDUCATION REQUIREMENTS FOR PUBLIC SERVANTS

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

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

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

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

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

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

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

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

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

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

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

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

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

## **SEI HELPFUL TIPS**

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

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

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

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

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

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

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

SEI Helpful Tips, continued

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

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

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

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

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

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

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

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

## 2022 Meeting Planning Calendar

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## 2020 Committee Assignments for Marine Fisheries Commissioners

08/05/2020

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### **FINFISH ADVISORY COMMITTEE**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **CONSERVATION FUND COMMITTEE**

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

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

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

**Meeting Frequency:** Meets as needed

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

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

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

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

**Meeting Frequency:** Meets as needed

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

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

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

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

**Meeting Frequency:** Meets as needed

## **NOMINATING COMMITTEE**

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

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

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

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

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

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

**Commission Designee:** Mike Blanton

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

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

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

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

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

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

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

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

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

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

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

**Meeting Frequency:** Meets as needed

## **SHELLFISH CULTIVATION LEASE REVIEW COMMITTEE**

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

**MFC Commissioners:** Rob Bizzell

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

**Meeting Frequency:** Meets as needed

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

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

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

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

**Meeting Frequency:** Meets as needed





January 12, 2022

Kathy Rawls  
Division of Marine Fisheries Director  
P.O. Box 769  
Morehead City, North Carolina 28557

Dear Director Rawls,

The American Sportfishing Association (ASA) appreciates the opportunity to provide comments to the North Carolina Division of Marine Fisheries (DMF) on Draft Amendment 3 to the Southern Flounder Fishery Management Plan (FMP).

ASA is the nation's recreational fishing trade association and represents sportfishing manufacturers, retailers, wholesalers, and angler advocacy groups, as well as the interests of America's 55 million recreational anglers. ASA also safeguards and promotes the social, economic, and conservation values of sportfishing in America, which results in a \$125 billion per year impact on the nation's economy.

The recreational fishery for flounder in NC (particularly southern flounder) is economically important to the fishing-dependent businesses and enjoyed by the expanding number of recreational anglers across the state and throughout the southeast. ASA understands the need to rebuild the southern flounder population to a sustainable level, but we are concerned that DMF is attempting to use fine scale management strategies in NC without the necessary data to support those fine scale management changes for the recreational fishery. Therefore, we offer the following recommendations to better match fishery management strategies for southern flounder with the data available for the recreational fishery.

#### Sustainable Harvest and Accountability Measures

Federal fisheries management through the Magnuson Stevens Act has taught us that quotas are an effective management tool for the commercial fishery but in many cases are not appropriate for the recreational fishery because of recreational catch data limitations. More specifically, managing recreational fisheries with a quota relies on catch estimates from the marine recreational information program (MRIP), a data system that was designed for estimating regional trends in catch, not absolute values across individual states, waves and modes. Simply put, MRIP was not designed to be used for annual quota management especially at the state level despite enhanced intercept sampling by NC DMF.

Therefore, ASA strongly opposes DMF's recommendation to use recreational quotas with pound for pound paybacks of overages as the main mechanism to manage the recreational fishery. Using MRIP data at the state and wave level to evaluate the performance of the recreational fishery against a hard quota without accounting for known and estimated levels of

AMERICAN SPORTFISHING ASSOCIATION

1001 N. Fairfax Street, Suite 501, Alexandria, VA 22314 • 703-519-9691 • Fax: 703-519-1872  
Web: [www.ASAFishing.org](http://www.ASAFishing.org) • Email: [info@ASAFishing.org](mailto:info@ASAFishing.org)

### Increased Recreational Access

ASA supports establishing a recreational ocellated flounder (summer and gulf) season in the ocean for when southern flounder is closed. However, the success of a spring ocellated flounder season relies heavily on education and outreach to the recreational fishing community so that anglers can properly identify summer and gulf flounder and distinguish them from southern flounder. Therefore, we recommend partnering with the recreational fishing industry to develop comprehensive outreach that would educate anglers on species identification far in advance of an ocellated flounder season.

### Conclusion

The expected outcomes of DMF's recommendations for Draft Amendment 3 will have severe economic impacts on the recreational fishing industry including, but not limited to, tackle manufacturers, wholesalers, retailers and charter fishing businesses. We understand the benefits of rebuilding the southern flounder population, but the management approaches recommended by DMF are not setting the recreational sector up to benefit from rebuilding. We urge the DMF Director, and the DEQ Secretary to reconsider the rebuilding plan and management approaches presented in Draft Amendment 3.

Thank you for the opportunity to provide comments on this draft management plan for southern flounder.

Sincerely,



Michael Waive  
Atlantic Fisheries Policy Director  
American Sportfishing Association



January 14, 2022

Kathy Rawls  
Director, Division of Marine Fisheries  
DMF Headquarters  
PO Box 769  
Morehead City, NC 28557

**RE: Draft Amendment 3 to the Southern Flounder Fishery Management Plan**

Dear Ms. Rawls:

On behalf of the Congressional Sportsmen's Foundation, I want to thank you for the opportunity to provide comments on the Draft Amendment 3 to the Southern Flounder Fishery Management Plan. As you know, southern flounder is one of the most important commercial and recreational fisheries in North Carolina. However, significant reductions in both commercial and recreational harvest are necessary to return the southern flounder population to a sustainable level.

The most recent stock assessment indicated that the coast-wide southern flounder fishery has been overfished and undergoing overfishing for many years. Furthermore, the last year of data in the stock assessment (2017) indicated the southern flounder spawning stock biomass was at its lowest point in the assessment period, highlighting the urgency to end overfishing and implement a new long-term management strategy for rebuilding as soon as possible. While drastic reductions in harvest to end overfishing and allow rebuilding will be contentious and difficult, these decisions are necessary to ensure a healthy, robust southern flounder fishery for all North Carolinians.

We would like to offer the following comments relative to the draft document and potential management strategies. We appreciate the NC Division of Marine Fisheries (DMF) for developing a draft Amendment 3 that provides a broad set of options to reduce fishing mortality for southern flounder. However, we have significant concerns that data limitations on both recreational and commercial harvest, as well as the lack of timely stock assessments, will not allow the DMF to be successful in ending overfishing and rebuilding this important fish stock as currently proposed in Draft Amendment 3.

**The Sportsman's Voice in the Nation's Capitols**

## **Decision Document - DMF Recommendations**

### **Sustainable Harvest**

#### *Option 1: Commercial Quota—Mobile Gears and Pound Nets*

- Option 1.1— We support combining the mobile commercial gear harvest of commercial gig and gill net fisheries into one category. However, for option 1.1, we support Option B: single mobile gear allocations. Combining these fisheries into one category but dividing into two areas with separate seasons promotes the transition of effort from one area to another on a temporal scale. To successfully limit harvest, there should be one allocation for this category with the commercial permit holder having the choice as to which areas and when they fish. However, for any of the sub-options to be effective, timely and accurate commercial landings data will be critical.
- Option 1.2— We again support option B: single pound net allocation for the same reasons.

#### *Option 3: Recreational Season*

- We support a single season; however, we urge the DMF to develop a supplemental, state-based recreational data collections system to monitor landings in near real time.

#### *Option 4: Commercial Trip Limits*

- Implementing trip limits across all gear types would reduce the race for fish during shorter seasons and would spread the harvest more equally across participants in the commercial sector. Therefore, we support Option 4B: Implement commercial gear trip limit.

#### *Option 5: Recreational Bag Limit*

- Because of the urgent need to reduce mortality and begin rebuilding the stock, we support option 5A: 1 fish/person/day, provided that as the stock rebuilds the bag limit is revisited and increased accordingly.

#### *Option 6: RCGL*

- We support Option 6B: Prohibit use of RCGL to harvest flounder. Furthermore, we ask the DMF to consider eliminating gill nets as an allowable gear under the Recreational Commercial Gear License. Gill nets are an indiscriminate gear that contributes to unnecessary mortality across multiple species of fish, mammals, and birds.

### **Adaptive Management**

- We support Option 1: Adopt adaptive management framework.

### **Phase Out Anchored Large-mesh Gill Nets**

- We support Option 1: Phase out anchored large-mesh gill nets from the southern flounder fishery at the end of the current sea turtle ITP. Again, gill nets in either the recreational or commercial fisheries are an indiscriminate gear that results in unnecessarily high bycatch mortality than other gear types. While transitioning from gill nets to pound nets is more expensive for commercial fishermen, the average catch per trip is 6 times higher (on average, 61 pounds of southern flounder per trip landed by gill nets versus 377 pounds per trip landed in pound nets). It would stand to reason that pound nets

January 12, 2022

Draft Southern Flounder FMP Amendment 3 Comments  
P.O Box 769  
Morehead City, N.C. 28557

### **CCA NC REVIEW OF SOUTHERN FLOUNDER AMENDMENT 3**

Historically, fisheries management in NC has ignored long-term conservation in favor of short-term exploitation, and we are paying the price for that now. The status of numerous, if not most state-managed, finfish species are listed as overfished with overfishing occurring. State fisheries managers have failed to properly identify and delineate nursery areas and have allowed the overcapitalization of our coastal resources using highly effective, yet destructive and wasteful gear. The dire predicament of our fisheries is due to decades of inaction by managers, resulting in habitat destruction, bycatch waste, and overfishing of many important state-managed species.

#### **Southern Flounder FMP Amendment 3 Select Management Options**

##### **Phase out of Large Mesh Gill Nets by the Expiration of the Sea Turtle ITP**

CCA NC supports the option for the phasing out of large mesh gill nets when the current sea turtle ITP expires in 2023. Efforts to rebuild a severely depleted stock will result in dramatically reduced quotas, overage paybacks, and short harvest seasons for both user groups. Any commercially harvested Southern flounder the resource can handle, should be taken by gears that are cleaner and more sustainable – pound nets and gigs.

To minimize the interactions between sea turtles and large mesh gill nets, the state was legally required to obtain a Federal Incidental Take Permit (ITP) and develop an onboard observer program. This observer program has been an abject failure by most standards. As one example, the program requires that commercial fishermen using large mesh gill nets report all interactions with sea turtles, yet they don't. The permit requires a minimum observer trip coverage of 7% (with a target of 10%). Yet when Division staff calls to schedule observations, they are successful less than 3% of the time. As a result, Marine Patrol officers have been used to indirectly observe trips to maintain some form of coverage.

The phase out of the use of large mesh gill nets would eliminate the need for the sea turtle and sturgeon ITPs and with it the expense of observers and the headaches associated with non-compliance by commercial fishermen. Moreover, it would minimize dead discards of important species such as red drum, black drum, striped bass, and sheepshead.

### Recreational Southern Flounder Slot Limit

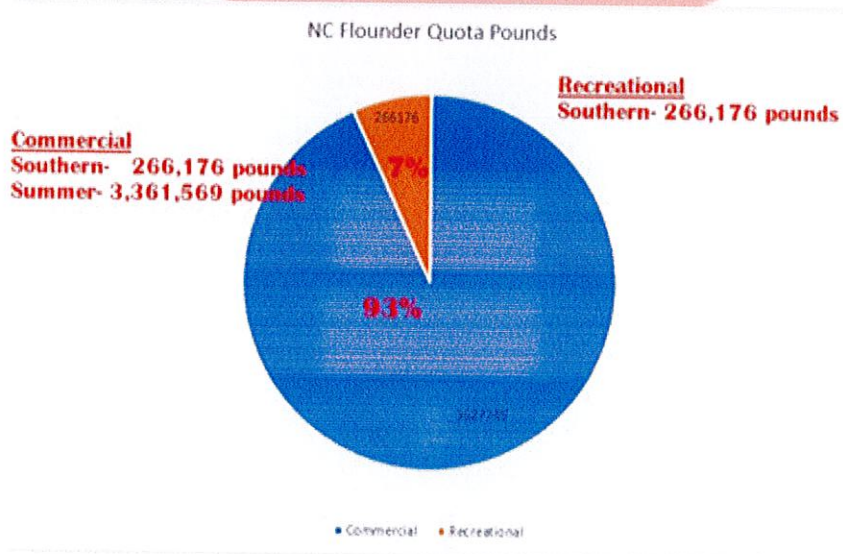
Any thought of a recreational ONLY hook and line slot limit on flounder should be backed by scientific data that supports the idea as a conservation measure.

### Recreational Commercial Gear License

CCA NC fully supports the removal of the Recreational Commercial Gear License (RCGL) flounder gill net fishery. The Recreational Commercial Gear License 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 must follow the regulations for recreational size and possession limits. Nets with 4-inch stretch mesh and greater may only be used if the recreational and commercial flounder seasons are open. The maximum length is 100 yards, for nets set from shore, a pier or a vessel. RCGL holders have provided no harvest data since 2008 and should not be allowed to harvest flounder using gill nets to aid in the recovery of the stock. Finally, how does an angler using a gill net catch one red drum or four speckled trout and no striped bass, as required to stay within the recreational bag limits?

### Ocean Flounder Access

Unfortunately, recreational anglers throughout the state are facing a quota on Southern flounder with a likely one fish per day creel limit in a fall season during a window from August 16 – September 30. To “increase recreational access”, the DMF is proposing a spring season from March 1 – April 15 where one ocellated (gulf or summer) flounder may be harvested. This meager option places anglers in small boats on the ocean in danger at this time of year, denies access to ocellated flounder that are not overfished and is inconsistent with commercial management. Since North Carolina manages all three of its flounder species under a single FMP, recreational access to the ocean flounder fishery will be unfairly curtailed.



While recreational access to Summer Flounder is severely limited by the Southern Flounder FMP, the commercial industry has full access to its almost 3.4-million-pound quota allocation. The result will be the commercial industry landing 93% of the total allowable quota for the two flounder species- Southern and Summer- hardly a fair and equitable split.

According to the latest DMF economic impact figures, recreational flounder fishing alone provides \$240 million to the state's economy. Increased recreational access to summer and gulf flounder will help mitigate potentially substantial losses to the economy of Eastern NC. Otherwise, the only access to flounder harvest available to recreational anglers will be the limited allocation from Southern flounder. Access to ocellated flounder should be open to recreational anglers year-round. We do not close down complete access to other species, like grouper for example, when one or two species are overfished and present challenges to identification.

Education is a central value of Division staff and educating anglers on how to identify flounder should be a trivial task for them. Mobile apps currently under development can only help in real-time data collection, and CCA NC fully supports their use.

#### **Unreported Landings by Commercial License Holders**

In the terminal year of 2017, there were 713 participants that reported trips and landings in the Southern flounder gill net fishery, yet there were 2,672 estuarine gill net permits issued, and overall, over 60% of all Standard Commercial Fishing License holders (SCFLs) do not report any annual landings. The Division must account for SCFLs that report no landings in every FMP and report its findings. When one considers that commercial harvest of Southern flounder has historically accounted for 80-90% by trip tickets, combined with unreported harvest, it is no wonder that Southern flounder stocks are in such bad shape. Admittedly, recent recreational harvest has exceeded the target allocations set by DMF, but this is but a drop in the bucket compared to historical commercial harvest.

#### **Impacts of Shrimp Trawling on Southern Flounder Nursery Areas**

In the amendment, the Division states that accounting for losses of juvenile flounder in trawler bycatch is best left to be dealt with in the Shrimp FMP. At the November MFC meeting, the Commission voted to effectively maintain status quo in the shrimp trawl industry, once again failing to meet the goals of the latest shrimp plan to minimize bycatch and reduce the destruction of important nursery areas. In addition, the latest amendment to the Coastal Habitat Protection Plan (CHPP) had the chance to deal with the problems associated with bottom disturbing gear. Yet once again, the Commission elected to continue with status quo management and approved the CHPP plan without addressing the impacts of bottom disturbing gears. Therefore, it is now incumbent on the Southern Flounder FMP to adequately address the losses of juvenile Southern flounder due to trawler bycatch. From the latest amendment to the Shrimp FMP, decades of divisional P195 trawl survey data clearly show a hot spot for juvenile Southern flounder in the western Pamlico Sound near

the mouths of the Neuse and Pamlico rivers. Here would be a great opportunity for the DMF to use its highly touted adaptive management measures and close this area of the sound to all trawling. Doing so would prevent potentially hundreds of thousands of juvenile Southern flounder from being killed annually before they have the chance to help rebuild the population.

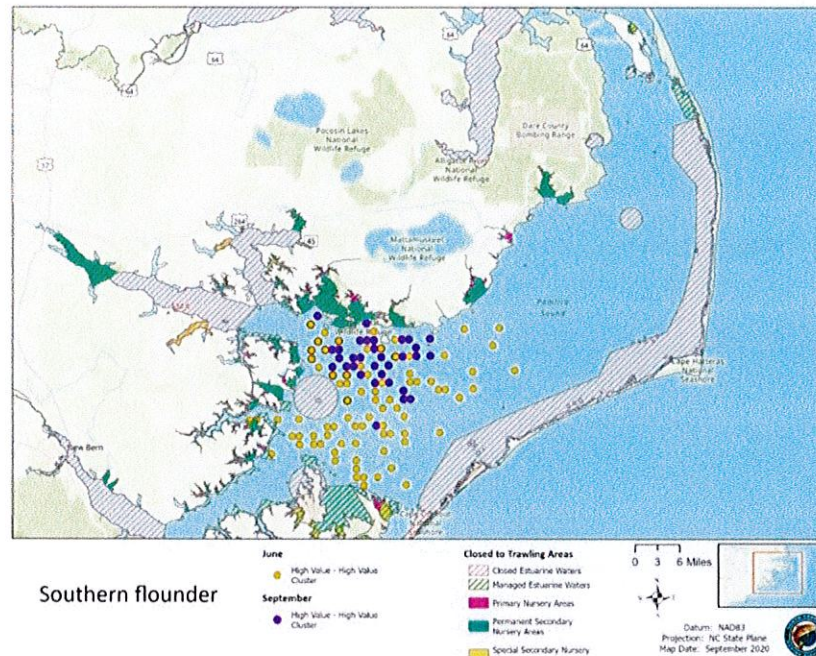


Figure 2.3.8. Hot spots of abundance for southern flounder in the Pamlico Sound during June and September using aggregate data from Program 195, 1987-2019.

### Southern Flounder Management – As Time Goes By... (with credit to NCWF for help compiling this timeline)

**2005:** Southern Flounder FMP adopted with a goal to rebuild the Spawning Stock Biomass to the target biomass in 10 years and achieve sustainable harvest as required under the FRA.

**2009:** DMF determines the stock is still overfished and the original FMP has failed.

**2013:** Amendment 1 to the FMP approved by MFC. Target reductions in the commercial fishery remain unmet and Amendment 1 fails to end overfishing or achieve sustainable harvest.

**2014:** New stock assessment shows even worse mortality rates for the Southern Flounder fishery, indicating no progress in rebuilding the stocks since 2005.

**2015:** MFC votes to develop a supplement to the FMP to further reduce harvest up to 60 percent. Having fallen short of achieving sustainable harvest by 2015, the 10-year-old FMP fails.

**2016:** In October, N.C. Fisheries Association files a lawsuit, and a judge orders a temporary injunction to any new regulations until a new Amendment is developed.

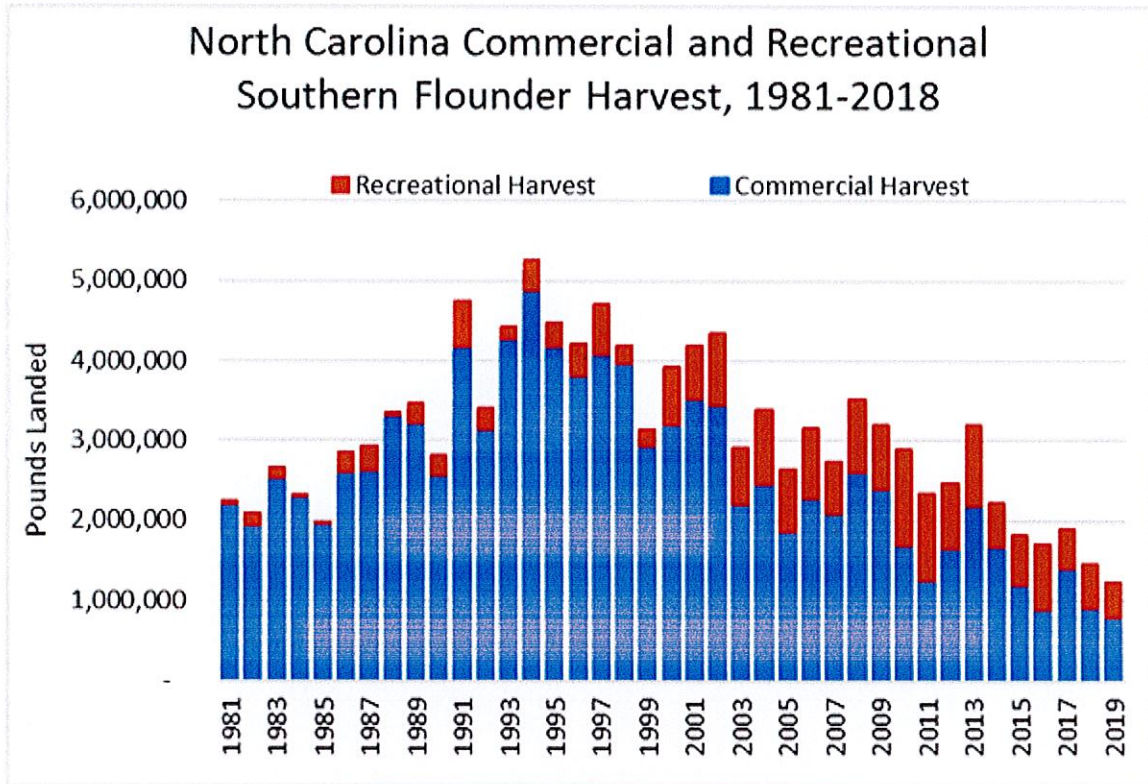
**2019:** Amendment 2 to the FMP is developed to again phase-in an end to overfishing and achieve sustainable harvest by a new Department of Environmental Quality-



extended deadline of 2028. DMF recommends a 62 percent reduction.

**2020:** MFC adopts a 72 percent reduction. The harvest reduction in 2019 was only 34 percent, failing to meet the required reductions. Amendment 2 fails in the same way as Amendment 1 failed to end overfishing or achieve a sustainable harvest.

**2022:** Seventeen years later and NC is still struggling with how to end overfishing on Southern flounder and rebuild a sustainable fishery...and the one constant during this period is severe over harvest by the commercial industry at 80-90% of total annual removals using highly destructive and unsustainable gears at severe overcapacity.



The Commission once again has the opportunity to change the decline in our coastal resources and begin to build a healthy and truly sustainable fishery for the benefit and enjoyment of future generations of fishermen and women.

Thank you for your consideration,

David Sneed, Executive Director  
Coastal Conservation Association North Carolina  
4809 Hargrove Road, Suite 123  
Raleigh, NC 27616

To: Rob Bizzell, Chairman  
NC Marine Fisheries Commission

1/14/2022

### **SOUTHERN FLOUNDER AMENDMENT 3**

“The Division of Marine Fisheries is dedicated to ensuring sustainable marine and estuarine fisheries and habitats for the benefit and health of the people of North Carolina.” With that mission statement in mind, the goal of fisheries management plans should be to restore, rebuild, and create a sustainable fishery for all citizens of North Carolina, including our children and grandchildren. Historically, fisheries management in NC has ignored LONG TERM conservation in favor of SHORT TERM, maximum exploitation, and we are paying the price for that now. The status of numerous, if not most state-managed finfish are listed as overfished with overfishing occurring. This has in large part been due to the failure of State fisheries managers to cut harvest in the presence of failing stock in time to head off the trend; this inaction has largely been the result of political pressure.

State fisheries managers have failed to properly identify and delineate nursery areas and have allowed the overcapitalization of our coastal resources using highly effective, destructive, and wasteful gear. The dire predicament of our fisheries is due to decades of inaction by managers, resulting in habitat destruction, bycatch waste, and overfishing of many important state-managed species.

### **Southern Flounder FMP Amendment 3 Select Management Options**

#### **Phase out of Large Mesh Gill Nets AT THE Expiration of the Sea Turtle ITP (OR PHASE OUT OF LARGE MESH GILL NETS BY FAILURE TO RENEW SEA TURTLE AND ATLANTIC STURGEON ITP)**

I strongly support the option for the phasing out of large mesh gill nets when the current sea turtle ITP expires in 2023. Efforts to rebuild a severely depleted stock will result in dramatically reduced quotas, overage paybacks, and short harvest seasons for both user groups. The resource can handle only a limited amount of flounder and that should be taken by gears that are cleaner and more sustainable, such as pound nets and gigs.

To minimize the interactions between sea turtles and large mesh gill nets the state was legally required to obtain a federal Incidental Take Permit and develop an observer program. This observer program has been an abject failure by several criteria. As one example, the program requires that commercial fishermen using large mesh gill nets report ALL interactions with sea turtles-regardless of whether an observer is on board. The settlement requires a minimum observer trip coverage of 7% (with a target of 10%). So 90%+ of the time no observers are on board, yet the majority of turtles reported come from observed trips. Moreover, when Division staff calls to schedule observations, they are successful less than 3% of the time. As a result, Marine Patrol officers have been used to indirectly observe trips to maintain some form of coverage.

The phase out of the use of large mesh gill nets would eliminate the need for the sea turtle and sturgeon ITPs and with it the expense of observers and the headaches associated with non-compliance by commercial fishermen. Moreover, it would minimize dead discards of important species such as red drum, black drum, striped bass and sheepshead.

### **Recreational Southern Flounder Slot Limit**

Any thought of a recreational ONLY hook and line slot limit on flounder should be backed by scientific data that supports the idea as a conservation measure. If a slot limit is applied, it should be applied equally to both user groups. Gill nets, especially the way large mesh gill nets are fished with slack in them, are non-selective by size, means that a slot limit would result in the loss of the best spawning fish in the fishery, thrown back dead. Gill nets are called entanglement nets for a reason.

### **Recreational Commercial Gear License**

I support the removal of the Recreational Commercial Gear License (RCGL) flounder gill net fishery. The Recreational Commercial Gear License 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 must follow the regulations for recreational size and possession limits. Nets with 4-inch stretch mesh and greater may only be used if the recreational and commercial flounder seasons are open. The maximum length is 100 yards, for nets set from shore, a pier or a vessel. RCGL holders have provided no harvest data since 2008 and should not be allowed to harvest flounder using gill nets. Finally, how do you catch one red drum or 4 speckled trout, and no striped bass (the recreational bag limits)?

### **Ocean Flounder Access**

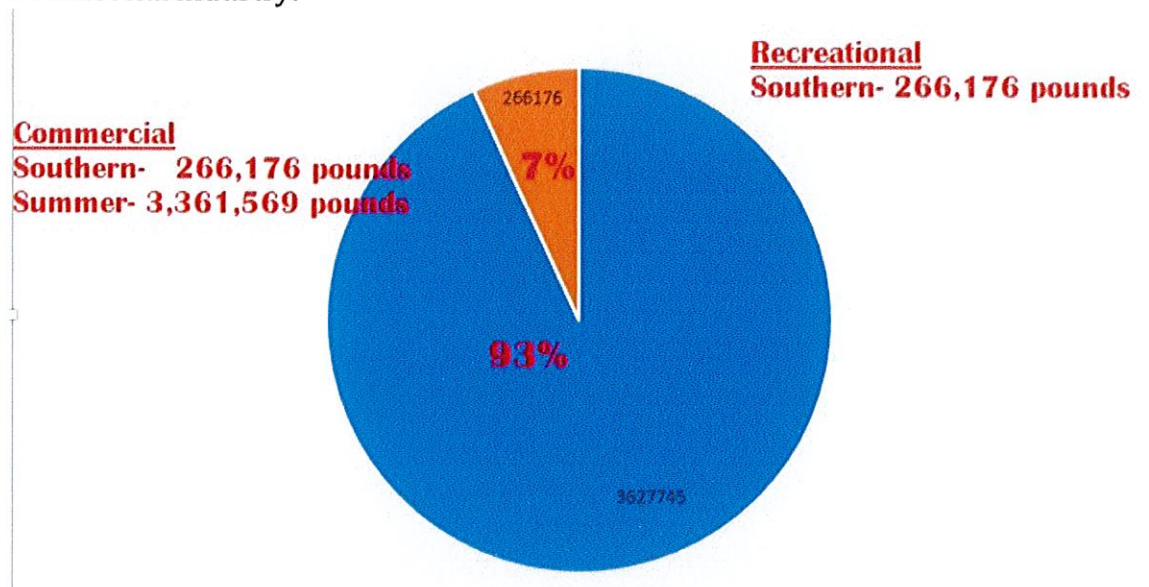
Unfortunately, recreational anglers throughout the state are facing a truncated quota with a likely one fish per day creel limit in a fall season during a window from August 16 – September 30. To “increase recreational access”, the DMF is proposing a spring season from March 1 – April 15 where one ocellated (gulf or summer) flounder may be harvested. This meager option places anglers in dangers at this time of year, denies access to ocellated flounder that are not overfished and is inconsistent with commercial management. southern flounder are migrating from the ocean back into the rivers and sounds in the spring, so waiting until later in the year should minimize interactions with these fish.

*The ocean flounder fishery should be open year-round to recreational harvest of ocellated flounder.* There is no justification to close gulf and summer flounder due to fears of misidentification. Fishermen are asked to identify 18 grouper species and more than 40 shark species by the SAFMC. The Division obviously thought this was possible as they put out a glossy educational brochure almost a decade ago. If

anglers are unsure of the species of flounder they should just release them, as proposed above . Let anglers them pay the fine for ignorance/greed.

Since North Carolina manages all three of its flounder species under a single FMP, recreational access to the ocean flounder fishery will be unfairly curtailed. During the last two decades a recreational fishery has evolved in North Carolina for flounder on coastal nearshore wrecks and reefs almost completely dominated by gulf and summer flounder. In this fishery, catches of Southern flounder are almost non-existent during the spring and summer seasons. In addition, it is a very clean fishery with no discards reported in 2019-2020 from this sector.

When considering flounder harvest of all three species, 93% is harvested by commercial industry.



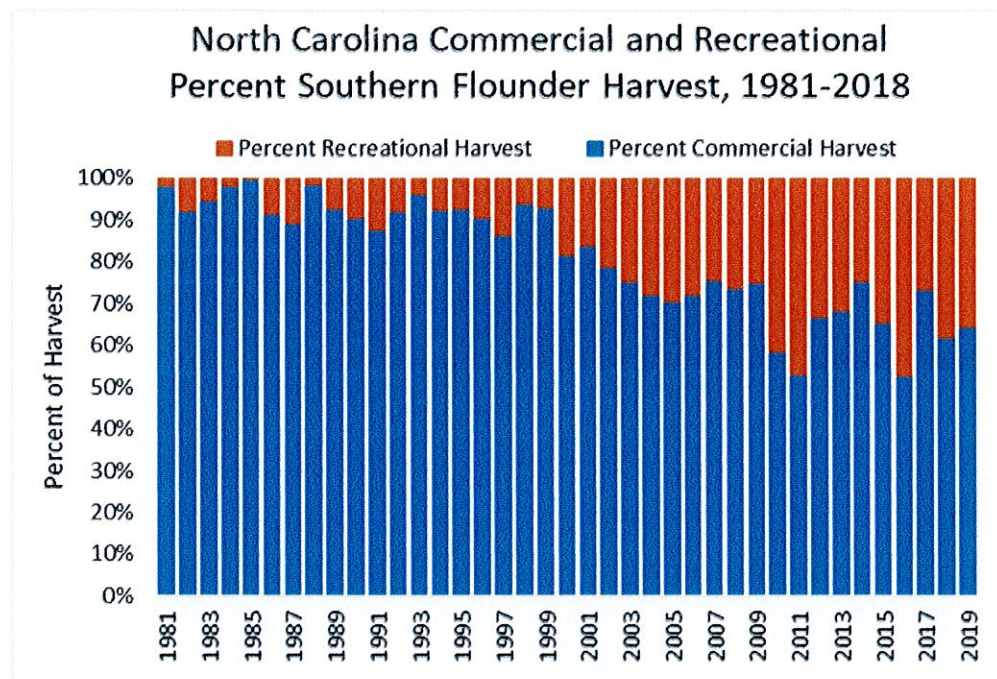
According to the latest DMF economic impact figures, recreational flounder fishing alone provides \$240 million to the state's economy. Increased recreational access to summer and gulf flounder will help mitigate potentially substantial losses to the economy of Eastern NC. Otherwise, the only access to flounder harvest available to recreational anglers will be the limited allocation from Southern flounder.

#### **Unreported Landings by Commercial License Holders**

In the terminal year of 2017, there were 713 participants that reported trips and landings in the Southern flounder gill net fishery, yet there were 2,672 estuarine gill net permits issued, and overall, over 60% of all Standard Commercial Fishing License holders (SCFLs) do not report any annual landings (catch). The Division must account for SCFLs that report no landings in EVERY FMP and report its findings. When one considers that commercial harvest of southern flounder

accounted for more than 70% by trip tickets (not including unreported harvest) it is no wonder that southern flounder stocks are in such bad shape. Admittedly, recent recreational harvest has exceeded the quota, but this is a result of being boxed in by regulations. Furthermore, this is but a drop in the bucket compared to historical commercial harvest that devastated the fishery. One point which has largely been ignored is the economic impact of Southern flounder by recreational fishermen, 240 million dollars annually.

Going forward. If and when Southern flounder recover and harvest limits can be loosened, we must not go back to the same harvest levels that created this mess. The commercial fishery is obviously overcapitalized. The MFC must make it crystal clear that there will be no going back to the "Good Ole Days", to inform participants so they can make alternate plans now and not wait a decade thinking they are going to flounder fish. Why is this not discussed openly?



### **Impacts of Shrimp Trawling on Southern Flounder Nursery Areas**

In the amendment, the Division states that accounting for losses of juvenile flounder in trawler bycatch is best left to be dealt with in the Shrimp FMP. At the November MFC meeting, the Commission vote to effectively maintain status quo, once again failing to meet the goals of the latest shrimp plan to minimize bycatch and reduce the destruction of important nursery areas. In addition, the latest amendment to the Coastal Habitat Protection Plan (CHPP) had the chance to deal with the problems associated with bottom disturbing gear. Yet once again, the Commission elected to continue with status quo management and approved the CHPP plan without addressing the impacts of bottom disturbing gears. Therefore, it is now incumbent on the Southern Flounder FMP to adequately address the losses of juvenile Southern

flounder due to trawler bycatch. From the latest amendment to the Shrimp FMP, decades of divisional P195 trawl survey data clearly show a hotspot for juvenile southern flounder in the western Pamlico sound near the mouths of the Neuse and Pamlico rivers. Here would be a great opportunity for the DMF to use its highly touted adaptive management measures and close this area of the sound to all trawling. Doing so would prevent potentially hundreds of thousands of juvenile southern flounder from being killed annually before they have the chance to help rebuild the population. Inexplicably, flounder bycatch in the shrimp trawl fishery is not included in the harvest, whereas recreational flounder bycatch is included.

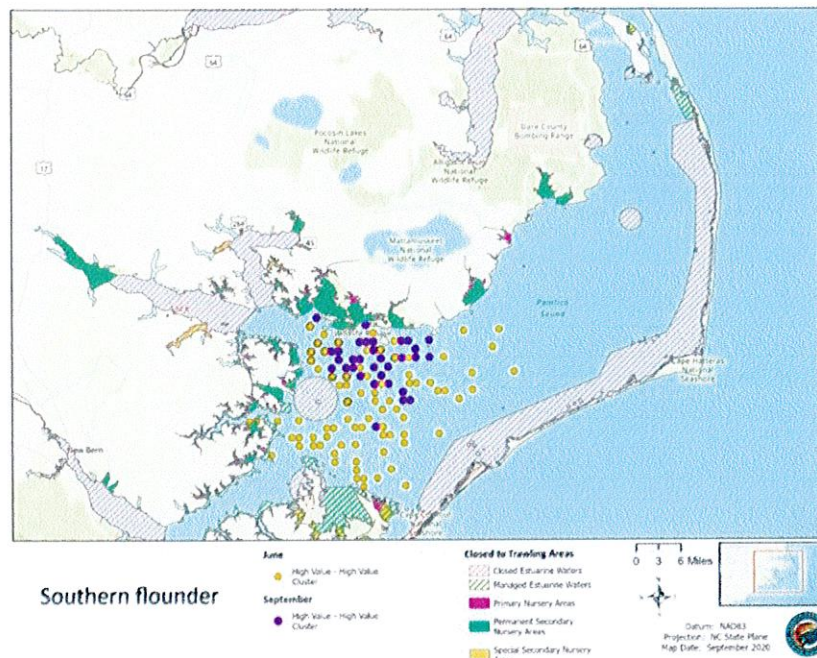


Figure 2.3.8. Hot spots of abundance for southern flounder in the Pamlico Sound during June and September using aggregate data from Program 195, 1987-2019.

### My Personal Perspective.

I have been a saltwater fisherman since age 6 and fished all over the globe. Last year I had 5 US state fishing licenses and own 4 fishing boats, each that I restored (the newest is a 1993). I started attending MFC meetings in 2004 and probably have attended more MFC meetings than any other "civilian". In 2004 the first Southern flounder FMP was underway (Flounder I, 2005), along with the River Herring FMP. Bill Mandulak and I would drive from Raleigh and Chapel Hill to these Advisory Committee meetings in little Washington or Edenton to hear Division scientists tell the committees what should be done based on science. We also heard commercial fishermen complain that it would kill those fisheries. Another theme repeated was that there were "plenty of fish" from the commercial sector. Well, both flounder and river herring fisheries are dead, not from regulations, but lack thereof. During each

flounder FMP the MFC largely ignored the science, and we all watched the flounder stock go into the toilet, necessitating the current draconian cuts.

On the flip side we heard recreational fishermen and the Coastal Conservation Association call for adequate harvest limits. If the MFC had listened to the CCA, we would all be flounder fishing now.

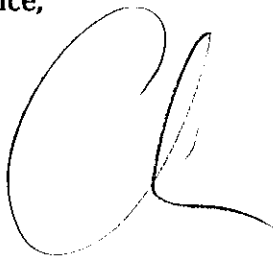
These decisions made by the MFC and Division were due in large part to intense political pressure. Additionally four of the nine members of the MFC have direct financial interest in the fishery and the makeup and the decisions of the MFC favor industry-an infinitesimal percentage of the owners of the resource. The other 10 million owners are largely left out. This even though there is NO right to fish for profit in NC; however, access to the resource by individuals for personal use is explicitly granted by a NC State Amendment to the Constitution and by common law. Political pressure and financial interests should have no bearing on the regulation of a public trust resource.

Also ignored during the last 17 years since flounder I is economic impact of recreational fishing. The county with the most NC saltwater licenses is Wake County, and the State is thought to have over a million saltwater anglers. Flounder is reported to be the most popular sought after coastal fish by anglers. Eastern NC is economically depressed and is largely dependent upon tourism from inland counties. So many finfish stocks that once brought in 10s of millions of angler trips to the coast are so depressed or gone it has cost the state billions of dollars over the last two decades. We can reverse this.

An important point is that that recreational fishing is based on encounters, not necessarily harvest. For example, in years of red drum abundance, 10 drum are released for every one harvested. People will fish if they have a reasonable chance of catching fish. One cannot have maximum "sustainable" commercial harvest on a species and have a viable recreational fishery. In truth the word "sustainable" has a different definition in NC. Furthermore, having abundant fish ensures that if there are several years with poor recruitment of a species (like striped bass) that there is a robust buffer to carry the stock thru such events. Additionally, stock assessments have large errors bars, so having abundant stocks ensures that if the stock assessments err somewhat, the stock is remains safe. This is critical for stocks that are in decline or for stocks where the data is uncertain. We should always err on the side of conservation-the less certain we are of the data, the more conservative our management decisions need to be.

Thank you for your service,

Chris Elkins PhD  
Gloucester, NC

A handwritten signature in black ink, appearing to be 'CE' or similar initials, written in a cursive style.

Mr. Bizzell,

Good morning. I am writing you to express my concern over the gill netting fishery that we have here in NC. I recently went on several trips to the Long Shoal River off the Pamlico sound. It is remote, but it is a Winter haven for sea trout and drum, where they can shelter from the cold of the open sound in the dark tannin stained waters near the transition to fresh.

Upon launching at a small "improved" gravel ramp I noticed dozens of dead fish. Discards from the net boat that was moored in the creek. We went on to catch a nice number of sea trout and did not see any sign of a net the rest of the day.

On a separate day, I arrived to a different roadside gravel ramp to note several trailers already empty, net boats in the water. I did not see any nets this day either but did catch several puppy drum with net marks on them (4 of roughly a dozen, only a few trout this day). And this is quite common during the winter on this body of water.

I know that these two stories do not paint a dire picture of our fisher. However, I would like for you to consider that, of the great expansive sound there are relatively few winter refuges for these fish. The commercial fishermen know this, and use them heavily through the cold months. We allow them to legally target some of our most valuable species while they are arguably most vulnerable due to temperatures and scarcity of forage.

I am not going to argue about whether netting is hurting our fisheries. You know the answer as well as I do. However, I understand that there are competing interests. I think a reasonable compromise would be to close bodies of water to netting for several months of the year. We don't allow netters to set in the Roanoke river for striper during the winter and spring anymore, for now obvious reasons. Why should we let them net in other bodies of water with similarly tight congregations of fish?

I know that I am just one fisherman, but I hope that you would at least consider this idea or something similar. It makes good sense.

Enjoy the holiday's,  
Tim Kent

Sent from my iPhone



**NC CATCH**  
**REAL LOCAL SEAFOOD**  
**WWW.NCCATCH.ORG**

PO Box 2066 • Elizabeth City, NC 27909 • info@nccatch.org

January 12, 2022

Dear North Carolina Marine Fisheries Commission Members:

North Carolina Catch (NC Catch), dedicated to raising consumer awareness about the benefits of eating local seafood, requests that you revisit your 2021 southern flounder reallocation decision.

Federal and state fisheries managers have long based their allocation decisions on historical landings, as the 2021-22 southern flounder quota share of 70% commercial/30% recreational reflects. Your decision to *continue* reallocating the flounder TAC to 60/40 in 2023 and 50/50 in 2024 is unprecedented in North Carolina fisheries management.

Allocation does not equal conservation. With no biological rationale, you are removing over 100,000 lbs of flounder, a favorite consumer dish, from the local food system per season and shifting it to the recreational sector that lacks accountability in reporting. Whereas the commercial quota is monitored daily from mandatory daily trip tickets, the MRIP data for recreational anglers is based on sampling and is made available annually, putting the flounder stock at risk for significant overfishing.

Case in point: preliminary recreational landing estimates for 2021, not including dead discards, is 624,299. This exceeds DMF's recommended quota for *both sectors combined*. Recreational overage in 2020 was 3 X their quota. Thanks to daily commercial sector monitoring, managers close commercial harvest when 80% of their quota is met, making overages far less likely or severe. Why add quota to a sector that is overfishing?

NC commercial vessels are held to the highest standards of conservation measures, enforcement, and accountability. Even throughout the ongoing Covid pandemic, the commercial sector feeds the public, supplies local restaurants, supports the local economy, and provides food security to families and communities.

On the heels of a 72% reduction in southern flounder harvest implemented in 2020, allocating flounder away from the food system without biological justification is unnecessary, unjust, and further destabilizes the seafood economy. This decision could have a larger cumulative impact on our seafood infrastructure and distribution system.

Please reconsider your reallocation scheme and maintain the 70/30 split. We also recommend that the state commission a study to consider the socioeconomic impacts of recent management decisions on our already stressed fishing communities and local seafood economy.

Thank you for your consideration.

Sincerely,



Barbara Garrity-Blake, President



## North Carolina Wildlife Federation

*Affiliated with the National Wildlife Federation*

1346 St. Julien St  
Charlotte, NC 28205  
(704) 332-5696

1024 Washington St.  
Raleigh, NC 27605  
(919) 833-1923

January 13, 2022

Dear Chairman Bizzell and Marine Fisheries Commissioners,

The North Carolina Wildlife Federation (NCWF) is submitting the following comments related to the Division of Marine Fisheries (DMF) Decision Document for the Southern Flounder Fishery Management Plan Amendment 3 and Amendment 3 itself.

### **Background:**

The coast-wide, peer-reviewed stock assessment was published January 2019 assessing the southern flounder population through 2017. Results of the 2019 stock assessment form the basis for amendment #2 and #3 and include the following direct statements:

- 1) Estimates of fishing mortality for the U.S. south Atlantic coast are largely a function of the commercial fishery operating in North Carolina.
- 2) The predicted fisheries-independent indices of relative abundance that were available were either flat or declining and show no substantial evidence of strong year classes entering the population in recent years.
- 3) The probability that the fishing mortality is above the threshold is 64%.
- 4) The probability that the that the Spawning Stock Biomass (SSB) is below the threshold is 100%
- 5) To reach the SSB target by 2028, total catch would need to be reduced by 72%.**

The statutory and public's expectation for Amendment #2 was that overfishing would end in the required 2 years and that measures would be put in place to rebuild the fishery by 2028. Amendment #3 is intended to provide the framework to continue progress from Amendment #2 towards the rebuilding goal in 2028.

At present (early 2022) Amendment 2 has not achieved its' goals and Amendment 3, expected to address 2021 and forward, was delayed because of a simple shift in the allocation that doesn't begin for 2 years.

Based on our review of the Decision Document, the proposed management plan will not achieve the goals and objectives of the plan.

A DMF memo to the Marine Fisheries Commission in May 2021 stated that the harvest reductions recommended by DMF were more conservative than the statutorily required minimum of a 31% harvest reduction to end overfishing and a 52% reduction to rebuild the SSB threshold in 10 years. Nowhere, however, does the stock assessment indicate that a 52%

reduction will rebuild SSB to the **target** biomass in 10 years. The stock assessment states that a 72% reduction in harvest is required to reach the SSB target by 2028. The claim that the 31% reduction ended overfishing is meaningless with regards to the rebuilding goal and is unsubstantiated and questionable. The memo further states that total allowable removals include observed landings **and** estimated dead discard estimates. This claim is also unsubstantiated and highly questionable.

The DMF reports that actual, overall landings that include “landings plus discards from all fleets” was 1,265,705 pounds, 526,694 pounds greater than the 739,011 quota required to reduce harvest by just 62% in 2019. Recall that the stock assessment stated a 72% reduction was required. There has been no justification given for the State failing to recommend the 72% reduction in 2019. The DMF has indicated that it knew that harvest reductions in 2019 would not be met before the season started, yet moved forward with an open season that significantly surpassed the allowable harvest.

Contrary to the Amendment 3 and Decision Document, commercial landings do **not** account for “landings plus discards from all fleets” as reported. Specifically, the 804,117 pounds of commercial landings in 2019 are only a fraction of total commercial removals. The DMF estimate appears to have only added 4,500 pounds of discards in all fisheries. The data contradict the DMF numbers. Commercial landings reported do not include accurate discards from shrimp trawls, crab trawls, crab pots, seines, gill nets, and other fisheries during both closed and open seasons. Likewise the landings do not include any southern flounder landed by holders of a Standard Commercial Fishing License (SCFL) who do not sell their catch, a number that is unknown i.e. undocumented, but likely very high. While the absolute magnitude of these removals is unknown, a best estimate would conservatively place the discards and unreported catches between an additional 250-300 thousand pounds, bringing the total commercial removals to greater than 1.1 million pounds in 2019.

Recreational removals are also underestimated. The memo indicates recreational landings in 2019 were 461,588 pounds. The recreational landings underestimate the mortality associated with released southern flounder and do not appear to include the harvest from Recreational Commercial Gear License (RCGL) license holders. How gig harvest and bycatch is accounted for is in question. Therefore, the estimate of total recreational removals must be far greater than the reported 461,588 pounds.

As a result, the total harvest reductions reported by the DMF to the MFC are substantially less than the reductions calculated by DMF at 34.9% in 2019 and 51.7% in 2020. Again, the recommended, peer-reviewed target was 72%.

Discards in many of the fisheries that have been omitted can be estimated. For example, landings of legal southern flounder from crab trawls or crab pots would all be discarded as that fishery mostly occurs outside the current season. Bycatch of undersized fishes will continue in these fisheries and likely increase as the population rebuilds. Additionally, small and large mesh gill nets, seines, shrimp trawls, etc., will continue with any southern flounder being discarded. No evidence suggests discard mortality is less than 100% in these fisheries but data does show that southern flounder is a primary bycatch species in some fisheries and common in others.

Reviews of the shrimp, blue crab, and other Fishery Management Plans (FMP) actually contain some of the omitted information. For example, the Blue Crab FMP states that southern flounder is the primary finfish species landed in the crab trawl fishery, accounting for 82% of all finfish bycatch in that fishery. Southern flounder make up 5% of finfish bycatch in crab pots, many of which are undersized and unsold.

The original southern flounder FMP indicated that shrimp trawls, crab trawls, crab pots, and “other” gear make up 16% of the southern flounder catch. The data also shows that many of the southern flounder harvested were undersized in most of these gears. Anecdotal data also suggest that many of the southern flounder taken as bycatch are unreported and kept for personal consumption. These additional, documented sources of mortality are unaddressed and likely make up a large percentage of the current, commercial quota. Unfortunately, as the stock rebuilds, bycatch and discard mortality will increase as will the continued overages from a directed fishery. All of these factors seem to be ignored in the Decision Document and Amendment 3.

**The peer-reviewed stock assessment is clear that the North Carolina commercial fishery has driven the assessment and the population towards collapse, yet harvest reductions proposed and realized thus far are well below the target reductions.** Yet the DMF memo states “that the harvest reductions recommended by DMF were more conservative than the statutorily required minimum”. The facts do not support that statement.

Further, we posed questions to DMF staff on August 12, 2021 related to the harvest accounting. The following statements were taken from DMF responses:

- 1) Commercial dead discards was less than 0.3% of the total removals in 2017.
- 2) Gill net discard mortality is 23%.
- 3) Bycatch estimates are only available for shrimp trawls and gill nets.
- 4) The current estimate used by DMF for shrimp trawl bycatch is 59,525 pounds for the entire south Atlantic fishery from NC to FL.
- 5) The DMF has estimated 15,682 dead discards for the commercial and recreational fishery combined.

These responses solidify our concerns. Commercial dead discards at 0.3% appears 2 orders of magnitude (i.e., less than) from the true value.

The ASMFC uses 100% discard mortality from gill nets. What study and review generated a 23% discard mortality rate by DMF?

The estimated bycatch for the entire south Atlantic shrimp trawl fishery at 59,525 pounds is a fraction of the discards from North Carolina alone. Based on Brown (2015), a DMF shrimp trawl characterization scientific study, the indication is that southern flounder discards were in excess of 150,000 pounds in 2014. Amendment 3 is silent on this data. Because the stock has likely improved since 2014, shrimp trawl bycatch would likely increase going forward.

The combined, recreational dead discards of 15,682 fish is confounding. The dead discards estimated from the recreational fishery alone exceeded 100,000 fish or 75,000 pounds and RCGL landings are not counted.

Bottom line, total southern flounder removals, based on the peer-reviewed assessment for 2019 and 2020 combined, should have been approximately 1.1 million pounds to achieve rebuilding by 2028. The DMF recommended 1.3 million pounds and indicates that overages in 2019 were expected. They should not have been. The **reported** removals were 2.20 million pounds, twice the recommended removals.

Based on our review, total removals were likely closer to 3.0 million pounds, yet no adjustments to total harvest have been made and an open, directed fishery was established for 2021. This action is inconsistent with best management practices.

### **Background Summary:**

The 72% harvest reduction proposed in Amendment 3 is now insufficient as a result of the significant overages in 2019, 2020, and 2021. Consequently, even if the 72% is finally achieved in Amendment 3, the plan will no longer meet the statutory rebuilding deadline by 2028, but continues to move forward with obsolete data.

Bycatch and resultant discards in the recreational angling, recreational gig, recreational commercial gear license, commercial gill net, shrimp trawl, seine, crab pot, crab trawl, pound net, and other fisheries during the closed seasons alone will now remove more fish than is required to meet the rebuilding target.

In the face of this tremendous uncertainty and clear failure to control harvest in the past, the DMF Decision Document takes a most risk prone approach to managing our State's most valuable and sought after fish species.

### **Decision Document Options:**

The State relies too heavily on the impacts of other south Atlantic states related to southern flounder management. The stock assessment is clear that the North Carolina commercial fishery is, by far, the greatest source of mortality that must be restrained. Additionally, the state claims to have taken "decisive action to end overfishing and begin recovering the regional stock by adopting substantial harvest reductions in 2019 and continuing to actively develop improved management measures". Unfortunately, the action taken has been inadequate to achieve the desired results or the goal of the plan. Again, harvest has exceeded the required harvest and has been ignored by the State to the point that the basis for Amendment 3 is now obsolete, a fact the State continues to ignore.

### **Sustainable Harvest:**

**Option 1.** The DMF recommends dividing commercial, mobile gear quotas into two geographic areas. Because these gears are mobile we believe fishermen from a closed area will move into open areas. We support a single allocation to better ensure harvest quotas are met. While the DMF suggests that their option will prevent users from switching categories or altering behavior to increase harvest that is precisely what this option appears to allow.

The DMF also recommends dividing pound nets into three areas. Unfortunately, pound net quotas are so low, that dividing them into three sectors may provide little incentive for pound net

fishermen to set their gear. We support allocating all commercial quota allocation to the pound net fishery in **Option 2**. The document states the pound net fishery is “relatively clean”. We agree, and believe that best management practice would be to allocate all harvest to the cleanest gear while the stock is in the dire condition it is in. Further, allocating all quota to pound nets would greatly reduce gill net observer costs and mortality of threatened and endangered sea turtles, Atlantic sturgeon, sea birds, and marine mammals.

**Option 3.** The NCWF supports the Recreational option.

**Option 4:** Allowing the fishery to open with no trip limit further increases the likelihood that sector allocation will be exceeded. The DMF recommendation provides incentive to fish the maximum amount of gear allowed. If gill nets are allowed unlimited catch rates, allowable gear should be reduced to 300 yards of large mesh gill net.

**Option 5.** Contrary to commercial options, this option seems to be the most conservative to maintain harvest within the quota.

**Option 6.** NCWF strongly supports the DMF recommendation.

#### **Other Options:**

The DMF supports a fishery for summer and gulf flounder from March 1 to April 15 to **increase recreational access**. It is unclear whether southern flounder can be retained during this season. The document states that southern flounder will be caught during offshore fishing and those removals will count towards the Total Allowable Catch (TAC). What is the State’s justification for limiting summer and gulf flounder to one fish and how will discard mortality of southern flounder be assessed? There is no federal or ASMFC plan that limits the bag for gulf flounder and the joint ASMFC/mid Atlantic Council plan allows a bag limit of 4 summer flounder. We fail to understand why staff is concerned with compliance issues for these species. Commercial harvest of summer flounder remains status quo at the highest level on the east coast.

**Inlet corridors** are discussed as an additional, precautionary option. The option would “provide protection to mature female southern flounder during their migration out coastal inlets”. The DMF recommendation is status quo, do not provide this protection. The rationale used by the DMF is spurious. Clearly, inlets are the only corridor for southern flounder to reach offshore spawning grounds, yet the DMF believes it must study this and determine if it is a bottleneck for recovery before taking this most basic conservation action. The DMF states that the high energy habitats limit the use of gill nets and pound nets in these areas but those areas are used by giggers and hook and line fishermen. We question the DMF point. Protecting mature female southern flounder is the point. We recommend Option 2A.

The NCWF supports **adaptive management** so long as it is used in a timely manner.

A **slot limit** on southern flounder (e.g., 13”-18”) would reduce the harvest of adult female southern flounder and allow harvest of underfished male fish. Slot limits have worked when employed, especially with red drum, where juvenile fish are harvested but adults are protected. The concept of a slot limit for southern flounder seems to be the most common sense and precautionary approach to the problem at hand, yet the DMF failed to even consider smaller sizes

to harvest males and recommends status quo that will continue harvesting primarily juvenile female southern flounder before they have a chance to spawn.

The graph on page 10 shows the vast majority, 90%+, of southern flounder harvested are less than 22 inches, the size at 100% maturity. The DMF indicates it needs more data to assess benefits. First, the amount of data for southern flounder exceeds most other species. Second, protecting any adult female flounder and allowing some of the minimal quota to be harvested as male fish is a clear benefit to rebuilding. The DMF indicates that because we have so few adult female southern flounder that the benefits of a slot limit to protect them would have a “limited benefit”, a conclusion that is contrary to logic and best scientific principles. Further, staff suggests that a slot limit will actually increase the likelihood of exceeding the TAL, yet the possibility of altering seasons to adjust for that potential was not considered, nor was a slot limit for the commercial fishery.

**Phase Out Anchored Large Mesh Gill Nets** is the final option. The DMF states that this would have no impact on southern flounder because they are quota monitored. We strongly disagree with this statement. First, they are not monitored adequately and actual landings are unknown, especially from gill nets used for personal consumption with landings not sold or reported. Second, the document fails to mention anything related to bycatch and discard mortality from gill nets being far greater than for gigs or pound nets and that phasing out gill nets, even if only for rebuilding, would greatly reduce mortality and unreported catches. Third, any shifts in effort to gigs or pound nets would reduce the total landings if those fisheries began with a reasonable trip limit. The NCWF supports Option 1 with the caveat that a gill net fishery, with strict limits, be considered once the stock is rebuilt.

The Decision Document concludes with a table of commercial, southern flounder values. What is the purpose of this table and why has the same table not been constructed for the recreational sector?

Appendix 2 (we can find no Appendix 1) provides the regulations for the south Atlantic and Gulf states. The stock assessment clearly states that the North Carolina commercial fishery is the primary problem for stock rebuilding and the state has not done a fraction of what is needed to rebuild the population, or even end overfishing at this date. The Appendix appears to be included to suggest that North Carolina regulations are not much different than the other states.

The table indicates that the South Carolina and Georgia commercial limits are “none”. This is incorrect. The commercial limits in Georgia and South Carolina are the recreational bag limits for all fisheries except the South Carolina shrimp trawl fishery. South Carolina shrimp trawls must use TEDS and abide by the 16” size limit. As a result, their flounder catches are extremely low. However, they have no limit so that any trawl caught fish can be landed rather than discarded dead. South Carolina, Georgia, and Florida do not allow any nets in their inshore waters. Based on the data, southern flounder in the Gulf are managed separately and may well be genetically distinct. The Gulf of Mexico regulations are immaterial but also misleading.

**Listening Session:**

We participated in the January 5, 2022 DMF presentation. Staff indicated that no new projections had been done to account for the significant quota overages that have occurred in 2019, 2020, and 2021. The required reductions in the fishery have yet to be met and proposed quotas are invalid, the basis for Amendment 3.

The presentation continues to indicate that the 72% reduction is conservative. This is inconsistent with the FMP. The target to achieve in 2028 is a 35% SPR and can only be achieved with a 72% reduction every year until 2028 according to the stock assessment. The 72% has yet to be achieved since Amendment 2 began. Under current management, and measures proposed in Amendment 3, the statutory deadline will not be met. We are not convinced, based on the lack of data on numerous unreported catches and discards, that overfishing has even ended through 2021.

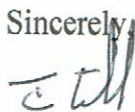
A pie chart presented during the listening session underestimates discards and provides an estimate of escapement. Based on a question during the listening session, staff indicated that escapement was calculated by subtracting the harvest in 2020, for example, by the landings during the reference year of 2017. The difference, the amount not harvested in 2020 compared to 2017, is escapement. With no knowledge of population size, recruitment, or discards, this estimate is spurious. We urge a thorough summary and review of this methodology.

The NCWF has submitted numerous letters related to these specific data and analysis issues with no response.

**Summary:**

The DMF recommendations contained in the Decision Document will not achieve the goals and objectives of Amendment 3. If approved, juvenile female southern flounder will continue to dominate the catches that cannot be constrained to the allowable harvest due to failure to account for unsold fish and properly account for dead discards. Further, the suggestion that gill nets should be allowed to operate with no limit, no requirement to sell their catch, and no constraint to which season or area is fished is doomed from the start in terms of regulating catches. Finally, the complete rejection of any precautionary measure in the Decision Document in favor of Status Quo, such as slot limits, inlet corridors, or adjusting current quotas for the significant overages that have occurred in 2019, 2020, and likely 2021 in light of the considerable uncertainty facing this fishery is a rejection of the precautionary approach and best fisheries management practices.

In conclusion, we recommend a total moratorium on southern flounder until a stock assessment can be completed after three years of a moratorium to ascertain whether the statutory deadline for rebuilding of 2028 is achievable. In the meantime, we urge the MFC and the Secretary to conduct an external peer-review of the management practices employed by the State to address this long standing problem.

Sincerely,  


Tim Gestwicki  
CEO / North Carolina Wildlife Federation



**From:** [Loeffler, Michael](#)  
**To:** [Flora, Corrin L](#); [Klibansky, Lara](#)  
**Subject:** FW: [External] S Flounder FMP amendment 3  
**Date:** Tuesday, January 18, 2022 8:10:20 AM

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See below.

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**From:** Woody Joyner [REDACTED]  
**Sent:** Friday, January 14, 2022 2:33 PM  
**To:** Loeffler, Michael <michael.loeffler@ncdenr.gov>  
**Subject:** [External] S Flounder FMP amendment 3

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Michael

We have met the MFC office and also remotely participated in the S Flounder FMP listening session on Jan 5, 2022. Would it be possible to forward this comment letter from the NCWU to be listed on public record.

North Carolina Marine Fisheries Commission

3441 Arendell

St

Morehead City, NC 28557

January 14, 2022

Dear Commissioners:

The North Carolina Waterman United (NCWU) Board of Directors would like to take this opportunity to voice our opposition to portions of the proposed North Carolina Southern Flounder Fishery Management Plan / Amendment 3. If passed, this amendment would ultimately further restrict our commercial fisherman. Results would have a devastating blow not only to our hard-working coastal fishermen but to collateral wholesale/retail businesses and ultimately the consumers of fresh NC caught Southern Flounder.

The current recreational/commercial Southern Flounder season of just a few weeks takes place right in the heart of hurricane season. In addition, runoff by excess rain, water quality and of course regular weather with rain & high winds has a role in preventing our fishermen to even attempt to be on the water. Adding the chances of mechanical failure in our boats or family matters only takes more of these precious days off the calendar. These lost days are just that, reduced from an already shortened season.

The demand for NC caught Southern Flounder is increasing and Amendment 3 would only further restrict our efforts to supply the consumers of North Carolina and tourists that come to our coast. The lack of fresh caught fish has forced our local seafood houses to buy as much as available and freeze a large percentage to make the product available to their customers year-round. For our coastal restaurants, the tourist season is practically over when the short harvest begins and this business is irrecoverable. A study prepared by Dr. Eric Edwards, N.C. State Department of Agriculture and Resource Economics and funded through the N.C. Division of Marine Fisheries Commercial Fishing Resource Fund Grant Program dated February, 2021 states the yearly total income from Commercial Fishing, Seafood Preparation and Processing and Seafood Restaurants was \$297,300.00 with 5,528 jobs. Can our coastal communities afford this loss of revenue and employment? The NCWU thinks not.

Without the ability to supply the demand for NC caught Southern Flounder the demand will be replaced with product from other states or mostly imported. They will be the major supplier and in many of these importing countries there are few regulations on quality and chemical contaminants. The USFDA has sampled imported seafood only to find cancer-causing chemicals and antibiotics (including fluoroquinolone) that are banned in the US for human consumption. Yet, another reason to allow our fishermen to supply the ever-increasing harvest needed.

While the Board & members of the NCWU agree with many of the proposals and certainly recognize the need for sustainable harvests to keep the industry solvent. The issue papers in Amendment 3 regarding inlet corridors, sector allocations and the new adaptive management are well planned and documented. Although we would like to see slot limits, bag limits and shortened days of season given more time for research and data gathering. However, the phasing out of large-mesh gill nets is troubling. Two statements from Michael Loffler, lead biologist & co-lead in the recent "listening session", bare the truth in what our watermen are facing with continued restrictive regulations. The first was the fact that phasing out of large-mesh gill nets will "have a negative economic impact". Also disheartening was the conversation in the listening session on how the watermen will "adapt" to losing this particular choice of gear. Will they continue with Southern Flounder with different gear, switch to another fishery (which would just accelerate the over-fishing of new species), find a new occupation or retire. Our real fear is losing even more of our experienced watermen and possibly hinder a new generation from taking the helm in our rich heritage.

The wildlife in our sounds are a "public trust" of the citizens of North Carolina. We ask each of the Commission members to look beyond the immediate proposed fix in Southern Flounder population by some of the restrictions in Amendment 3 and consider the economic and social ramifications to our Coastal communities. The North Carolina Watermen United and many other industry organizations are only requesting FAIR REGULATIONS.

Thank you in advance for your consideration on our position.

Yours truly,

*Perry Wood Beasley*

Perry Wood Beasley

President, NCWU



PWB: wj

Board of Directors

Andrew Berry	Billy Maxwell
Capt Sonny Davis	Greg Mayer
Ernie Doshier	Jamie Reibel
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Tom Harper	Duke Spencer
Glen Hopkins	Rom Whitaker



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December 9, 2021

Allyn Powell



Dear Mr. Powell:

I am pleased to welcome you as a member of the Finfish Standing Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

The committee is currently comprised of 11 members representing the scientific, recreational, commercial, and conservation communities. Meetings usually last two or three hours, and are scheduled only when the commission refers an issue to the committee. Also, please be aware that advisers are required to attend at least 75 percent of the meetings of their committee.

Please find an orientation package enclosed. If you have any questions concerning your orientation to the advisory committee process, feel free to contact Dana Gillikin at [Dana.Gillikin@ncdenr.gov](mailto:Dana.Gillikin@ncdenr.gov) or 252-808-8022.

Speaking for the Marine Fisheries Commission, I want to thank you for your interest in managing our state's resources. I look forward to seeing you at a meeting in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Robert Bizzell".

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



**NORTH CAROLINA MARINE FISHERIES COMMISSION  
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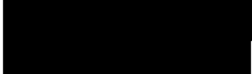
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Dec. 15, 2021

Mr. Robert (Timothy) Griner



Dear Mr. Griner,

The U.S. Secretary of Commerce will request that Governor Cooper submit the names of qualified candidates to be considered for an obligatory appointment to the South Atlantic Fishery Management Council (Council) in August 2022. The N.C. Marine Fisheries Commission is responsible for compiling a list of nominees for the governor's consideration. At its Nov. 17-19, 2021 business meeting, the commission reviewed information from candidates interested in an appointment to the council. Your name was among those selected by the commission for submission to Governor Cooper as a nominee for an appointment to the council.

Each council nominee is required to complete nomination materials provided by the National Marine Fisheries Service. Your nomination materials are attached and are also available in fillable, .pdf format at: <https://www.fisheries.noaa.gov/national/partners/council-nomination-process-guidance> . All forms must be completed in detail in order for you to be considered for an appointment. Please complete the forms and return no later than Feb. 7, 2022 to: Chris Batsavage, N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557. The division will review your forms for completeness and forward them to the governor's office for submission to the National Marine Fisheries Service by March 15, 2022.

I wish to congratulate you on your selection by the commission as a nominee for an obligatory appointment to the South Atlantic Fishery Management Council. Please feel free to contact Mr. Batsavage by phone at 252-808-8009 or by email at [chris.batsavage@ncdenr.gov](mailto:chris.batsavage@ncdenr.gov) if you need additional information concerning the nomination process.

Sincerely,

A handwritten signature in cursive script that reads "W. Robert Bizzell".

W. Robert Bizzell, Chairman  
N.C Marine Fisheries Commission

WRB:cb:lk

Cc: John Nicholson                      Kathy Rawls  
Lara Klibansky                          Chris Batsavage



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Wilmington

Dec. 15, 2021

Mr. Charles Locke  
P.O. Box 761  
Wanchese, NC 27981

Dear Mr. Locke,

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W. Robert Bizzell, Chairman  
N.C Marine Fisheries Commission

WRB:cb:lk

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Dec. 15, 2021

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W. Robert Bizzell, Chairman  
N.C Marine Fisheries Commission

WRB:cb:lk

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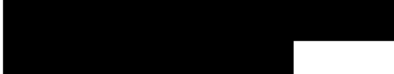
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Dec. 15, 2021

Mr. Thomas Newman



Dear Mr. Newman,

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Sincerely,

A handwritten signature in black ink that reads "W. Robert Bizzell".

W. Robert Bizzell, Chairman  
N.C Marine Fisheries Commission

WRB:cb:lk

Cc: John Nicholson                      Kathy Rawls  
Lara Klibansky                          Chris Batsavage



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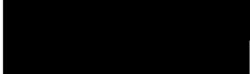
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**SAM ROMANO**  
Wilmington

Dec. 15, 2021

Mr. Brian (Scott) Buff



Dear Mr. Buff,

The U.S. Secretary of Commerce will request that Governor Cooper submit the names of qualified candidates to be considered for an obligatory appointment to the South Atlantic Fishery Management Council (Council) in August 2022. The N.C. Marine Fisheries Commission is responsible for compiling a list of nominees for the governor's consideration. At its Nov. 17-19, 2021 business meeting, the commission reviewed information from candidates interested in an appointment to the council. Your name was among those selected by the commission for submission to Governor Cooper as a nominee for an appointment to the council.

Each council nominee is required to complete nomination materials provided by the National Marine Fisheries Service. Your nomination materials are attached and are also available in fillable, .pdf format at: <https://www.fisheries.noaa.gov/national/partners/council-nomination-process-guidance>. All forms must be completed in detail in order for you to be considered for an appointment. Please complete the forms and return no later than Feb. 7, 2022 to: Chris Batsavage, N.C. Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557. The division will review your forms for completeness and forward them to the governor's office for submission to the National Marine Fisheries Service by March 15, 2022.

I wish to congratulate you on your selection by the commission as a nominee for an obligatory appointment to the South Atlantic Fishery Management Council. Please feel free to contact Mr. Batsavage by phone at 252-808-8009 or by email at [chris.batsavage@ncdenr.gov](mailto:chris.batsavage@ncdenr.gov) if you need additional information concerning the nomination process.

Sincerely,

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WRB:cb:lk

Cc: John Nicholson                      Kathy Rawls  
Lara Klibansky                          Chris Batsavage





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

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**ROBERT McNEILL**  
Wilmington  
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Beaufort  
**SAM ROMANO**  
Wilmington

December 10, 2021

Blake Wayne Dunbar



Dear Mr. Dunbar:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

Please visit the [Division of Marine Fisheries website](#) for meeting schedules, proclamations, fisheries hot topics, and various fishing information. You may also contact Dana Gillikin at 252-808-8022 for meeting information.

Again, thank you for your interest in the conservation of our state's resources.

Sincerely,

A handwritten signature in cursive script that reads "W. Robert Bizzell".

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



**NORTH CAROLINA MARINE FISHERIES COMMISSION  
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Beaufort  
**SAM ROMANO**  
Wilmington

November 29, 2021

Carl Hacker  
[REDACTED]

Dear Mr. Hacker:

I am pleased to welcome you as a member of the Northern Regional Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

The committee is currently comprised of 11 members representing the scientific, recreational, commercial, and conservation communities. Meetings usually last two or three hours, and are scheduled only when the commission refers an issue to the committee. Also, please be aware that advisers are required to attend at least 75 percent of the meetings of their committee.

Please find an orientation package enclosed. If you have any questions concerning your orientation to the advisory committee process, feel free to contact Dana Gillikin at [Dana.Gillikin@ncdenr.gov](mailto:Dana.Gillikin@ncdenr.gov) or 252-808-8022.

Temp Solutions will be contacting you soon to begin the on-boarding process.

Speaking for the Marine Fisheries Commission, I want to thank you for your interest in managing our state's resources. I look forward to seeing you at a meeting in the near future.

Sincerely,

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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November 29, 2021

Chris Moore



Dear Mr. Moore:

Your term on the Habitat and Water Quality Advisory Committee has expired and I would like to take this time to thank you for your service to the state of North Carolina. I encourage you to continue attending committee meetings as a member of the public.

Again, thank you for sacrificing your time and providing your valuable input to help the Marine Fisheries Commission effectively manage the marine resources of our state.

Sincerely,

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



**NORTH CAROLINA MARINE FISHERIES COMMISSION  
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December 10, 2021

Daniel Babiy



Dear Mr. Babiy:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

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Lara Klibansky



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December 10, 2021

David Benson  


Dear Mr. Benson:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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N.C. Marine Fisheries Commission

WB/dg

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Lara Klibansky



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Wilmington

December 9, 2021

David Mense  


Dear Mr. Mense:

I am pleased to welcome you as a member of the Finfish Standing Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

The committee is currently comprised of 11 members representing the scientific, recreational, commercial, and conservation communities. Meetings usually last two or three hours, and are scheduled only when the commission refers an issue to the committee. Also, please be aware that advisers are required to attend at least 75 percent of the meetings of their committee.

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Speaking for the Marine Fisheries Commission, I want to thank you for your interest in managing our state's resources. I look forward to seeing you at a meeting in the near future.

Sincerely,



W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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

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December 10, 2021

Dewey White



Dear Mr. White:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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Again, thank you for your interest in the conservation of our state's resources.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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November 29, 2021

Edwin Bebb  
[REDACTED]

Dear Mr. Bebb:

Your term on the Southern Regional Advisory Committee has expired and I would like to take this time to thank you for your service to the state of North Carolina. I encourage you to continue attending committee meetings as a member of the public.

Again, thank you for sacrificing your time and providing your valuable input to help the Marine Fisheries Commission effectively manage the marine resources of our state.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

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Lara Klibansky





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December 9, 2021

Herman Wayne Dunbar  
[REDACTED]

Dear Mr. Dunbar:

I am pleased to welcome you as a member of the Northern Regional Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

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Temp Solutions will be contacting you soon to begin the on-boarding process.

Speaking for the Marine Fisheries Commission, I want to thank you for your interest in managing our state's resources. I look forward to seeing you at a meeting in the near future.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

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Lara Klibansky



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Wilmington

December 10, 2021

Isaiah Smith  
[REDACTED]

Dear Mr. Smith:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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December 10, 2021

James Azor Holmes III



Dear Mr. Holmes:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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Secretary

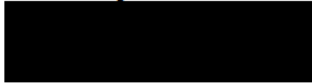
**ROB BIZZELL**  
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December 10, 2021

James Kye



Dear Mr. Kye:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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Wilmington

November 29, 2021

James Neely  
[REDACTED]

Dear Mr. Neely:

Your term on the Northern Regional Advisory Committee has expired and I would like to take this time to thank you for your service to the state of North Carolina. I encourage you to continue attending committee meetings as a member of the public.

Again, thank you for sacrificing your time and providing your valuable input to help the Marine Fisheries Commission effectively manage the marine resources of our state.

Sincerely,

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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December 10, 2021

James Thomas Sanders  
[REDACTED]

Dear Mr. Sanders:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



**NORTH CAROLINA MARINE FISHERIES COMMISSION  
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December 9, 2021

James Stanley Hall  
[REDACTED]

Dear Mr. Hall:

I am pleased to welcome you as a member of the Habitat and Water Quality Standing Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



**NORTH CAROLINA MARINE FISHERIES COMMISSION  
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Wilmington

November 29, 2021

Jason Fowler  
[REDACTED]

Dear Mr. Fowler:

I have reappointed you to the Southern Regional Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

Sincerely,

A handwritten signature in black ink that reads "W. Robert Bizzell".

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/lk

cc: Lara Klibansky, Marine Fisheries Commission Liaison





**NORTH CAROLINA MARINE FISHERIES COMMISSION  
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November 29, 2021

Jeff Buckel  
[REDACTED]

Dear Mr. Buckel:

I have reappointed you to the Finfish Standing Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/lk

cc: Lara Klibansky, Marine Fisheries Commission Liaison



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

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Wilmington  
**TOM ROLLER**  
Beaufort  
**SAM ROMANO**  
Wilmington

November 29, 2021

Jeffrey Scott Harrell  
[REDACTED]

Dear Mr. Harrell:

I am pleased to welcome you as a member of the Southern Regional Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

The committee is currently comprised of 11 members representing the scientific, recreational, commercial, and conservation communities. Meetings usually last two or three hours, and are scheduled only when the commission refers an issue to the committee. Also, please be aware that advisers are required to attend at least 75 percent of the meetings of their committee.

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Temp Solutions will be contacting you soon to begin the on-boarding process.

Speaking for the Marine Fisheries Commission, I want to thank you for your interest in managing our state's resources. I look forward to seeing you at a meeting in the near future.

Sincerely,

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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Wilmington

November 29, 2021

Jerry James  
[REDACTED]

Dear Mr. James:

I have reappointed you to the Southern Regional Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

Sincerely,

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/lk

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Wilmington

November 29, 2021

James Hardin  
[REDACTED]

Dear Mr. Hardin:

I have reappointed you to the Shellfish/Crustacean Standing Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

Sincerely,

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

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November 29, 2021

Joel Fodrie



Dear Mr. Fodrie:

I have reappointed you to the Habitat and Water Quality Standing Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

Sincerely,

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N.C. Marine Fisheries Commission

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November 29, 2021

Kenneth Shivar



Dear Mr. Shivar:

Your term on the Northern Regional Advisory Committee has expired and I would like to take this time to thank you for your service to the state of North Carolina. I encourage you to continue attending committee meetings as a member of the public.

Again, thank you for sacrificing your time and providing your valuable input to help the Marine Fisheries Commission effectively manage the marine resources of our state.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Robert Bizzell".

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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December 9, 2021

Markham Parrish  
[REDACTED]

Dear Mr. Parrish:

I am pleased to welcome you as a member of the Habitat and Water Quality Standing Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

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N.C. Marine Fisheries Commission

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Lara Klibansky



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December 9, 2021

Mary Sue Hamann  
[REDACTED]

Dear Mr. Hamann:

I am pleased to welcome you as a member of the Shellfish/Crustacean Standing Advisory Committee, which makes recommendations to the N.C. Marine Fisheries Commission on various fisheries issues.

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Lara Klibansky





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November 29, 2021

Melissa Clark  
[REDACTED]

Dear Ms. Clark:

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Lara Klibansky



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Wilmington

December 10, 2021

Michael A Carotta



Dear Mr. Carotta:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

Please visit the [Division of Marine Fisheries website](#) for meeting schedules, proclamations, fisheries hot topics, and various fishing information. You may also contact Dana Gillikin at 252-808-8022 for meeting information.

Again, thank you for your interest in the conservation of our state's resources.

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N.C. Marine Fisheries Commission

WB/dg

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Lara Klibansky



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Wilmington

November 29, 2021

Michael Marshall  
[REDACTED]

Dear Mr. Marshall:

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December 10, 2021

Michael Waine  


Dear Mr. Waine:

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N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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November 29, 2021

Nathan Hall  
[REDACTED]

Dear Mr. Hall:

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December 10, 2021

Norman Culpepper  
[REDACTED]

Dear Mr. Culpepper:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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N.C. Marine Fisheries Commission

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Lara Klibansky



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December 10, 2021

Phillip Smith  


Dear Mr. Smith:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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Wilmington

December 10, 2021

Ralph Mazza  


Dear Mr. Mazza:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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N.C. Marine Fisheries Commission

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Lara Klibansky





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November 29, 2021

Randy Proctor  
[REDACTED]

Dear Mr. Proctor:

I have reappointed you to the Finfish Standing Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

Sincerely,

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/lk

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December 10, 2021

Richard Kalet  


Dear Mr. Kalet:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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November 29, 2021

Roger Rulifson  
[REDACTED]

Dear Mr. Rulifson:

I have reappointed you to the Northern Regional Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

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Wilmington

November 29, 2021

Sara Winslow



Dear Ms. Winslow:

Your term on the Finfish Standing Advisory Committee has expired and I would like to take this time to thank you for your service to the state of North Carolina. I encourage you to continue attending committee meetings as a member of the public.

Again, thank you for sacrificing your time and providing your valuable input to help the Marine Fisheries Commission effectively manage the marine resources of our state.

Sincerely,

A handwritten signature in black ink that reads "W. Robert Bizzell".

W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
Lara Klibansky



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

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**ROY COOPER**  
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Wilmington  
**ROBERT McNEILL**  
Wilmington  
**TOM ROLLER**  
Beaufort  
**SAM ROMANO**  
Wilmington

December 10, 2021

Scott Rubow



Dear Mr. Rubow:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

Please visit the [Division of Marine Fisheries website](#) for meeting schedules, proclamations, fisheries hot topics, and various fishing information. You may also contact Dana Gillikin at 252-808-8022 for meeting information.

Again, thank you for your interest in the conservation of our state's resources.

Sincerely,

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W. Robert Bizzell, Chairman  
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WB/dg

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Wilmington  
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Beaufort  
**SAM ROMANO**  
Wilmington

November 29, 2021

Ted Wilgis



Dear Mr. Wilgis:

I have reappointed you to the Shellfish/Crustacean Standing Advisory Committee. Please remember that you are required to attend 75 percent of the meetings of your committee. I would like to thank you for continuing to sacrifice your time and provide your input to help us effectively manage the marine resources of our state.

Sincerely,

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/lk

cc: Lara Klibansky, Marine Fisheries Commission Liaison



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Wilmington

December 10, 2021

Thomas Sanders  
[REDACTED]

Dear Mr. Sanders:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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December 10, 2021

Thor I. Coole  


Dear Mr. Coole:

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W. Robert Bizzell, Chairman  
N.C. Marine Fisheries Commission

WB/dg

cc: Marine Fisheries Commission  
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Wilmington

December 10, 2021

William T. Helms  
[REDACTED]

Dear Mr. Helms:

Thank you for your application to serve as an adviser to the N.C. Marine Fisheries Commission. Unfortunately, I am unable to appoint you to the committee at this time; however, please do not be discouraged from participating in the process as a member of the public. Your input is invaluable, and I encourage you to attend the committee meetings.

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