



DIRECTOR'S REPORT

MFC Workload Calendar

Atlantic States Marine Fisheries Commission

Mid-Atlantic Fishery Management Council

South Atlantic Fishery Management Council

Marine Patrol Update

Catch-U-Later App

Highly Migratory Species Update

Protected Resources Update

Landings Update

Marine Fisheries Commission 2021-2024 WORKPLAN

INCORPORATING ACTIVITY UNDERWAY AND UPCOMING ASSESSMENTS

General Timelines and Abbreviations							(See "General
Timelines" worksheet for details, Colored blocks below indicate MFC Action Point)							
Fishery Management Plans	(SA)	SAR	GO	(PD)	AC/Pub	PMO	A
	Stock Assessment In Progress	Stock Assessment Report Presented to MFC	Vote to Approve Goal and Objectives	Initial Plan Development by DMF/FMP AC	Advisory Committee and Public Review	Select Preferred Management Options	Vote on Final Approval
Non-FMP Issue Development	R	IP	PR	RLO	PRL		
	Request Issue Development	Information Paper	Decision to pursue rulemaking	Issue paper with rule language options	Select Preferred Rule Language		
Rulemaking	FA	NOT	NCR/PH/PC	A			
	Fiscal Analysis	Approve Notice of Text	Publish in NC Register/Hold Public Hearing&Comment Period	MFC Review Public Comment & Vote on Approval			
MFC Committee Activity	APR	JUL					
	Meeting confirmed and scheduled	Meeting anticipated					

Quarterly Business Meeting

Topic	DMF Staff Lead(s)	Feb-22	May-22	Aug - 22	Nov -22	Feb -23	May - 23	Aug - 23	Nov - 23	Feb - 24
Active Management Plans										
Shrimp FMP Amendment 2	Stewart/Rock/Zapf	A								
Southern Flounder FMP Amendment 3	Loeffler/Markwith	PMO	A							
Estuarine Striped Bass FMP Amendment 2	Godwin/Mathes/	AC/Pub	PMO	A						
Interjurisdictional FMP Amendment 2	Rock	(PD)	AC/Pub	PMO	A					
Striped Mullet FMP Amendment 2	Zapf/Paris/Dobbs	(SA)	SAR	G/O	(PD)		AC/Pub	PMO	A	
Spotted Seatrout FMP Amendment 1	Bauer/Behringer	(SA)	SAR	G/O	(PD)		AC/Pub	PMO	A	
Hard Clam/Oyster	Dobbs/Facendola				GO	(PD)		AC/Pub	PMO	A
Rulemaking										
Periodic Review and Expiration of Existing Rules, per G.S. 150B-21.3A										
Chapter 03 - Marine Fisheries (97 rules)	Blum	A								
Subchapter 18A - Shellfish Sanitation (6 rules)	Blum	A								
Subchapter 18A - Shellfish Sanitation (about 42 rules)	Blum/Walsh	FA	NOT	NCR/PH/PC	A					
Subchapter 18A - Shellfish Sanitation (about 42 rules)	Blum/Walsh					FA	NOT	NCR/PH/PC	A	
Other MFC Rulemaking										
Shellfish Lease User Conflic Rules	Blum/Boyd	A								
Artificial Reef Gear Restrictions	Blum/Peters	A								
Labeling Requirements for Repacked Foreign Crab Meat	Blum/Jenkins	FA	NOT	NCR/PH/PC	A					
Mutilated Finfish Rule Amendment	Blum/Paris	PRL	FA	NOT	NCR/PH/PC	A				
MFC Committee Activity										
AC Meeting (Meeting month(s) in cell)										
Northern Regional Advisory	Behringer/Paramore	JAN	MAR	JUL	OCT	JAN	APR	JUL	OCT	
Southern Regional Advisory	Moore/Stewart	JAN	MAR	JUL	OCT	JAN	APR	JUL	OCT	
Finfish Standing Advisory	Paramore/Knight	JAN	MAR	JUL	OCT	JAN	APR	JUL	OCT	
Shellfish/Crustacean Standing Advisory	Moore/Deaton			JUL	OCT	JAN	APR	JUL	OCT	
Habitat and Water Quality Standing Advisory	Deaton/Knight			JUL	OCT	JAN	APR	JUL	OCT	
Nominating	Batsavage								OCT	

END



Atlantic States Marine Fisheries Commission

2022 Winter Meeting Webinar Summary

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

2022 Winter Meeting Webinar
January 25-27, 2022

Toni Kerns, ISFMP, or
Tina Berger, Communications
For more information, please contact
the identified individual at
703.842.0740

Meeting Summaries, Press Releases and Motions

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AMERICAN LOBSTER MANAGEMENT BOARD (JANUARY 25, 2022)

Meeting Summary

The American Lobster Management Board (Board) met to consider several items: Draft Addendum XXVII: Increasing Protection of Spawning Stock in the Gulf of Maine/Georges Bank (GOM/GBK) for public comment, terms of reference for the Jonah crab benchmark stock assessment, Fishery Management Plan (FMP) Reviews and state compliance for American lobster and Jonah crab for the 2020 fishing year, and nominations for Advisory Panel membership.

Staff provided an overview of Draft Addendum XXVII, which responds to signs of reduced settlement in the GOM/GBK stock in both the 2015 and 2020 stock assessments. The Draft Addendum includes two issues. Issue 1 considers immediate action to standardize some management measures within and across Lobster Conservation Management Areas in the GOM/GBK stock. Issue 2 considers establishing a trigger mechanism to implement management measures—specifically gauge and vent sizes—that are expected to add an additional biological buffer through the protection of spawning stock biomass (SSB). Management triggers are based on an index of recruit abundance. The Board approved Draft Addendum XXVII for public comment.

In consideration of the following issues – upcoming information on stock condition, the need for additional time for the Lobster Board to better understand current or new right whales rules that could benefit the resiliency of the lobster stock, and the importance of giving the states the opportunity to safely hold in-person scoping meetings with their lobster industry ahead of any Commission public hearing – the ISFMP Policy Board, which met later this week, delayed further action on the Draft Addendum. Consequently, public hearings are expected to occur in June 2022 and the Board will review public comment and consider final action on the addendum at the August 2022 meeting.

The Board approved terms of reference and a proposed timeline for the first Jonah crab range-wide benchmark stock assessment. The assessment will help answer questions about the status and sustainability of the resource and provide more information with which to manage the fishery. The stock assessment is scheduled to be completed in Fall 2023.

The Board also approved the American Lobster and Jonah Crab FMP Reviews for the 2020 fishing year, state compliance reports, and *de minimis* status for Delaware, Maryland, and Virginia. Since the adoption of the Jonah Crab FMP, New York has not implemented two required measures for Jonah crab: regulations to limit the directed trap fishery to lobster permit holders only and the 1,000 crab bycatch limit for non-trap and non-lobster trap gear. Given this concern has been raised by the Plan Review Team for several years and the Commission sent a letter to New York regarding its implementation of Jonah crab measures in 2020, the Board considered making a recommendation to the ISFMP Policy Board to find the State of New York out of compliance for not fully and effectively implementing the provisions of the FMP. The Board postponed the motion until August 2022 to allow New York’s legislative process to approve the required regulations. In August, the Board will review New York’s progress in implementing the FMP requirements.

Finally, the Board approved two nominations to the American Lobster Advisory Panel: Eben Wilson and Jeff Putnam, both commercial trap fishermen from Maine. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Move to approve Draft Addendum XXVII for Public Comment, as amended today.

Motion made by Mr. McKiernan and seconded by Mr. Keliher. Motion approved by consent.

Move to approve Terms of Reference and timeline for Jonah Crab Benchmark Stock Assessment.

Motion made by Mr. McKiernan and seconded by Mr. Hasbrouck. Motion approved by consent.

Move to approve Fishery Management Plan Review, state compliance reports, and *de minimis* requests for DE, MD, and VA for American Lobster for the 2020 Fishing Year.

Motion made by Mr. Hasbrouck and seconded by Ms. Bouffard. Motion approved by consent.

Move the American Lobster Board recommend to the ISFMP Policy Board that the State of New York be found out of compliance for not fully and effectively implementing and enforcing Section 5.1. Commercial Fisheries Management Measures of the Fishery Management Plan for Jonah crab, and Sections 3.1 and 3.2 of Addendum I to the FMP. The State of New York must implement regulations to limit participation in the directed trap fishery to only those vessels and permit holders that already hold a lobster permit; or can prove prior participation in the crab fishery before the control date of June 2, 2015. The State of New York must also implement the incidental bycatch limit of 1,000 crabs per trip for non-trap gear and non-lobster trap gear. The implementation of these measures is necessary to achieve the goals and objectives of the FMP and ensure conservation of the species by preventing increased participation and landings in the fishery.

Motion made by Mr. Keliher and seconded by Mr. Borden. Motion postponed until August 2022 meeting.

Move to postpone until the August 2022 meeting.

Motion made by Mr. Keliher and seconded by Ms. Patterson. Motion approved by consent.

Move to approve Fishery Management Plan Review, state compliance reports, and *de minimis* requests for DE, MD and VA for Jonah Crab for the 2020 Fishing Year.

Motion made by Ms. Patterson and seconded by Mr. Miller. Motion approved by consent.

Move to approve American Lobster Advisory Panel nominations Eben Wilson and Jeff Putnam.

Motion made by Mr. Keliher and seconded by Ms. Patterson. Motion approved by consent.

TAUTOG MANAGEMENT BOARD (JANUARY 25, 2022)

Meeting Summary

The Tautog Management Board (Board) met to review hypothetical scenarios for the Risk and Uncertainty Decision Tools and consider feedback from the Law Enforcement Committee's (LEC) on the commercial tagging program.

In October 2021, the Board was presented the stock assessment update which showed positive improvements for all regions from the past assessment update. Considering the results, the Board chose not to adjust current regional management measures but instead tasked staff with developing hypothetical scenarios to further illustrate how the Decision Tool could be used. At this meeting, the Board was presented the hypothetical scenarios, which demonstrated what risk tolerance level the Decision Tools would recommend under different hypothetical projection scenarios and weighting schemes. The Board discussed whether the Decision Tool was ready to be used in the management of other Commission species. The Board indicated support for developing Decision Tools for other species as a way of further testing the process, as well as preparing for the potential application of the Risk and Uncertainty Policy to species management in the future. The results of the tautog pilot case and feedback from the Tautog Board will be communicated to the ISFMP Policy Board for consideration.

Next, the Board reviewed feedback from the LEC on the commercial harvest tagging program based on a prior tasking from the Board to the LEC on the impact of the tagging program on illegal harvest and evaluating compliance. The LEC met in December 2021 and identified some key considerations for the Board, most notably that illegal harvest and market sales are predominately coming from the recreational sector now. The LEC indicated there is generally good compliance with the tagging program, but that a minority of commercial harvesters have experienced issues with applying the tags and observing injury to the fish held in tanks for long periods of time. Considering this and feedback from the public, the Board discussed how best to further evaluate the impact of the tagging program on market price, specifically whether dealers had noticed a change in market price for tagged live fish. New York indicated it will be conducting a survey of their commercial dealers later this year to better understand how the tagging program has impacted market price. Additionally, Board members will identify dealers for staff to reach out to and the specific questions to pose to these dealers.

For more information on tautog management contact James Boyle, FMP Coordinator
jboyle@asmfc.org.

Motions

No motions made.

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (JANUARY 25, 2022)

Meeting Summary

The Summer Flounder, Scup, and Black Sea Bass Management Board met to review Technical Committee (TC) recommendations on the criteria regions will use for adjusting summer flounder and black sea bass recreational measures and receive an update on the TC's ongoing analysis for identifying and smoothing outlier recreational harvest estimates.

In December 2021, the Board and the Mid-Atlantic Fishery Management Council (Council) jointly agreed to use regional conservation equivalency for summer flounder and black sea bass in 2022 to achieve, but not exceed, the 2022 recreational harvest limit (RHL). For summer flounder, the Board and Council jointly approved a 16.5% increase in coastwide harvest compared to average 2018-2021 harvest. For black sea bass the Board and Council jointly approved a 28% reduction in coastwide

harvest compared to average 2018-2021 harvest. In order to achieve these changes in harvest each region is required to submit proposals for adjustments to summer flounder and black sea bass recreational measures. The TC met twice in January to recommend a methodology for regions to use when developing summer flounder and black sea bass conservation equivalency proposals. After reviewing the recommended criteria for proposals, the Board approved the methodology by consensus. The deadline for regions to submit proposals is February 21st. Each state is responsible with working within their region to coordinate measures between states and collect stakeholder input on preferred recreational regulations.

During the TC's review of 2018-2021 black sea bass recreational harvest, the TC identified various anomalous harvest estimates and has since been considering several methodologies for identifying and smoothing outlier harvest estimates. The Board reviewed the TC's progress on this analysis and tasked the TC with providing a recommendation on an outlier identification and smoothing methodology. Depending on the final method recommended by the TC, the resulting percentage reduction in black sea bass to prevent an RHL overage may be less than the 28% recommended by the Board and Council in December 2021. The TC is scheduled to meet again on Monday, January 31st to discuss the analysis further and provide a recommendation, which the Board will vote on prior to the Council's meeting on February 8th. The Council can then determine appropriate action to allow for consistency in the approach in state and federal waters in 2022.

Additionally, the Board also tasked the TC with conducting a similar outlier identification and smoothing analysis for scup to determine whether revised data should inform the reduction needed for the recreational scup fishery. For more information, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org or 703.842.0740

Motions

Move to rescind the December 2021 black sea bass recreational management motion and move to adopt conservation equivalency for 2022 black sea bass recreational management, with a reduction in harvest specified to achieve the coastwide 2022 RHL. A 28 percent reduction will be required unless additional analyses conducted by the Technical Committee examining the MRIP data, including an outlier analysis and incorporation of the updated 2021 data as presented today, result in a modified percentage. Non-preferred coastwide measures are: 14-inch minimum size, 5 fish possession limit, and open season of May 15-September 21. Precautionary default measures are: 16-inch minimum size, 3 fish possession limit, and open season of June 24-December 31. If the percent reduction is changed the precautionary default and coastwide measures will be adjusted to be consistent with the required adjustment.

Motion made by Ms. Madsen and seconded by Ms. Meserve. Motion passes (11 in favor, 1 abstention).

SPINY DOGFISH MANAGEMENT BOARD (JANUARY 25, 2022)

Meeting Summary

The Spiny Dogfish Management Board met to consider postponed motions from October 2021 to adjust the commercial trip limit for the northern region states (Maine through Connecticut) for the 2022 fishing year.

In October 2021, the Board was presented analysis from Mid-Atlantic Fishery Management Council (MAFMC) staff on the impact of the federal trip limit on market price. The analysis showed that increasing the trip limit from 6,000 to 7,500 pounds would not have a negative impact on the resource or on market price. Based on these conclusions, MAFMC recommended setting the trip limit at 7,500 pounds. At the October Board meeting it was unclear if the New England Fishery Management Council (NEFMC) would recommend a different trip limit level and, depending on the NEFMC, when NOAA Fisheries would implement the regulatory change. In December, NEFMC recommended adjusting the trip limit to be consistent with that recommended by MAFMC. NOAA Fisheries indicated that the regulatory change would be implemented for the 2022 fishing year starting May 1. Based on this information, the Board approved changing the commercial trip limit in state waters for the northern region to 7,500 pounds for the 2022 fishing year.

Last, the Board approved the nomination of Rick Bellavance of Rhode Island to be on Spiny Dogfish Advisory Panel. For more information on management, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org.

Motions

Main Motion from Fall 2021 Meeting

Move to set at least a 7500-pound trip limit in the Northern Region (ME through CT) for FY2022 contingent upon NOAA Fisheries adopting at least a 7500-pound trip limit for federal waters. If at least a 7500-pound trip limit is not approved in federal waters, then the 6,000-pound trip limit will remain in the Northern Region.

Motion to Substitute from Fall 2021 Meeting

Move to substitute to set the Northern Region (ME through CT) state waters trip limit for FY 2022 equal to the trip limit in federal waters approved by NOAA Fisheries.

Motion to substitute approved unanimously.

Main Motion as Substituted

Move to set the Northern Region (ME through CT) state waters trip limit for FY 2022 equal to the trip limit in federal waters approved by NOAA Fisheries.

Motion approved by unanimous consent.

Move to nominate Captain Rick Bellavance to the Spiny Dogfish Advisory Panel.

Motion made by Dr. McNamee and seconded by Mr. Gates. Motion approved by unanimous consent.

EXECUTIVE COMMITTEE (JANUARY 26, 2022)

Meeting Summary

The Executive Committee (EC) met to discuss several issues, including wind energy Involvement; the distribution of CARES Act funds; the Commission's Appeals Process, and staff workload concerns. The following action items resulted from the Committee's discussions:

- A lengthy discussion about the role of the Commission in offshore wind energy along the Atlantic coast was held. Several members endorsed the concept of the Commission involvement for the following purposes 1) improved and timely sharing of information about processes and procedures related to siting, leasing, construction, and operation; 2) providing subject matter expertise regarding the science-based data and information used to evaluate environmental, social, and economic impacts; 3) evaluation of how siting of infrastructure might adversely affect fishery-independent surveys; 4) development of consistent approaches for mitigation and compensation; 5) advocacy for policy development and/or modification thereof that protects state interests and 6) evaluation of offshore wind energy in the larger context of marine spatial planning. Leadership and staff will develop a draft scope of work with an associated analysis of the capacity of the Commission to address these tasks.
- Mr. Beal presented information on member state responses to needs for unused CARES 1 funds. A unanimous decision was made to make available unspent funds to states that had further needs with the goal of zeroing out the remaining CARES 1 balance by the deadline of June 30, 2022. The details of the EC's decision will be forwarded to NOAA Fisheries for approval prior to implementation. The EC agreed this decision does not set a precedent for how any unused funds from CARES 2 will be allocated and spent.
- Mr. Beal presented draft revisions to the Appeals Process Policy. The ensuing discussion identified the need for further modification of the policy to reflect concerns of some members. The draft revised policy will be discussed at a future EC meeting.
- The near-term workload of Commission staff was discussed. It is possible that there may need to be public hearings on four fishery management plan amendments/addenda between the Winter and Spring Meetings. This will strain the capacity of staff especially considering that two veteran staff members have resigned. Possible mitigating measures include changing the timeline for some of the FMP actions and/or having management board actions originally scheduled for the May 2022 meeting occur at a meeting to be held in June 2022. This matter was discussed at the ISFMP Policy Board meeting later this week (see that section later in the document).

For more information, please contact Laura Leach, Director of Finance & Administration, at lleach@asmfc.org or 703.842.0740.

Motions

No motions made

HORSESHOE CRAB MANAGEMENT BOARD (JANUARY 26, 2022)

Press Release

Horseshoe Crab Board Accepts ARM Framework Revision and Peer Review for Management Use and Initiates Draft Addendum to Consider Changes to Delaware Bay Management

Arlington, VA – The Commission’s Horseshoe Crab Management Board reviewed and accepted for management use the 2021 Revision of the Adaptive Resource Management (ARM) Framework and the independent peer review of the Revision. The ARM Revision addresses previous peer review critiques, includes new sources of data, and adopts new modeling software to set harvest levels for Delaware Bay-origin horseshoe crabs that account for the forage needs of migratory shorebirds. The independent peer review panel endorsed the ARM Revision as the best and most current scientific information for the management of horseshoe crabs in the Delaware Bay Region.

“On behalf of the Board, I want to applaud the members of the ARM Subcommittee for their exceptional work on the 2021 ARM Revision,” stated Board Chair Joe Cimino from New Jersey. “This revision made a notable advancement in considering more sources of data and providing a thorough picture of the population dynamics in the Delaware Bay Region. The Board recognizes that there is considerable public concern about the potential impact of the ARM Revision on the status of the endangered red knot and is committed to fully vetting its possible use in setting harvest levels for horseshoe crabs of Delaware Bay-origin through our public comment process.”

Since 2013, horseshoe crabs in the Delaware Bay Region (New Jersey, Delaware, Maryland, and Virginia) have been managed under the ARM Framework to set harvest levels with consideration of the needs of migratory shorebirds. The ARM was developed jointly by the Commission, U.S. Fish and Wildlife Service, and U.S. Geological Survey in recognition of the importance of horseshoe crab eggs to migratory shorebirds stopping over in the Delaware Bay region. In particular, horseshoe crab eggs are a critical food source for the rufa red knot, which is listed as threatened under the Endangered Species Act. In the past decade, more data has been collected on red knots and horseshoe crabs and modeling software has advanced. Thus, the ARM Subcommittee was tasked with revising the ARM Framework to address critiques from the previous peer review panel, include newly available data, and transition to new modeling software since the old software is obsolete.

Several improvements to the ARM Framework were made during this revision. In the original ARM Framework, the population models for horseshoe crabs and red knots were largely based on life history information taken from the literature that was not always specific to Delaware Bay. The ARM Revision improves the models for both species by incorporating region-specific data collected over the past few decades. Additionally, the ARM Revision incorporates more sources of horseshoe crab removals than the previous version, including mortality due to the biomedical industry and commercial discards from other fisheries.

In the original ARM Framework, the Virginia Tech Trawl Survey was used annually to estimate the Delaware Bay horseshoe crab population. The revised ARM Framework still relies heavily on the

Virginia Tech Trawl Survey, but also includes additional abundance indices from the region. The population model in the ARM Revision indicated that adult abundance in the Delaware Bay was stable from 2003-2013 and then began increasing in the past few years for both sexes. This finding is consistent with stock rebuilding due to a period of significantly reduced commercial landings and tight management controls on the fishery beginning in the 2000s in this Region. In 2019, the ARM Revision estimates there were 21.9 million male and 9.4 million female horseshoe crabs in the Delaware Bay Region. Mark-resight and count data from New Jersey and Delaware were used to estimate the population of red knots passing through the Delaware Bay. The passage population estimates were fairly stable between 2011 and 2020 at approximately 45,000 birds and their annual survival estimates were consistently high. A more detailed overview of the 2021 ARM Revision can be found [here](#).

Using estimated numbers of horseshoe crabs and red knots, the ARM Framework recommends the level of horseshoe crab harvest for the next fishing season. The maximum number of male and female horseshoe crabs the ARM Revision can recommend remains the same at 210,000 females and 500,000 males. While additional data and model improvements are used in the ARM Revision, the conceptual model of horseshoe crab abundance influencing red knot survival and reproduction remains intact with the intent of ensuring the abundance of horseshoe crabs does not become a limiting factor in the population growth of red knots.

After accepting the ARM Revision and Peer Review for management use, the Board initiated a Draft Addendum to consider allowing its use in setting annual specifications for horseshoe crabs of Delaware Bay-origin. The Horseshoe Crab Plan Development Team, composed of representatives from the states and federal agencies, will draft management options for Board review prior to the Board considering approving the document for public comment. If approved, the draft addendum will be released for public comment with opportunities to submit comment through public hearings and written comments. Following the public comment period, the Board will meet to review submitted comment and consider final action on the addendum.

A more detailed overview of the 2021 ARM Revision can be found at http://www.asmfc.org/uploads/file/61f2f18aHSC_ARM_RevisionOverview_Jan2022.pdf. The final ARM Revision and Peer Review Report will be available on the Commission website, www.asmfc.org, on the Horseshoe Crab webpage under stock assessment reports in early February. For more information, please contact Caitlin Starks, Fishery Management Coordinator, at cstarks@asmfc.org or 703.842.0740.

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PR22-02

Motions

Move to accept the Revised ARM Framework and Peer Review for management use.

Motion made by Mr. Hasbrouck and seconded by Mr. McKiernan. Motion passes by consent.

Move to initiate an addendum to consider implementing changes to the ARM Framework as recommended by the ARM subcommittee and Peer Review Panel

Motion made by Mr. Clark and seconded by Mr. Luisi. Motion passes by consent.

NOAA PRESENTATION ON SEA TURTLE BYCATCH IN TRAWL FISHERIES

Meeting Summary

Carrie Upite, Sea Turtle Recovery Coordinator for the NMFS Greater Atlantic Regional Fisheries Office, presented on sea turtle bycatch in Atlantic trawl fisheries. Fisheries bycatch is the primary threat to endangered and threatened sea turtles in the Greater Atlantic Region. The highest level of observed sea turtle trawl bycatch in the region occurs in the Atlantic croaker, longfin squid, and summer flounder fisheries. Under the Endangered Species Act, bycatch must be minimized in order to recover sea turtles.

In 2007 and 2010, NMFS held public workshops to discuss bycatch reduction technologies in New England and Mid-Atlantic trawl fisheries. NMFS is now sharing the results of the research that came out of these workshops, identifying potential management measures based on that research, and requesting early input from the public. The presented research included Turtle Excluder Devices (TEDs) in the Atlantic croaker, summer flounder, and longfin squid fisheries and data loggers to record and monitor tow duration.

Final operational feasibility research is being completed, but given the previous results, NMFS is considering:

- 1) Requiring TEDs with a large escape opening in trawls that target Atlantic croaker, weakfish, and longfin squid to reduce injury and mortality resulting from accidental capture in these fisheries;
- 2) Moving the current northern boundary of the TED requirements in the summer flounder fishery (i.e., the Summer Flounder Fishery-Sea Turtle Protection Area) to a point farther north to more comprehensively address capture in this fishery;
- 3) Amending the TED requirements for the summer flounder fishery to require a larger escape opening to allow the release of larger hard-shelled and leatherback sea turtles; and
- 4) Adding an option requiring limited tow durations, if feasible and enforceable, in lieu of TEDs in these fisheries to provide flexibility to the fisheries.

Early information from the public will help shape future management measures. Additionally, industry feedback would be particularly helpful on mitigation measures, operational considerations, and economic considerations. The type of information needed can be found on the website below.

There are several ways to provide public input.

- Written comments may be submitted to nmfs.gar.turtletrawl@noaa.gov by May 31.
- Oral comments may be submitted at call-in days or a webinar.
 - Call-in days
 - March 4, 8 a.m. to 3 p.m., (978) 281-9276
 - March 22, noon to 6 p.m., (978) 281-9276
 - Webinars: While NMFS will present on all the fisheries under consideration, the webinars are designed to provide a more in-depth focus on a particular fishery. Regardless of the focus, NMFS will be accepting comments on all measures under consideration at all of the webinars.

- *Croaker*: February 16, 6:30 to 8:30 p.m.
- *Longfin squid*: March 1, 6:30 to 8:30 p.m.
- *Summer flounder*: March 14, 6:30 to 8:30 p.m.

NMFS has a [sea turtle bycatch in trawl fisheries website](#) that provides background information, descriptions of TED designs, research reports, measures under consideration, the type of information needed from the public, and how to comment and participate in public webinars. NMFS will provide a summary of public input at the May Commission meeting. The recording of the presentation can be found [here](#); the PDF of the presentation will be posted to the Winter Meeting page early next week.

For more information, contact Carrie Upite at carrie.upite@noaa.gov.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (JANUARY 26, 2022)

Press Release

Atlantic Striped Bass Board Approves Draft Amendment 7 for Public Comment: Hearings to be Conducted Throughout March

Arlington, VA – The Commission’s Atlantic Striped Bass Management Board approved for public comment Draft Amendment 7 to the Interstate Fishery Management Plan (FMP) for Atlantic Striped Bass. The Draft Amendment proposes options to address the following issues: management triggers, recreational release mortality, stock rebuilding plan, and conservation equivalency. These issues were identified during the public scoping process for Amendment 7 as critically important to help rebuild the stock and update the management program.

The Draft Amendment’s proposed options consider changes to the management triggers, which determine when the Board is required to make management adjustments, and whether to adopt new restrictions or requirements for the use of conservation equivalency, which provides the states the flexibility to tailor the management measures. For stock rebuilding, the proposed options consider the impact of low recruitment and how the Board could respond to the 2022 stock assessment if action is needed to achieve stock rebuilding by 2029. Since release mortality in the recreational fishery is a large component of annual fishing mortality, the Draft Amendment considers options to reduce the number of striped bass released alive and options to increase the chance of survival after a striped bass is released.

The last time a new plan amendment to the Atlantic Striped Bass FMP was adopted was in 2003 (Amendment 6). Since then, the status and understanding of the striped bass stock and fishery has changed considerably, and the results of the 2018 Benchmark Stock Assessment in particular led the Board to discuss a number of prominent issues facing striped bass management. Consequently, the Board initiated the development of Amendment 7 in August 2020 to update the management program to better align with current fishery needs and priorities. The Board intends for this amendment to build upon the Addendum VI to Amendment 6 action to end overfishing and initiate rebuilding in response to the overfished status of the stock.

The Draft Amendment will be available on or before February 4th on the Commission's website at <http://www.asmfc.org/about-us/public-input>. The public comment period will begin once the Draft Amendment 7 has been posted and will extend until April 15. All those interested in the management of Atlantic striped bass are encouraged to provide input either by participating in public hearings, which may be conducted via webinar, or providing written comment. Public comment will be accepted until **11:59 PM (EST) on April 15** and should be sent to Emilie Franke, FMP Coordinator, at 1050 N. Highland St., Suite 200 A-N, Arlington, Virginia 22201; 703.842.0741 (fax) or at comments@asmfc.org (Subject line: Draft Amendment 7). A subsequent press release will provide the details of the scheduled hearings once those are finalized. For more information, please contact Emilie Franke at efranke@asmfc.org or 703.842.0740.

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PR22-03

Motions

Move to remove in Section 4.1: Management Triggers, sub-option B3 in Tier 1: Fishing Mortality Management Triggers (three year average F exceeds the F threshold) from draft Amendment 7.

Motion made by Ms. Ware and seconded by Mr. McMurray. Motion passes (10 in favor, 6 opposed).

Move to add an option to Section 4.4: Rebuilding Plan that considers an alternative process for responding to the 2022 stock assessment, as follows: If the 2022 stock assessment results indicate the Amendment 7 measures have less than a 50% probability of rebuilding the stock by 2029 (as calculated using the recruitment assumption specified in Amendment 7) and if the stock assessment indicates at least a 5% reduction in removals is needed to achieve F rebuild, the Board may adjust measures to achieve F rebuild via Board action.

Motion made by Dr. Armstrong and seconded by Dr. McNamee. Motion passes by consent.

Motion to remove Section 4.2.1 Measures to Protect Strong Year Classes (Recreational Size and Bag Limits) from Draft Amendment 7.

Motion made by Dr. Davis and seconded by Mr. Borden. Motion passes (15 in favor, 1 opposed).

Move to approve Draft Amendment 7 for public comment as modified today.

Motion made by Mr. Hasbrouck and seconded by Dr. Davis. Motion passes by consent.

ATLANTIC MENHADEN MANAGEMENT BOARD (JANUARY 27, 2022)

Meeting Summary

The Atlantic Menhaden Management Board met to receive an overview of Atlantic menhaden mortality events over the last two years, consider approval of Draft Addendum I to Amendment 3 for public comment, and approve Advisory Panel nominations.

The Board was presented an update on menhaden mortality events that have occurred along the Atlantic coast from 2020 through 2021. While these fish kills of menhaden can be relatively common events due to seasonal changes in dissolved oxygen and water temperature, pathology samples from recent fish kills in New Jersey and New York indicated die off from *Vibrio anguillarum*, a bacteria found

in marine and estuarine areas. It is not known what may have caused the outbreak of *V. anguillarum* to occur, but the scale of these mortality events so far have not posed a significant threat to the Atlantic menhaden population, nor is it expected to impact wild populations of other species. The states will continue to monitor fish kills in coordination with staff at U.S. Geological Survey where samples are analyzed and stored on a regional level.

The Board was presented an overview of the management options developed for Draft Addendum I to Amendment 3. Previous to the Board meeting, the Plan Development Team (PDT) developed the document and provided recommendations for the Board's consideration. The Advisory Panel (AP) also met to provide feedback on whether additional options or information should be considered by the Board before approval for public comment. Draft Addendum I proposes changes to three management topics: commercial allocations, episodic event set-aside program (EESA), and the incidental catch and small-scale fisheries (IC/SSF) provision. The three topics are interconnected. For example, changes to allocation can affect states' need to participate in the EESA program as well as the volume of annual IC/SSF landings. This dynamic in the management program has created additional complexity for the options outlined in the Draft Addendum. Taking into consideration PDT recommendations and feedback from the AP, the Board made a number of changes to the Draft Addendum to reduce the complexity and possible options in the document for public comment. Due to time constraints and the extent of changes made to the document, the Draft Addendum will be reconsidered by the Board at the Spring Meeting in May before being approved for public comment. Below is a summary of changes made to the document and items for the PDT to work on further:

Allocation

- Adjust Section 3.1.1 Option 3. (three-tiered fixed minimum allocation) to designate Delaware and Florida in the second tier (0.25%) and New York in the third tier (0.50%)
- Provide clarifying language in the Section regarding how latent quota under the tiered minimum allocation options (Section 3.1.1. Options 2 and 3) would be allocated to the state allocations unless directed by the Board to be used for the EESA, if a tiered minimum allocation were selected.
- Remove Section 3.1.2. Option 2 (2009-2020) and Option 4 (Second Highest Year) timeframes for allocating the remaining Total Allowable Catch (TAC)
- Remove Section 3.1.2 Sub-Option 3 under both Options 6A and 6B where the weighted Sub-Option 3 uses 75% older timeframe/25% newer timeframe from the weighted allocation timeframe options 6A (2009-2011/2018-2020) and 6B (2009-2012/2017-2020)
- For Section 3.2.1 the moving average timeframe Option 5, provide additional information on how directed landings are to be evaluated and included into the calculation for moving average. The Board indicated that directed landings above a state's final annual quota should not count towards the moving average.

Episodic Event Set-Aside (EESA) Program

- Clarify that Section 3.2.2 Option 2 (to Set EESA during Specifications) is contingent on the Board selecting Section 3.2.1 Option 2 (to Increase the EESA up to 5%). If the Board does not move to increase the EESA percentage, then it will remain 1% of the annual TAC and does not need to be revised through specifications.

Incidental Catch and Small-Scale Fisheries (IC/SSF) Provision

- The PDT should explore creating two tiers for Section 3.3.4 Options 2-4 where the first tier addresses how the management trigger would be specified and the second tier would outline a management response to the management trigger.
- In Section 3.3.4 modify the language in Option 4. Total Landings with Payback Provision to more clearly indicate that if IC/SSF landings, when added with directed landings under state quotas and the EESA, cause the TAC to be exceeded, then the overage will be deducted on a pound-for-pound basis from the next subsequent year's TAC. The PDT should explore this further to provide more guidance on how this would be evaluated.

The Board considered and approved the nominations of Michael Dawson of Maine and William Caldwell of New York to the Atlantic Menhaden Advisory Panel. Last, Dr. Conor McManus of Rhode Island was elected Vice-Chair of the Board.

For more information, please contact James Boyle, Fishery Management Plan Coordinator, at jboyle@asmfc.org.

Motions

Move to remove option 3: 3-tiered fixed minimum approach, under 3.1.1 options for addressing minimum allocation.

Motion made by Ms. Fegley and seconded by Mr. Hasbrouck. Motion fails (3 in favor, 12 opposed, 3 abstentions).

Main Motion

Move to modify section 3.1.1. option 3 to put DE and FL in tier 2 (0.25%).

Motion made by Ms. Meserve and seconded by Ms. Burgess. Motion amended.

Motion to Amend

Move to amend to move NY into tier 3

Motion made by Mr. Hasbrouck and seconded by Mr. Miller. Motion passes.

Main Motion as Amended

Move to modify section 3.1.1. option 3 to put DE and FL in tier 2 (0.25%) and move NY into tier 3 (.5%).

Motion passes (15 in favor, 1 opposed, 3 abstentions).

Main Motion

Move to remove from Draft Addendum I in Section 3.1.2:

- **Option 2: 2009-2020**
- **Option 4: Second Highest Year**
- **Option 6b: Weighted Allocation Timeframe 6B (2009-2012 and 2017-2020)**

Motion made by Ms. Ware and seconded by Mr. Clark.

Motion to Amend

Move to amend to remove option 6b and replace with option 6a (2009-2011 and 2018-2020)

Motion made by Mr. Cimino and seconded by Dr. Davis. Motion fails for lack of a majority (6 in favor, 6 opposed, 5 abstentions, 1 null).

Main Motion

Move to remove from draft Addendum I in Section 3.1.2:

- **Option 2: 2009-2020**
- **Option 4: Second Highest Year**
- **Option 6b: Weighted Allocation Timeframe 6B (2009-2012 and 2017-2020)**

Motion made by Ms. Ware and seconded by Mr. Clark.

Motion to Amend

Move to amend to remove option 6b: Weighted Allocation Timeframe 6B (2009-2012 and 2017-2020)

Motion made by Dr. Davis and seconded by Mr. Fote. Motion carries (13 in favor, 2 opposed, 3 abstentions).

Main Motion as Amended

Move to remove from draft Addendum I in Section 3.1.2:

- **Option 2: 2009-2020**
- **Option 4: Second Highest Year**

Motion carries without objection with 3 abstentions from USFWS, NOAA Fisheries, and South Carolina.

Move to eliminate sub-options 3 (weighting 75/25) to both 6a (2009-2011/2018-2020) and 6b (2009-2012/2017-2020)

Motion made by Ms. Patterson and seconded by Ms. Fegley. Motion passes (11 in favor, 4 opposed, 3 abstentions).

Move to eliminate sub option 1 (weighting 25/75) to both 6a (2009-2011/2018-2020) and 6b (2009-2012/2017-2020) from section 3.1.2.

Motion made by Mr. Geer and seconded by Mr. Pugh. Motion fails (2 in favor, 13 opposed, 3 abstentions).

Motion to remove Option 5 (moving average) from section 3.1.2.

Motion made by Ms. Burgess and seconded by Mr. Geer. Motion fails (2 in favor, 13 opposed, 3 abstentions).

Move to nominate Michael Dawson of ME and William Caldwell of NY to the Atlantic Menhaden Advisory Panel.

Motion made by Mr. Gilmore and seconded by Dr. Davis. Motion carries by unanimous consent.

Move to nominate Dr. Conor McManus of Rhode Island as Vice-Chair of the Atlantic Menhaden Board

Motion made by Mr. Reid and seconded by Ms. Ware. Motion passes.

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (JANAURY 27, 2022)

Meeting Summary

The Interstate Fisheries Management Program (ISFMP) Policy Board met to receive an update from Executive Committee; review the 2021 Commissioner Survey results; consider a Policy on Information Requests; receive an update on the East Coast Scenario Planning Initiative; receive reports from the Atlantic Coastal Fish Habitat Partnership (ACFHP) and Habitat Committee (HC); and consider revision to the Submerged Aquatic Vegetation (SAV) Policy.

The Commission Chair Spud Woodard presented the Executive Committee Report to the Board (see Executive Committee meeting summary earlier in this document).

Deke Tompkins presented the results of the 2021 Commissioner Survey Results. Many questions show similar trends to years past. It was noted some obstacles to the Commission's success in rebuilding stocks include a need to improve cooperation among states and federal managers; managing fisheries in changing environmental conditions; and the social impacts of management decisions. Some of the issues Commissioners would like to focus more on include: allocation; improving recreational management strategies (party and charter mode split, processes that allow for uncertainty in recreational harvest estimates); adapting management to changing environmental conditions; filling data gaps; advocating for increased state and federal agency resources; cooperation with federal partners; and improving federal enforcement.

Commission member states have committed to transparent and open ASMFC decision-making, record-keeping, and public meeting processes. Much of the Commissions work can readily be accessed on the ASMFC's website, www.asmfc.org. The Commission's website is maintained to provide extensive information on fishery management proceedings, scientific and technical information, ASMFC procedures, and many other topics. For information that is not available via the website, the public can make requests for that information. The Board reviewed and approved a policy to provide clarity to the public on making information requests for information that is not available on the Commission's web page. The Policy includes where to make requests, timeline and process for responses, and information regarding possible costs. It will be posted to the website in early February and can be found at <http://www.asmfc.org/about-us/guiding-documents>.

Over the past year, East Coast fishery management bodies have been collaborating on a climate change scenario planning initiative designed to prepare fishing communities and fishery managers for an era of climate change. Staff reviewed progress of the initiative and discussed upcoming drivers of change webinars. The goals of this project are to assess how climate change might affect stock distribution and availability of East Coast marine fisheries over the next 20 years and to identify the implications for fishery management and governance. Last summer and fall, many stakeholders participated in the Scoping phase of the project by attending introductory scoping

webinars and providing input through an online questionnaire. A summary of the scoping process and input received is available [here](#). The next step in the scenario planning process is the Exploration phase. Building on the input gathered during scoping, this phase will include a series of [three webinars](#) which will focus on identifying and analyzing the major drivers of change in greater depth. Once again, stakeholder involvement is key, and the webinars are open to the public. The outcomes of these webinars will form the “building blocks” for a future scenario creation workshop to be held in Spring 2022.

Dr. Lisa Havel provided updates on ACFHP and HC. The ACFHP Steering Committee revised the National Fish Habitat Partnership (NFHP) request for proposals (RFP) and discussed the creation of a general ACFHP RFP in response for potential funding associated with the Infrastructure Bill. The Steering Committee began discussing its next strategic plan, including how to handle future fundraising, and how to better consider diversity, equity, inclusion, and justice in their work moving forward. Kent Smith (FL FWC) and Jessica Coakley (Mid-Atlantic Fishery Management Council) were re-confirmed as Chair and Vice Chair, respectively. Finally, the Committee reviewed endorsement project success over the years. The FY2023 NFHP RFP was released on November 16, 2021 and closed on January 19, 2022. ACFHP received three proposals this year.

The HC discussed the status and next steps for the documents they are currently working on: Acoustic Impacts to Fisheries, Fish Habitats of Concern, and a review of each state’s current climate change initiatives. The Committee also discussed potential Commission involvement in offshore wind and the impacts of harbor deepening projects on fisheries. The Policy Board unanimously approved the updates to the current SAV Policy. The HC also welcomed Rachael Peabody as the newest representative for the Virginia Marine Resources Commission.

Lastly, the Board also discussed the possibility of delaying the release of American Lobster Draft Addendum XXVII for public comment. In consideration of the following issues – upcoming information on stock condition, the need for additional time for the Lobster Board to better understand current or new right whales rules that could benefit the resiliency of the lobster stock, and the importance of giving the states the opportunity to safely hold in-person scoping meetings with their lobster industry ahead of any Commission public hearing – the Board delayed further action on the Draft Addendum. Consequently, public hearings are expected to occur in June 2022 and the Board will review public comment and consider final action on the addendum at the August 2022 meeting.

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

Motions

Move that the ISFMP Policy Board delay further action on Draft Addendum XXVII to Amendment 3 to the American Lobster Fishery Management Plan, to move back the public hearings to June 2022.

The delay of final action on this FMP is to ensure that the public hearings can include a presentation on the 2021 stock status, ensure that the Lobster Board has a better understanding

of current or new right whales rules that could benefit the resiliency of the lobster stock, and to allow for possible changes in the current COVID situation to allow states that will need to hold in-person scoping meetings ahead of any commission public hearings.

Motion made by Mr. Keliher and seconded by Mr. McKiernan. Motion carries unanimously.

Move to approve the Policy on Information Requests as presented today.

Motion made by Mr. Keliher and seconded by Mr. Bell. Motion approved by unanimous consent.

Move to approve the updates to the 2018 ASMFC SAV Policy.

Motion made by Mr. Keliher and seconded by Mr. Cimino. Motion approved unanimously.

BUSINESS SESSION (JANAURY 27, 2022)

Meeting Summary

The Atlantic States Marine Fisheries Commission approved Amendment 22 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan: *Commercial/Recreational Allocation*. The Amendment establishes new catch-based allocations between the commercial and recreational sectors for all three species, and provides the option for future changes to commercial/recreational allocations and annual quota transfers to be made through addenda.

The Commission’s Summer Flounder, Scup, and Black Sea Bass Management Board and the Mid-Atlantic Fishery Management Council (Council), who jointly manage these three species, initiated the Amendment to respond to the Marine Recreational Information Program’s (MRIP) release of revised recreational catch and harvest estimates that showed that recreational catch and harvest of summer flounder, scup, and black sea bass were much higher than previously estimated. The revised MRIP estimates resulted in significant changes to stock biomass estimates and resulting catch limits for these three species, and action was needed to consider modifications to the allocations.

The current commercial and recreational allocations for all three species were set in the mid-1990s based on historical proportions of landings (for summer flounder and black sea bass) or catch (for scup) from each sector. The Amendment revises the commercial and recreational sector allocations using the original base years updated with new MRIP data. These changes are intended to better reflect the current understanding of the historic proportions of catch and landings from the commercial and recreational sectors. The modified allocations are provided in the table below.

	Current Allocations	Revised Allocations
Summer Flounder	60% Commercial; 40% Recreational Landings-based	55% Commercial; 45% Recreational Catch-based
Scup	78% Commercial; 22% Recreational Catch-based	65% Commercial; 35% Recreational Catch-based
Black Sea Bass	49% Commercial; 51% Recreational Landings-based	45% Commercial; 55% Recreational Catch-based

Note: Landings-based allocations are based on each sector’s harvest only. Catch-based allocations are based on each sector’s harvest plus dead discards.

Given the joint nature of the Amendment and the federal process that requires the Council's Amendment to undergo federal review and rulemaking, the implementation date for the Commission plan will be set once NOAA Fisheries approves the Council's Amendment. The Amendment is expected to go into effect for the 2023 fishing year.

For more information, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org or 703.842.0740.

Motions

Move on behalf of the Summer Flounder, Scup, and Black Sea Bass Management Board approval of Amendment 22 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan: Commercial/Recreational Allocation. The effective date of the Amendment will be consistent with the effective date published in the final rule in the Federal Register.

Motion made by Dr. Davis. Motion passes unanimously.



December 2021 Council Meeting Summary

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's December 13-16, 2021 meeting in Annapolis, Maryland. This was conducted as a hybrid meeting, with virtual and in-person participation options. Presentations, briefing materials, motions, and webinar recordings are available at <http://www.mafmc.org/briefing/december-2021>.

During this meeting, the Council:

- Selected preferred alternatives and approved the Summer Flounder, Scup, and Black Sea Bass Commercial/ Recreational Allocation Amendment*
- Approved the use of regional conservation equivalency for the recreational summer flounder fishery in 2022*
- Approved a one inch increase in the scup recreational minimum size for 2022, resulting in a 10 inch minimum size in federal waters and variable minimum size limits in state waters*
- Approved the use of conservation equivalency for black sea bass collectively reduce harvest by 28% in 2022*
- Adopted status quo recreational bluefish measures for 2022-2023*
- Received an update on the EAFM Recreational Summer Flounder Management Strategy Evaluation*
- Reviewed a draft white paper on the issue of mixing of surfclam and ocean quahog catch and agreed to initiate an amendment to explore short-term solutions
- Approved revisions to the Council's policy on offshore wind energy development and received updates from wind developers and the Bureau of Ocean Energy Management
- Approved several modifications to the Council's Five-Year Research Priorities, as recommended during the first ever biennial review of research priorities
- Approved the 2022 Implementation Plan, with several revisions identified during the meeting
- Agreed to complete the Atlantic mackerel rebuilding plan revisions through an amendment instead of a framework adjustment
- Received updates on:
 - East Coast Climate Change Scenario Planning
 - the Ocean City Video Project
 - habitat activities of interest in the region
 - sea turtle bycatch and ongoing research on mitigation measures in the greater Atlantic region
 - a proposed rule to codify the Omega gauge as an acceptable method for measuring net mesh size
- Presented the 2019 and 2020 Ricks E Savage Awards to Mr. Rob O'Reilly and Mr. Warren Elliott

** Items denoted with an asterisk (*) were undertaken during joint meetings with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board and Bluefish Management Board.*

Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment

The Council met jointly with the Atlantic States Marine Fisheries Commission’s (Commission) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) to take final action on the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. The Council and Board voted to modify the commercial and recreational allocations of summer flounder, scup, and black sea bass. These changes are intended to better reflect the current understanding of the historic proportions of catch and landings from the commercial and recreational sectors. The modified allocations are provided in the table below.

	Current Allocations	Revised Allocations
Summer Flounder	60% Commercial; 40% Recreational Landings-based	55% Commercial; 45% Recreational Catch-based
Scup	78% Commercial; 22% Recreational Catch-based	65% Commercial; 35% Recreational Catch-based
Black Sea Bass	49% Commercial; 51% Recreational Landings-based	45% Commercial; 55% Recreational Catch-based

Note: Landings-based allocations are based on each sector’s harvest only. Catch-based allocations are based on each sector’s harvest plus dead discards.

The current commercial and recreational allocations for all three species were set in the mid-1990s based on historical proportions of landings (for summer flounder and black sea bass) or catch (for scup) from each sector. The Council and Board developed this amendment partly in response to recent changes in how recreational catch is estimated by the Marine Recreational Information Program (MRIP), which resulted in a revised time series of recreational data going back to the 1980s. This created a mismatch between the data that were used to set the allocations and the data currently used in management for setting catch limits. In addition, some changes have been made to commercial catch data since the allocations were established.

The amendment contained a range of allocation alternatives, with options that would maintain the current allocations and a variety of options to revise the allocations based on updated data using the same or modified “base years” (the time periods used to set the current allocations). The Council and Board ultimately voted to revise the allocations using the original base years updated with new data. This approach allows for consideration of fishery characteristics in years prior to influence by the commercial/recreational allocations, while also using the best scientific information available to understand the fisheries in those base years.

For all three species, these changes result in a shift in allocation from the commercial to the recreational sector. However, because the summer flounder and black sea bass fisheries will be transitioning from landings-based to catch-based allocations, the current and revised allocations for those species are not directly comparable.

The Council and Board also approved an option to allow future changes to commercial/recreational allocations, annual quota transfers, and other measures addressed in the amendment to be made through framework actions/addenda. The Council and Board considered but did not recommend an option to “phase in” the allocation changes over a period of time. A phase in period was deemed unnecessary given the relatively small magnitude of allocation changes. They also considered, but did not recommend, an option to allow transfers of annual quota between the commercial and recreational sectors at this time.

The Council will forward the amendment to the National Marine Fisheries Service for review and rulemaking. The Commission’s Business Session, which represents its 15 state members, will consider final approval of the amendment, based on the Board’s recommendations, at its Winter 2022 Meeting in late January. These changes are expected to take effect on January 1, 2023. Visit the [action page](#) for additional information and updates.

Summer Flounder, Scup, and Black Sea Bass 2022 Recreational Management Measures

The Council and Board also developed recreational management measures for summer flounder, scup, and black sea bass for 2022.

Summer Flounder

The Council and Board agreed to continue the use of regional conservation equivalency for summer flounder in 2022 to achieve, but not exceed, the 2022 recreational harvest limit (RHL) of 10.36 million pounds. Conservation equivalency allows individual states or multi-state regions to develop customized measures that, in combination, will achieve but not exceed the coastwide RHL. Due to the increase in the RHL between 2021 and 2022, from 8.32 to 10.36 million pounds, and because recent harvest estimates have been well below the 2022 RHL, the Council and Board recommended allowing for up to a 16.5% liberalization of state or regional measures under conservation equivalency. The Council and Board agreed with the Monitoring Committee's conclusion that liberalizations beyond this amount may pose too much of a risk of exceeding the RHL, as harvest has varied considerably under the same management measures over the past four years. Any proposed state or regional adjustments to measures will be considered by the Commission's Technical Committee and Summer Flounder, Scup, and Black Sea Bass Board in early 2022.

The Council and Board also approved non-preferred coastwide measures consisting of a 4-fish possession limit, an 18.5-inch total length minimum size, and an open season of May 15 – September 15. These measures will be waived in favor of state regulations if conservation equivalency is approved by the National Marine Fisheries Service (NMFS). The Council and Board made no changes to the current precautionary default measures (i.e., a 2-fish possession limit, a 20-inch total length minimum size, and an open season of July 1 – August 31) which would be implemented in any state or region that does not adopt measures consistent with the conservation equivalency guidelines.

Scup

The Council and Board agreed to increase the scup recreational minimum size by one inch in state and federal waters for 2022. In federal waters, this results in a 10 inch total length minimum size. In state waters, this one-inch increase would be applied to each state's measures, which varies by state and mode. Collectively, this change in state and federal waters is expected to achieve an approximate 33% reduction in harvest compared to the 2019-2021 average. The Council and Board acknowledged that this is less than the estimated 56% reduction in harvest needed to fully constrain recreational harvest to the 2022 RHL of 6.08 million pounds; however, they agreed that 33% was an appropriate level of reduction given the negative socioeconomic impacts of the full 56% reduction and the current high biomass level. In 2020 and 2021 the Council and Board maintained status quo recreational measures despite predicted overages as a short-term approach to allow more time to consider how management should adapt to the revised recreational harvest estimates from MRIP. During this meeting, the Council and Board considered continuing status quo measures for a third year, but they concluded that this had been intended as a temporary solution and that some reduction in recreational harvest in 2022 is necessary to meet the Council's statutory requirement to prevent overfishing. They also noted that it would not be appropriate to leave measures unchanged in 2022 given the magnitude of the expected RHL overage and concerns about low recruitment in recent years, including the lowest for the time series in 2019.

Black Sea Bass

The Council and Board approved measures to achieve a 28% reduction in coastwide harvest of black sea bass in 2022, compared to the 2018-2021 average. This reduction is needed to avoid exceeding the 6.74 million pound RHL for 2022. Given the current healthy stock status of black sea bass, the Council and Board considered requiring a 14% reduction rather than the full 28% reduction; however, this would be expected to result in an RHL overage and is therefore not consistent with the FMP or the federal regulations. After a lengthy discussion, the Council and Board agreed to use the conservation equivalency process to waive federal waters measures and allow states

to work together as regions to develop measures to collectively reduce harvest by 28% compared to the 2018-2021 average. The regional measures will be determined through the Commission process in early 2022.

This will be the first time conservation equivalency has been used for the recreational black sea bass fishery. The Council and Board approved the use of conservation equivalency for black sea bass through a framework action and addenda completed in 2019. As a result, the Council and Board must now make an annual decision between implementing one set of coastwide measures which apply uniformly in federal waters and all states or using the conservation equivalency process to waive the federal waters measures and allow individual states or multi-state regions to develop customized measures that, in combination, will achieve but not exceed the coastwide RHL.

As part of approving conservation equivalency for 2022, the Council and Board also approved non-preferred coastwide measures consisting of a 14-inch minimum size limit, a 5 fish possession limit, and an open season of May 15-September 21. These measures are intended to be waived in favor of regional measures which would collectively prevent an RHL overage. The Council and Board also agreed to precautionary default measures consisting of a 16-inch minimum size, a 3 fish possession limit, and an open season of June 24-December 31. These measures are intended to be implemented in any state or region that does not put forward a proposal that can be approved by the Board through the conservation equivalency process.

Bluefish 2022-2023 Recreational Management Measures

The Council met jointly with the Commission's Bluefish Management Board (Bluefish Board) to develop bluefish recreational management measures for 2022 and 2023. The Council and Bluefish Board agreed to maintain status quo recreational management measures for bluefish in state and federal waters for both years. These measures include a coastwide 3-fish and 5-fish bag limit for private and for-hire anglers, respectively. The Council and Bluefish Board discussed uncertainty associated with bluefish discard estimates and MRIP inputted 2020 harvest estimates. The Council and Bluefish Board also acknowledged that bluefish is entering a 7-year rebuilding plan (starting in 2022) and is scheduled for a research track assessment in June 2022. In addition, the current recreational management measures were not implemented by all states until mid-late 2020; therefore, the full impact of these measures is currently difficult to assess. Given these uncertainties and future bluefish developments, the Council and Bluefish Board agreed with the Monitoring Committee recommendation to maintain status quo measures for 2022-2023.

The Council and Board recommended that the Monitoring Committee consider assessing the impact of a 7-fish bag limit for the for-hire sector when the 2023 specifications are reviewed next year. However, it was indicated that given the research track assessment work and other uncertainties, conducting this analysis will be challenging.

EAFM Recreational Summer Flounder Management Strategy Evaluation

The Council and the Summer Flounder, Scup, and Black Sea Bass Management Board received an update on recent activities regarding the recreational summer flounder management strategy evaluation (MSE) project. Development of this MSE is part of the continued implementation of the Council's Ecosystem Approach to Fisheries Management (EAFM) structured framework process. The objectives of this MSE are to (1) evaluate the biological and economic benefits of minimizing discards and converting discards into landings in the recreational summer flounder fishery, and (2) identify management strategies to effectively realize these benefits. In August the Council and Board approved a range of management objectives and alternatives for further refinement and evaluation by the technical work group and core stakeholder group. During this meeting, staff provided an update on the project activities that have occurred since the August meeting with a focus on the outcomes of workshop #2 with the core stakeholder group and on the development of biological and economic models to be used to evaluate different management objectives and strategies. It is anticipated that final results of the project will be presented to the Council and Board in mid-2022.

Surfclam and Ocean Quahog Species Separation Requirements

Council staff presented a draft white paper developed by the Fishery Management Action Team (FMAT) on the issue of mixing of surfclam and ocean quahog catch in the fishery and presented some possible solutions to this problem. Current regulations do not allow for both surfclam and ocean quahog to be landed on the same trip or placed in the same cages. This draft paper described the extent of the mixing, how this relates to the current regulations and their enforcement, data collection issues, and aspects of industry operations and practices. During the meeting, the Council was presented with the FMAT, Advisory Panel, and Committee recommendations for next steps developed at meetings this fall. Ultimately, the Council decided to initiate an Amendment that considers short-term solutions to species separation including white paper option 3 (i.e., modifies regulations to require onboard sorting and allows for mixed trips). The Council also requested that the staff/NEFSC explore the feasibility of longer-term solutions for monitoring (such as electronic monitoring testing on the clam survey).

On a separate issue taken up during these discussions, the Council recommended that Council leadership prioritize a leadership level discussion about the Great South Channel Habitat Management Area between NEFMC and MAFMC. This was in response to a letter received by the Council.

Offshore Wind

The Council approved revisions to its policy on offshore wind energy development. The revisions build upon the previous version of the policy and reflect positions the Council has taken in recent comment letters. The Council also received updates on the Kitty Hawk Wind Project off North Carolina and the Ocean Wind project off Maryland. The Bureau of Ocean Energy Management (BOEM) provided updates on the development of offshore wind fisheries mitigation guidance, plans to identify additional wind energy lease areas in the Mid-Atlantic, a schedule of environmental review of several wind projects in 2022, and other topics. The Council noted that BOEM's current draft Central Atlantic Planning Areas overlap with the Frank R. Lautenberg deep sea coral protection broad zone. These planning areas are intended to be reduced in size before becoming lease areas. The Council agreed to provide BOEM with information on the coral protection areas with the intent of excluding those areas from future wind energy development. The Council also passed motions with two requests to NMFS regarding their involvement in BOEM's development of guidelines for fisheries mitigation and offshore wind, including evaluation of the relationship between that effort and existing policies and best practices, as well as evaluation of ways to improve the fisheries mitigation analysis by involving fisheries experts and stakeholders.

Biennial Review of Research Priorities

The Council received a report detailing the findings and recommendations identified during the first ever biennial review of the Council's Five-Year (2020-2024) Research Priorities document. The Council agreed to conduct these reviews to ensure the document is reflective of the Council's current science and management needs and to help ensure its successful implementation. A variety of possible research priority modifications were recommended for consideration by the Council, including the addition/removal of priorities, edits the existing priority language, and changes in the priority order. In addition to the recommended changes, the review also found that nearly 41% of all existing research priorities have been completed, are currently being reviewed, or are in the process of being addressed. The Council supported continuing with the biennial review process and approved all recommended modifications to the research priorities list.

2022 Implementation Plan

The Council reviewed and approved its 2022 Implementation Plan. An implementation plan is developed each year as a tool for planning and prioritizing activities for the upcoming year within the broader context of the Council's longer-term goals and objectives. The 2022 Implementation Plan identifies the specific activities, amendments, frameworks, specifications, and other projects the Council expects to initiate, continue, or complete during the year.

After some discussion, the Council approved the following revisions to the plan:

- Change **Framework** to **Amendment** on Deliverables #23 and 28 (Mackerel Rebuilding 2.0) – see section below for additional details
- Change **action** to **Amendment** on Deliverable #33 (Surfclam/Quahog Species Separation Requirements)
- Remove #71 from the list of possible additions (Northeast Canyons and Seamounts National Marine Monument fishing restrictions)
- Add the following to the list of Possible Additions: “Explore the use of unused ACL carryover for the Council’s fisheries”

The final revised plan will be available by the end of the year at <https://www.mafmc.org/strategic-plan>.

Atlantic Mackerel Rebuilding

The Council discussed ongoing development of a revised rebuilding plan for Atlantic mackerel. After reviewing a comment letter from the states of Maine, New Hampshire, and Connecticut, the Council decided to complete the revised rebuilding plan through an FMP amendment instead of a framework action, as had been previously planned. This decision will allow for additional public comment opportunities and more thorough engagement of stakeholders who may be affected by rebuilding measures. The Council will hold two public information webinars on [January 11](#) and [January 12](#), 2022.

Updates and Presentations

East Coast Climate Change Scenario Planning

The Council received an update on the East Coast Climate Change Scenario Planning process currently being conducted by the Northeast Region Coordinating Council and the South Atlantic Fishery Management Council. This update summarized the activities and outcomes from a scoping process conducted in Fall 2021, for which a more detailed report will be available on the [website](#) for the initiative later this month. Staff also outlined next steps for this project, including a series of “Exploration Webinars” planned for February/March 2022. These webinars will review key drivers of change that could shape East Coast fisheries over the next 20 years, in preparation for a scenario creation workshop in Spring 2022.

Ocean City Video Project

Council staff presented an update on the Ocean City Video Project. The objective of this project is to use video recordings to examine recreational fishing effort originating from Ocean City, Maryland. Data collection has been ongoing since early July 2020, with a pause between March and mid-July 2021 due to camera failure. Recording is planned to continue until March 1, 2022, at which point staff will download the recordings and then create a draft vessel counting scheme in consultation with the Research Steering Committee and constituents familiar with the area. Staff anticipates that the workshop to finalize the vessel count scheme could be held in late April 2022 if the Covid situation allows. Staff would schedule another workshop to review results before completing a final project report.

Habitat Activities in the Greater Atlantic Region

The Council received an update from NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO) - Habitat and Ecosystem Services Division on activities of interest in the region. The update included a description of port development activities, an overview of GARFOs watershed and river herring work, highlights from the infrastructure bill, and an update on aquaculture. In addition, the Council heard about research being conducted by the Northeast Fisheries Science Center (NEFSC) - Milford Laboratory on oyster aquaculture and fish habitat, with both scup and black sea bass highlighted in this research.

Sea Turtle Bycatch in Trawl Fisheries

The Council received a report from NMFS Protected Resources staff summarizing sea turtle bycatch issues and the ongoing research on mitigation measures in the greater Atlantic region. Fisheries bycatch is the primary threat to endangered sea turtles and occurs at high levels in trawl fisheries such as croaker, longfin squid, and summer

flounder. NMFS and other partners have been investigating mitigation measures such as gear modifications called Turtle Excluder Devices (TEDs) or limited tow durations to reduce mortality of incidentally bycaught sea turtles. Council members and members of the public asked questions and provided feedback on the presentation. More information and opportunities for providing feedback, including stakeholder webinars in February and March, can be found [here](#).

Omega Net Mesh Measurement Gauge

The Council received an update on a proposed rule which would revise regulations for the Atlantic Sea Scallop, Northeast Multispecies, and Summer Flounder, Scup, and Black Sea Bass FMPs to codify the Omega gauge as an acceptable method for measuring net mesh size. This would not eliminate the wedge gauge as a method of measuring net mesh size.

2019 and 2020 Ricks E Savage Awards

Two former Council members were announced as the recipients of the Ricks E Savage award for 2019 and 2020. The award is given each year to a person who has added value to the MAFMC process and management goals through significant scientific, legislative, enforcement, or management activities.

Mr. Rob O'Reilly was named the 2019 recipient of the Ricks E Savage award. Mr. O'Reilly joined the Council in 2012 as the Virginia state official's designee. From 2016 until his retirement in 2019, Mr. O'Reilly played an important role in the Council process as Chair of the Demersal Coastal Migratory Committee (which previously encompassed what are now the Summer Flounder, Scup, and Black Sea Bass Committee and Bluefish Committee). In this role, he provided leadership and thoughtful guidance during the development of several major fishery management actions, including the Summer Flounder Commercial Issues Amendment and three framework adjustments which addressed various management issues in the summer flounder, scup, and black sea bass fisheries.



Mr. Warren Elliott was named the 2020 recipient of the Ricks E Savage award. Mr. Elliott was appointed to the Council in 2011 and served for three consecutive terms as the obligatory member from Pennsylvania. From 2016 until his departure from the Council in 2020, Mr. Elliott served as the Council's Vice Chair. He also served as Chair of the Ecosystem and Ocean Planning Committee from 2012 to 2020. In this position, he played a vital role in the development of the Deep Sea Corals Amendment which established protection for deep sea corals across more than 41,000 square miles of federal waters off the Mid-Atlantic coast.



Next Meeting

The next Council meeting will be held **February 8-10, 2021**. This will be a hybrid meeting with options to participate virtually or in person in Durham, North Carolina. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.



South Atlantic Fishery Management Council

News Release

FOR IMMEDIATE RELEASE
December 15, 2021

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Council Exploring Options to Reduce Release Mortality and a Holistic Approach to Management of Snapper Grouper Species

Members of the South Atlantic Fishery Management Council are beginning to explore ways to reduce the number of fish that are released in the Snapper Grouper Management Complex and improve survival rates for those fish that are released. The multi-species complex includes 55 species of snappers, groupers, porgies, grunts, and amberjacks. “We simply have to get a handle on these regulatory discards,” explained Council Chair Mel Bell during the Council’s meeting last week in Beaufort, North Carolina. “Fishermen also play a key role in improving the survival rate for released fish and ultimately determining the future of the fishery.” The Council has consistently encouraged the use of [Best Fishing Practices](#) including a descending device requirement and hook modifications for snapper grouper fishermen in federal waters [in place since July 15, 2020](#).



According to the latest stock assessment for Red Snapper, discard mortality (the number of fish that are released and die) accounts for 90% of the overall fishing mortality, primarily from the recreational fishery as anglers continue to fish year-round for other snapper grouper species. Large numbers of discards affect managers’ ability to prevent overfishing while also reducing the number of fish that can be kept and landed by the fishery. The Council’s Scientific and Statistical Committee determined the

Red Snapper stock continues to be overfished and undergoing overfishing largely due to discard mortality, and in September provided the Council a total Acceptable Biological Catch (ABC) for Red Snapper of 25,000 pounds. Under law, the Council may not set an annual catch limit that exceeds that ABC, leaving little room for an opening of the fishery when the updated ABC is implemented. However, given that the majority of Red Snapper mortality is due to discarded fish, the Council recognizes that reducing discard losses is necessary to prevent overfishing and could possibly increase the amount of fish available to harvest.

The Council is moving forward with a Release Mortality Reduction Framework Amendment to address the Red Snapper ABC recommendation while looking at possible ways to reduce release mortality and end overfishing. After reviewing input from its Snapper Grouper Advisory Panel, Council members discussed ideas for reducing the number of fish that are released and increasing survivorship of released fish, including: restricting access to specific areas (spatial or depth) where Red Snapper congregate; gear modifications such as requirements for single hooks, leader lengths, and lines per person; daily weight limits of per person; and seasonal openings. “The Council has a legal mandate to end overfishing and address the Acceptable Biological Catch level from its SSC,” said Jessica McCawley, Chair of the Council’s Snapper Grouper Committee. “We know some of these ideas may be of concern to fishermen and certainly welcome input as we consider things such as regional differences or sector differences in this fishery. One size may not fit all.”

Reduce Release Mortality and a Holistic Approach (*continued*)

The Council will begin soliciting public input and suggestions for how to best reduce the number of released fish and improve release mortality in early 2022 and discussions will continue during its March 2022 meeting in Jekyll Island, Georgia.



Over the last year the Council has been investigating recreational permits or licenses for the Snapper Grouper fishery as a tool to help identify the universe of fishermen and improve data collection. The Council will receive a final report from a Recreational Reporting Workgroup during its March 2022 meeting.

The Council is also considering a holistic approach to managing the Snapper Grouper fishery and approved the use of a Management Strategy Evaluation (MSE) to robustly evaluate management impacts across the fishery. The Council intends to use the MSE to evaluate varying strategies to achieve management objectives to rebuild overfished stocks and prevent overfishing, while balancing the needs for fishery access, resource use, and accommodating sector and geographical differences in the fishery. Updates on the MSE will be provided to the Council as the project gets underway.

Other Business

The Council approved Amendment 32 to the Coastal Migratory Pelagics Fishery Management Plan with actions affecting Gulf Migratory Group Cobia, including the Florida East Coast Zone. The fishery is managed jointly by the Gulf of Mexico Fishery Management Council and the South Atlantic Fishery Management Council. A recent stock assessment for Gulf Migratory Group Cobia indicates the stock is not overfished but is undergoing overfishing. Actions in the amendment include a reduction in the daily possession limit from 2 fish to 1 fish per person per day with a vessel limit of two fish per trip. The reductions would apply to both recreational and commercial sectors. The amendment would also increase the minimum size limit to 36 inches fork length for the Florida East Coast Zone. Amendment 32 must be approved by the Secretary of Commerce before measures are implemented.

Additional information about the December 2021 Council meeting, including Story Maps, committee reports, and other materials is available from the Council's website at: <https://safmc.net/safmc-meetings/council-meetings/>. The next meeting of the South Atlantic Fishery Management Council is scheduled for March 7-11, 2022, at the Westin Hotel, Jekyll Island, Georgia.

South Atlantic Fishery Management Council
Full Council and Committee Reports
SUMMARY MOTIONS
December 6-10, 2021

This is a summary of the motions approved by the Council. Motions addressing actions and alternatives for FMP amendments are followed by text showing the result of the approved motion. Complete details on motions and other committee recommendations are provided in the Committee Reports available on the SAFMC website.

Executive Committee

The Committee met in November 2021 to review the proposed 2022 budget and activity schedule.

MOTION 1: APPROVE THE DRAFT 2022 OPERATIONAL BUDGET AS PRESENTED.

Full Council Sessions

The Council discussed advisory panel, Scientific and Statistical Committee and SEDAR participants in closed session.

MOTION 2: APPROVE RECOMMENDED APPOINTMENTS FROM FULL COUNCIL CLOSED SESSION 1

MOTION 3: THE REVIEW SATISFIES THE LANGUAGE IN THE FINAL RULE FOR STANDARD BYCATCH REPORTING

MOTION 4: RECOMMEND APPROVAL OF THE THREE EFP APPLICATIONS PRESENTED TO THE COUNCIL

Mackerel Cobia Committee

Coastal Migratory Pelagics Amendment 34 (Atlantic King Mackerel)

MOTION 5: APPROVE THE PURPOSE AND NEED STATEMENTS, AS MODIFIED.

The purpose of this amendment is to revise the catch limits for Atlantic migratory group king mackerel; to revise recreational and commercial allocations for Atlantic migratory group king mackerel; and to revise or establish management measures for Atlantic migratory group king and Spanish mackerel.

The need for this amendment is to ensure catch limits are based on the best scientific information available and to ensure overfishing does not occur in the Atlantic migratory group king and Spanish mackerel fisheries, while increasing social and economic benefits through sustainable and profitable harvest of Atlantic migratory group king and Spanish mackerel.

MOTION 6: APPROVE THE EDITS FOR ACTION 1.

Action 1. Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel

Alternative 1 (No Action). Retain the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel as implemented in 2017 by Amendment 26 to the Fishery Management Plan for Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Regions. The current catch levels are inclusive of recreational estimates from the Marine Recreational Information Program’s Coastal Household Telephone Survey.

Alternative 2. Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel, based on the acceptable biological catch recommendation from the South Atlantic Fishery Management Council’s Scientific and Statistical Committee. The total annual catch limit and annual optimum yield are equal to the **recommended** acceptable biological catch level. The recommended acceptable biological catch level is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Fishing Year	Alternative 2 (ACL=ABC) (lbs)
2022/2023	32,800,000
2023/2024	28,400,000
2024/2025	25,400,000
2025/2026	23,300,000
2026/2027+	21,800,000

South Atlantic and Gulf Council Preferred Alternative 3. Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel, based on the acceptable biological catch recommendation from the South Atlantic Fishery Management Council’s Scientific and Statistical Committee. The total annual catch limit and annual optimum yield are equal to 95% of the **recommended** acceptable biological catch level. The recommended acceptable biological catch level is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Fishing Year	Alternative 3 (ACL=95%ABC) (lbs)
2022/2023	31,635,000
2023/2024	27,075,000
2024/2025	24,130,000
2025/2026	22,135,000
2026/2027+	20,710,000

Alternative 4. Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel, based on the acceptable biological catch recommendation from the South Atlantic Fishery Management Council’s Scientific and Statistical Committee. The total annual catch limit and annual optimum yield are equal to 90% of the **recommended** acceptable biological catch level. The

recommended acceptable biological catch level is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Fishing Year	Alternative 4 (ACL=90%ABC) (lbs)
2022/2023	29,970,000
2023/2024	25,650,000
2024/2025	22,860,000
2025/2026	20,970,000
2026/2027+	19,620,000

Alternative 5. Revise the acceptable biological catch, total annual catch limit and annual optimum yield of Atlantic migratory group king mackerel, based on the acceptable biological catch recommendation from the South Atlantic Fishery Management Council’s Scientific and Statistical Committee. The total annual catch limit and annual optimum yield are equal to the constant catch level of 21,800,000 pounds. The recommended acceptable biological catch level is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Fishing Year	Alternative 5 (lbs)
2022/2023	21,800,000
2023/2024	21,800,000
2024/2025	21,800,000
2025/2026	21,800,000
2026/2027+	21,800,000

MOTION 7: APPROVE THE RECOMMENDED CHANGES FOR ACTION 3

Action 3. Revise the recreational annual catch target for Atlantic migratory group king mackerel.

Alternative 1 (No Action). Revise the recreational annual catch target to reflect the updated recreational annual catch limit level. The recreational annual catch target equals sector ACL[(1-PSE) or 0.5, whichever is greater].

Alternative 2. Revise the recreational annual catch target to reflect the updated recreational annual catch limit. The recreational annual catch target equals 90% sector ACL.

Alternative 3. Revise the recreational annual catch target to reflect the updated recreational annual catch limit. The recreational annual catch target equals 85% sector ACL.

MOTION 8: SELECT ALTERNATIVE 1 (NO ACTION) AS PREFERRED UNDER ACTION 3 IN CMP AMENDMENT 34.

Action 3. Revise the recreational annual catch target for Atlantic migratory group king mackerel.

Alternative 1 (No Action). Revise the recreational annual catch target to reflect the updated recreational annual catch limit level. The recreational annual catch target equals sector ACL[(1-PSE) or 0.5, whichever is greater].

MOTION 9: CHANGE THE PREFERRED ALTERNATIVE TO ALTERNATIVE 1 (NO ACTION) UNDER ACTION 5

Action 5. Reduce the minimum size limit for recreational harvest of Atlantic migratory group king mackerel.

Alternative 1 (No Action). The minimum size limit for recreational harvest of Atlantic migratory group king mackerel is 24-inches fork length.

MOTION 10: CHANGE THE PREFERRED TO ALTERNATIVE 1 (NO ACTION) UNDER ACTION 6

Action 6. Reduce the minimum size limit for commercial harvest of Atlantic migratory group king mackerel.

Alternative 1 (No Action). The minimum size limit for commercial harvest of Atlantic migratory group king mackerel is 24-inches fork length. Commercial fishermen may possess undersized king mackerel in quantities not exceeding 5 percent, by weight, of the king mackerel on board.

MOTION 11: SELECT ALTERNATIVE 2, SUB-ALTERNATIVES 2A AND 2B AS PREFERRED UNDER ACTION 7

Action 7. Modify the recreational requirement for Atlantic migratory group king mackerel and Spanish mackerel to be landed with heads and fins in intact.

Alternative 2. Cut-off (damaged) fish caught under the recreational bag limit, that comply with the minimum size limits, may be possessed, and offloaded ashore.

Sub-alternative 2a. Atlantic migratory group king mackerel

Sub-alternative 2b. Atlantic migratory group Spanish mackerel

MOTION 12: SEND ACTIONS 5 AND 6 TO THE CONSIDERED BUT REJECTED APPENDIX

Action 5. Reduce the minimum size limit for recreational harvest of Atlantic migratory group king mackerel.

Action 6. Reduce the minimum size limit for commercial harvest of Atlantic migratory group king mackerel.

Coastal Migratory Pelagics Amendment 32 (Gulf Cobia)

MOTION 13: APPROVE COASTAL MIGRATORY PELAGICS AMENDMENT 32 FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.

Coastal Migratory Pelagics Amendment 33 (Gulf King Mackerel)

MOTION 14: MOVE ALTERNATIVE 3 IN ACTION 2 TO THE CONSIDERED BUT REJECTED APPENDIX.

Action 2 – Modify the Sector Allocation and Commercial Zone Quotas for Gulf King Mackerel.
Alternative 3: Modify the sector allocation for Gulf king mackerel by reallocating to the commercial sector a percentage of the average difference between the total landings from the 2010/2011 through 2019/2020 fishing years using MRIP-FES data and the total projected ACL for 2023/2024 from Action 1.

Option 2a: 25% of the average difference

Option 2b: 50% of the average difference

Option 2c: 75% of the average difference

Option 2d: 100% of the average difference

MOTION 15: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Bring Action 7 (cut/damaged fish) in Coastal Migratory Pelagics Amendment 34 to the Law Enforcement Advisory Panel for discussion at their upcoming meeting.
2. Prepare Coastal Migratory Pelagics Amendment 34 for consideration of final action at the March 2022 Council meeting.
3. Work with Gulf Council staff to prepare Coastal Migratory Pelagics Amendment 32 for transmittal to the Secretary of Commerce.
4. Work with Gulf Council staff, as needed, to continue work on Coastal Migratory Pelagics Amendment 33.

Snapper Grouper Committee

Snapper Grouper Amendments 51 (Snowy Grouper), 52 (Golden Tilefish), 53 (Gag)

MOTION 16: APPROVE AMENDMENT 51 (SNOWY GOUPER) FOR SCOPING.

MOTION 17: APPROVE AMENDMENT 52 (CATCH LEVEL ADJUSTMENTS AND ALLOCATIONS FOR GOLDEN TILEFISH) FOR SCOPING.

MOTION 18: ADD AN ACTION TO ADJUST THE RECREATIONAL BAG LIMIT FOR BLUELINE TILEFISH. ADD THIS ACTION AND THE ACTION TO MODIFY RECREATIONAL AMs TO AMENDMENT 52 (GOLDEN TILEFISH). INTENT TO CONDUCT SCOPING IN WINTER 2022.

MOTION 19: APPROVE AMENDMENT 53 (GAG) FOR SCOPING.

Snapper Grouper Amendment 49 (Greater Amberjack)

MOTION 20: REMOVE ACTION 1, ALTERNATIVE 5 FROM FURTHER CONSIDERATION.

Action 1. Revise the greater amberjack total annual catch limit and annual optimum yield

Alternative 5. Revise the total annual catch limit and annual optimum yield for greater amberjack. For the 2022/2023 season through the 2024/2025 season, set the total annual catch limit and annual optimum yield equal to the middle value of the updated acceptable biological catch projected for 2022/2027. For the 2025/2026 season through the

2026/2027 season, set the total annual catch limit and annual optimum yield equal to the updated acceptable biological catch. The 2026/2027 total annual catch limit and annual optimum yield would remain in place until modified.

Fishing Year	Total ACL (lbs ww)
2022/2023	2,818,000
2023/2024	2,818,000
2024/2025	2,818,000
2025/2026	2,699,000
2026/2027+	2,669,000

MOTION 21: SELECT ALTERNATIVE 1 (NO ACTION) AS THE PREFERRED ALTERNATIVE FOR ACTION 2.

Action 2. Revise the greater amberjack sector allocations and sector annual catch limits

Alternative 1 (No Action). Retain the current commercial sector and recreational sector allocations as 40.66% and 59.34%, respectively, of the revised total annual catch limit for greater amberjack. Apply these percentages to the revised total annual catch limit. The percentages are based on applying the formula of sector annual catch limit = ((mean landings 2006-2008)*0.5) + ((mean landings 1986-2008)*0.5) to the landings dataset used in the Comprehensive Annual Catch Limit Amendment (Amendment 25 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region) that included recreational estimates from the Marine Recreational Fisheries Statistics Survey.

Year	Total ACL (lbs ww)	Commercial ACL* (lbs gw)	Commercial Season 1 Quota (lbs gw)	Commercial Season 2 Quota** (lbs gw)	Recreational ACL (lbs ww)
2022/2023	4,380,000	1,712,412	1,027,447	684,965	2,599,092
2023/2024	3,233,000	1,263,979	758,387	505,591	1,918,462
2024/2025	2,818,000	1,101,730	661,038	440,692	1,672,201
2025/2026	2,699,000	1,055,205	633,123	422,082	1,601,587
2026/2027+	2,669,000	1,043,476	626,086	417,391	1,583,785

*The total annual catch limit (ACL) is allocated in pounds whole weight (lbs ww) to the commercial and recreational sectors. The commercial allocation is then converted to pounds gutted weight (lbs gw) for regulatory use in the commercial ACL and seasonal quotas.

**Any remaining quota from commercial Season 1 (March-August) transfers to Season 2 (September-February). Remaining quota from Season 2 is not carried forward.

MOTION 22: ADD AN ALTERNATIVE TO ACTION 3 TO INCREASE THE RECREATIONAL MINIMUM SIZE LIMIT TO 30 INCHES FORK LENGTH.

Action 3. Increase the recreational minimum size limit for greater amberjack

Alternative 4. Increase the recreational minimum size limit to 30 inches fork length.

MOTION 23: SELECT THE ALTERNATIVE FOR 30 INCHES FORK LENGTH FOR THE RECREATIONAL MINIMUM SIZE LIMIT AS THE PREFERRED ALTERNATIVE FOR ACTION 3.

Action 3. Increase the recreational minimum size limit for greater amberjack

Alternative 4. Increase the recreational minimum size limit to 30 inches fork length.

MOTION 24: ADD AN ALTERNATIVE TO ACTION 4 TO DECREASE THE COMMERCIAL MINIMUM SIZE LIMIT TO 30 INCHES FORK LENGTH.

Action 4. Reduce the commercial minimum size limit for greater amberjack

Alternative 4. Reduce the commercial minimum size limit to 30 inches fork length.

MOTION 25: SELECT THE ALTERNATIVE FOR 30 INCHES FORK LENGTH FOR THE COMMERCIAL MINIMUM SIZE LIMIT AS THE PREFERRED ALTERNATIVE FOR ACTION 4.

Action 4. Reduce the commercial minimum size limit for greater amberjack

Alternative 4. Reduce the commercial minimum size limit to 30 inches fork length.

MOTION 26: EDIT ACTION 5 TO PERTAIN TO BOTH COMMERCIAL SEASONS AND ADD ALTERNATIVES FOR 1,500, 2,000, AND 2,500 POUNDS FOR EACH OF COMMERCIAL SEASONS 1 AND 2.

Action 5. Increase the Season 2 commercial trip limit for greater amberjack

MOTION 27: SELECT ALTERNATIVE 2 UNDER ACTION 7 AS THE PREFERRED ALTERNATIVE.

Action 7. Remove recreational annual catch targets from the Snapper Grouper Fishery Management Plan

Alternative 2. Remove recreational annual catch targets for species managed under the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region.

MOTION 28: ADD AN ALTERNATIVE TO THE ACTION THAT CONSIDERS THE APRIL SPAWNING CLOSURE TO REMOVE THE CLOSURE.

Snapper Grouper Amendment 50 (Red Pogy)

MOTION 29: APPROVE ALL ACTIONS AS MODIFIED IN SNAPPER GROUPE AMENDMENT 50.

MOTION 30: DIRECT STAFF TO DO THE FOLLOWING:

- Compile information or analyses to inform whether a demonstrable change in recreational releases can be estimated, such that it could be used in estimation of the ABC, by potential management changes.
- Conduct informal scoping for the Release Mortality Reduction Framework Amendment

- Conduct scoping meetings for Amendment 51 (snowy grouper), Amendment 52 (golden tilefish and blueline tilefish), and Amendment 53 (gag grouper).
- Schedule an SSC meeting before the March 2022 Council meeting for consideration of other P_{rebuild} and ABC values for gag grouper.
- Prepare Amendment 49 (greater amberjack) as modified for discussion and approval for public hearings at the March 2022 Council meeting.
- Suspend work on Amendment 44 (yellowtail snapper) and request that FWC conduct an update to the yellowtail snapper assessment.
- Prepare Amendment 50 (red porgy) for final approval at the March 2022 Council meeting.
- Add Amendment 46 (recreational permit) to the Snapper Grouper Committee agenda for the March 2022 Council meeting.

SEDAR Committee

MOTION 31: APPROVE TERMS OF REFERENCE FOR SEDAR 82 GRAY TRIGGERFISH RESEARCH TRACK ASSESSMENT; TERMS OF REFERENCE FOR SEDAR 68 (SCAMP) OPERATIONAL ASSESSMENT, TERMS OF REFERENCE FOR SEDAR 83 VERMILION SNAPPER OPERATIONAL ASSESSMENT, AND TERMS OF REFERENCE FOR SEDAR 86 RED GROUPER OPERATIONAL ASSESSMENT, AS MODIFIED; AND STATEMENT OF WORK FOR THE 2024 GOLDEN TILEFISH OPERATIONAL ASSESSMENT.

Citizen Science Committee

MOTION 32: ADOPT THE UPDATED CITIZEN SCIENCE RESEARCH PRIORITIES WITH MODIFICATIONS AS SUGGESTED.

February 3, 2022

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Col. Carter Witten

SUBJECT: Law Enforcement Report

Issue

Law Enforcement report update.

Action Needed

For informational purposes only, **no action is needed at this time.**

Overview

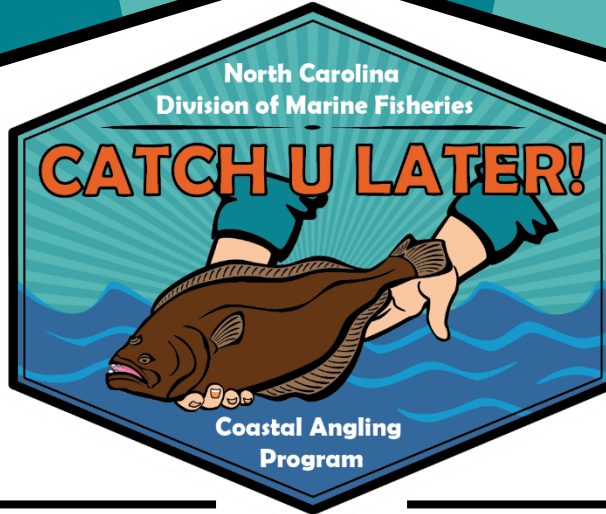
Marine Patrol officers in the field have continued to see an increase in recreational fishing for speckled trout over the last four months. Officers have been checking mechanical harvest and hand oystering in all districts. This February the bay scallop season was opened in Core Sound for commercial and recreational harvest with a closing date of March 31, 2022.

The annual crab season closure for waters North HWY 58 occurred from January 1st to February 1st. Marine Patrol checked the area for any violations and handled them according to policy. Marine Patrol coordinated with the North Carolina Coastal Federation, who received funding from the legislature to clean up the ghost pots that were remaining. At this time an estimate of 1200 pots were picked up out of District I and 700 pots picked up out of District 2.

Presently the Marine Patrol has five vacant officer positions and one vacant Sargent position. Four new officers have been sworn in and have started their field training process.

Marine Patrol has processed two more Civil Penalties, for a total of six currently.

2021	OCTOBER				TOTAL	NOVEMBER				TOTAL	DECEMBER				TOTAL	2022	JAN				TOTAL
	DI	DII	DIII	Aircraft		DI	DII	DIII	Aircraft		DI	DII	DIII	Aircraft		DI	DII	DIII	Aircraft		
SECTION I (MAJOR AREAS)																					
Boat Patrol	369	537	721		1627	178	236	376		790	350.5	328	492		1171	267	215	303			785.0
Aircraft Patrol		31		31	62		20		20	40	6	27	1	27	61		23	4	23		50.0
CITATIONS/CHECKS																					
Number Citations	21	19	35		75	13	18	28		59	4	10	28		42	6	5	2			13.0
Number Warnings	3	50	72		125	4	22	55		81		36	39		75	1	3	8			12.0
Number Assists	21	53	62	7	143	3	10	28		41	24	17	33	4	78	7	14	5	2		28.0
NUMBER OF CHECKS																					
Gill Net Observations	43	69	81		193	3	5	8		16	9	9	9		27	8	3	4			15.0
Dealer Inspections	117	130	194		441	142	120	169		431	138	178	206			134	185	152			471.0
Vehicle Inspections	49	63	49		161	70	31	55		156	86	72	67			48	44	20			112.0
Individual without License	14	21	26		61	19	28	41		88	31	36	56			32	33	41			106.0
Shellfish License	110	7	41		158	140	20	43		203	105	52	93			115	27	51			193.0
C.F.V.R.Checks	559	302	282		1143	388	194	192		774	594	268	290			401	197	150			748.0
S.C.F.L. Checks	596	330	257		1183	464	213	186		863	680	302	253			442	212	126			780.0
R.C.G.L. Checks	23	12	38		73	15	4	8		27	6	2	4		12	3	7				10.0
C.R.F.L. Checks	1358	2444	2198		6000	1252	1915	1903		5070	1291	2055	1476		4822	457	798	678			1933.0
Recreational Boat Checks	332	792	1055		2179	284	735	855		1874	393	813	799		2005	177	250	368			795.0
Charter Boat Checks	75	18	90		183	67	19	51		137	83	20	28		131	54	4	5			63.0



WE WANT YOUR HELP!

Citizen Science Opportunity!

In 2019, stock assessments determined the Southern Flounder stock is overfished and overfishing is occurring. The North Carolina Marine Fisheries Commission adopted Amendment 2 of the Southern Flounder Fishery Management Plan, with some flexibility provided to the Director to determine seasonal openings and closures.

State law requires management actions be taken to end overfishing within 2 years and recover the stock from an overfished condition within 10 years. To meet these legal requirements, the North Carolina Division of Marine Fisheries determined that significant reductions in harvest were necessary. Adopted management measures included a 62% reduction in total removals in 2019 and a 72% reduction in total removals in 2020 across recreational and commercial fishing sectors.

To achieve these reductions no flounder, regardless of species, can be harvested outside of the recreational season. Additional management strategies are currently being examined in Amendment 3, including species-specific flounder management.

That's why we want YOUR HELP!

Join us by participating in a citizen science project called

CATCH U LATER

*and contribute to the management of
North Carolina's fisheries!*

CATCH U LATER

is a citizen science research initiative by the North Carolina Division of Marine Fisheries' Coastal Angling Program in partnership with the Atlantic Coastal Cooperative Statistics Program. Catch U Later is a smartphone application that allows anglers to record information about their flounder catches.



Why is this research being conducted?

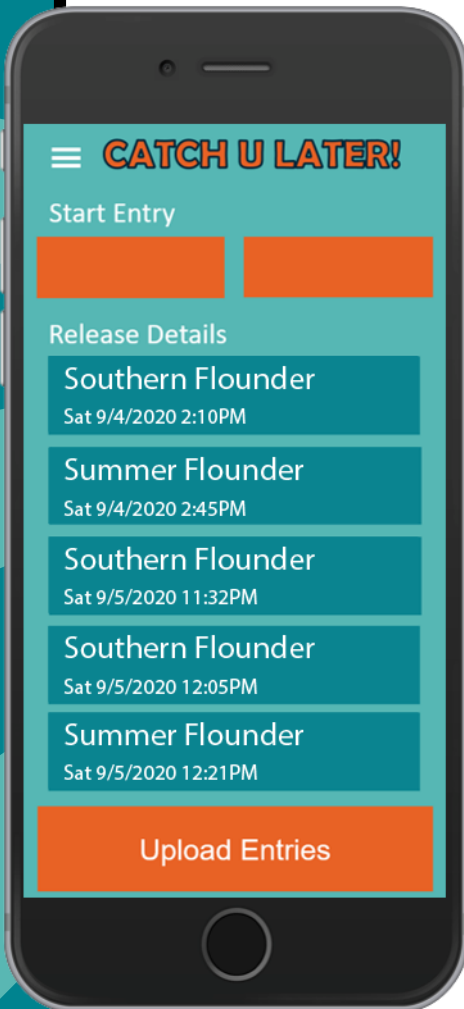
The purpose of the Catch U Later app is to evaluate angler expertise in the identification of flounder species. North Carolina is home to three species of flounder (Southern, Summer, and Gulf), yet the State manages all three flounder species together as one fishery. Data collected using the app will help determine if flounder can be managed as individual species, which could allow harvest of Summer and Gulf Flounder outside of the Southern Flounder season.

What information is collected?

The app allows anglers to record trip information and fish information including the specific flounder species, length, and a picture of the flounder.

How is the information used?

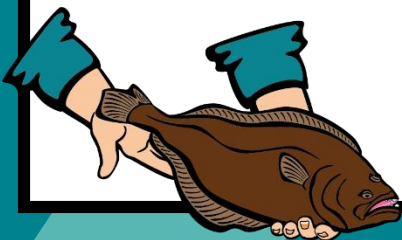
Information collected using the Catch U Later app will provide species-specific discard length data for stock assessments and Fishery Management Plans. The tool will help researchers evaluate self-reported discard data from dockside interviews and help educate the angling public on flounder identification.



WANT TO HELP?

The North Carolina Division of Marine Fisheries is currently selecting members of the angling public to help test the Catch U Later app. If you are interested in participating with this research initiative, please complete the enclosed survey and mail back using the postage-paid envelope.

We will contact participants by email with further instructions after April 1, 2021. For more information about the program, contact Dr. Drew Cathey at 252-948-3876, Andrew.Cathey@ncdenr.gov.





ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

January 28, 2022

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Trish Murphey, Executive Assistant to Councils

SUBJECT: Highly Migratory Species Update

Issue

Highly Migratory Species activity update.

Action Needed

For informational purposes only, **no action is needed at this time.**

Overview

NOAA Fisheries is exploring options for implementing management measures to be consistent with the current [National Standard 1](#) policy guidelines for Atlantic sharks in [Draft Amendment 14](#) to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan. Draft Amendment 14 will establish a new framework action for the establishment of acceptable biological catch (ABCs) and annual catch limits (ACLs) for Atlantic shark fisheries. This amendment does not contain a proposed rule or regulatory text. It does not change any fishery quotas or implement any new HMS fishery management measures. It does not consider any management changes for prohibited shark species. Any operational changes to HMS fishery management measures as a result of Amendment 14 will be considered in future rulemakings, as appropriate.

Based on feedback during the comment period, NOAA Fisheries developed a [supplement](#) to Draft Amendment 14. The supplement revises one of the preferred management options for Draft Amendment 14 that received several comments and questions. Based on public comments, NOAA Fisheries reworked [Management Option A3](#) so the [tiers](#) apply to all sharks that have a stock status of healthy (i.e., not subject to overfishing and not overfished), experiencing overfishing, or unknown. Shark stocks that are: (1) under a rebuilding plan, (2) assessed (or could be assessed) by the scientific body of the International Commission for the Conservation of Atlantic Tunas (ICCAT), or (3) in the prohibited shark complex would be outside of these tiers. On February 11, from 8 am to 11 am NOAA Fisheries will hold a half-day HMS Advisory Panel meeting to discuss the supplement. A public comment [webinar](#) will be held February 23 from 2 pm to 4 pm.



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

January 28, 2022

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Barbie Byrd, Biologist Supervisor
Protected Resources Program, Fisheries Management Section

SUBJECT: Protected Resources Program Update

Issues

Summary information is provided from the division's Protected Resources Program for observer activities during fall (September–November) 2021 for Incidental Take Permit Year 2022. Seasonal reports to National Marine Fisheries Service (NMFS) are required for the Sea Turtle Incidental Take Permit (ITP) and monthly reports, if a take is observed, are required for the Atlantic Sturgeon ITP. The seasonal report for the sea turtle ITP and the November monthly report for the Atlantic sturgeon ITP can be found in the briefing materials. Note that both reports are preliminary and updates can occur in the final reports submitted to NMFS.

Additionally, the Protected Resources Program has been coordinating with NMFS to prepare an application for a Section 10 ITP to be in place when the current Sea Turtle ITP expires in August 2023. The intent is to have a single ITP to cover sea turtles and Atlantic sturgeon. The anticipated timeline for submission of the full application is during the 4th quarter of 2022.

Action Needed

For informational purposes only; **no action is needed at this time.**

Overview

Sea Turtle Seasonal Report

During fall 2021, all observed trips were alternative platform trips to limit potential COVID-19 exposure between fishermen and observers. Hereafter, all references to gill nets are for anchored nets only. Management Unit D1 was closed to large-mesh (≥ 5 inches stretch mesh; ISM) gill nets during fall. Estimated observer coverage of the large-mesh gill-net fishery exceeded the 7% minimum required threshold in all open management units (312 observed trips; percent coverage range: 18.2-23.0%) (Table 1).

Additionally, estimated observer coverage of the small-mesh (< 4 ISM) gill-net fishery exceeded the 1% minimum required threshold in all management units (59 observed trips; percent coverage range: 1.7-8.3%) (Table 2). Observers and Marine Patrol officers logged 217 No-Contact trips, primarily looking for small-mesh effort (Table 3).

There were 12 observed sea turtle interactions from large-mesh gill nets and zero from small-mesh gill nets during fall 2021 (Table 4). Eleven of the interactions were in Management Unit B and one was in Management Unit E. The species composition consisted of five live Green sea turtles, two dead green sea turtles, three live Kemp’s Ridley sea turtles, and two unidentified sea turtles (one live/one dead). Cumulative estimated and observed interactions during across fall months did not reach or exceed authorized levels (Table 5).

During fall 2021, observers logged 312 calls or in-person contacts. Observers were able to reach fishermen on 95 occasions to try to arrange a trip. Out of 97 voicemails and 10 messages left with someone else, observers received 17 returned calls from fishermen. Despite these attempts, only 15 trips were booked in advance.

Atlantic Sturgeon Monthly Report

For the November monthly report, information associated with the incidental takes during November was combined with information associated with the takes in the other fall months, September and October. During September–November, there were six observed Atlantic Sturgeon incidental takes (Table 6). Additionally, there was an unidentified live sturgeon observed in a large-mesh gill net in Management Unit B in October; the sturgeon fell out of the net before it could be identified, measured, or tagged. Cumulative estimated and observed interactions during across fall months did not reach or exceed authorized levels (Table 7).

Table 1. For large-mesh gill nets, estimated percent observer coverage calculated from observer trips (≥ 4 inches stretch mesh; ISM) and estimated fishing trips using Trip Ticket Program data (≥ 5 ISM) by management unit during fall 2021 (September–November) for Incidental Take Permit Year 2022. Management Unit D1 was closed to large-mesh gill nets in all fall months.

Management Unit	Estimated Fishing Trips	Observed Trips	Percent Observer Coverage
A	563	104	18.5
B	397	83	20.9
C	189	37	19.6
D1	closed	closed	closed
D2	111	23	20.7
E	282	65	23.0
Total	1,542	312	20.2

Table 2. For small-mesh gill nets, estimated percent observer coverage calculated from observer trips (<4 inches stretch mesh; ISM) and estimated fishing trips using Trip Ticket Program data (<5 ISM) by management unit during fall 2021 (September–November) for Incidental Take Permit Year 2022. Management Unit D1 was closed to small-mesh gill nets during September.

Management Unit	Estimated Fishing Trips	Observed Trips	Percent Observer Coverage
A	294	5	1.7
B	920	20	2.2
C	150	3	2.0
D1	48	4	8.3
D2	167	5	3.0
E	412	22	5.3
Total	1,991	59	3.0

Table 3. Number of "No Contact" trips by management unit completed by Marine Patrol and observers during fall 2021 (September–November) for Incidental Take Permit Year 2022. "No Contact" refers to unsuccessful attempts to find and observe gill-net effort. An asterisk indicates that Management Unit D1 was closed to large-mesh (≥ 4 inches stretch mesh; ISM) gill nets during all of fall and closed to small-mesh (<4 ISM) gill nets during September.

Management Unit	Marine Patrol No-Contact Trips	Observer No-Contact Trips	Total No-Contact Trips
A	38	9	47
B	6	11	17
C	30	3	33
D1	closed*	closed*	closed*
D2	4	2	6
E	114	0	114
Overall	192	25	217

Table 4. Summary of observed sea turtle interactions (n=12) in large-mesh (≥ 4 inches stretch mesh; ISM) gill nets during fall 2021 (September–November) for ITP Year 2022. No interactions were observed in small-mesh (< 4 ISM) gill nets. CCL=Curved Carapace Length. CCW=Curved Carapace Width. n/r =not recorded

Date	Management Unit	Latitude (N)	Longitude (W)	Species	Disposition	CCL (mm)	CCW (mm)
10/4/2021	E	34.53236	77.36574	Green	alive	n/r	n/r
10/5/2021	B	34.97902	76.26725	Green	alive	355	300
10/5/2021	B	34.87402	76.30605	Green	alive	330	254
10/5/2021	B	34.82266	76.37554	Green	alive	355	254
10/5/2021	B	35.13364	75.99060	Kemp's Ridley	alive	440	400
10/5/2021	B	34.82423	76.37454	Kemp's Ridley	alive	355	304
10/5/2021	B	35.30612	75.60244	Unidentified	alive	n/r	n/r
10/6/2021	B	34.92164	76.24176	Green	alive	n/r	n/r
10/6/2021	B	34.92164	76.24176	Green	dead	295	258
10/6/2021	B	34.91981	76.24410	Green	dead	292	257
10/6/2021	B	34.91684	76.24782	Unidentified	dead	n/r	n/r
10/6/2021	B	34.87088	76.30989	Kemp's Ridley	alive	457	330

Table 5. Summary of estimated (Green and Kemp's Ridley sea turtles) and observed cumulative (unidentified) sea turtle interactions by management unit during fall 2021 (September–November) for Incidental Take Permit Year 2022. No interactions were observed in small-mesh gill nets.

Management Unit	Green		Kemp's ridley		Loggerhead		Unidentified	
	Alive	Dead	Alive	Dead	Alive	Dead	Alive	Dead
A	0	0	0	0	0	0	0	0
B	9.0	4.7	6.8	0	0	0	1.0	1.0
C	0	0	0	0	0	0	0	0
D1	0	0	0	0	0	0	0	0
D2	0	0	0	0	0	0	0	0
E	6.9	0	0	0	0	0	0	0
Total	15.9	4.7	6.8	0	0	0	1.0	1.0

Table 6. Summary of observed Atlantic Sturgeon interactions in gill nets during September–November 2021 for ITP Year 2022. Large-mesh is defined as ≥ 4 inches stretch mesh (ISM) and small mesh is defined as < 4 ISM.

Date	Condition	Management Unit	Mesh Size Category	Net Length (yds)	Soak Time (min)	Net Sets (#)
9/29/21	Alive	A	Large mesh	80	720	18
9/29/21	Dead	A	Large mesh	80	720	18
9/30/21	Dead	A	Large mesh	1,000	720	1
10/13/21	Alive	C	Large mesh	100	720	4
11/28/21	Alive	B	Small mesh	800	1440	4
11/28/21	Alive	B	Small mesh	800	1440	4

Table 7. Summary of cumulative estimated (Management Unit A) or observed (management units B-E) Atlantic Sturgeon interactions during September–November 2021 by management unit and disposition for large- and small-mesh gill nets for ITP Year 2022.

Management Unit	Large Mesh		Small Mesh	
	Alive	Dead	Alive	Dead
A	5.0	10.2	0	0
B	0	0	2.0	0
C	1.0	0	0	0
D	0	0	0	0
E	0	0	0	0
Total	6.0	10.2	2.0	0

2021 Fall Seasonal Progress Report
for Activities under Endangered Species Act
Section 10 Incidental Take Permit No. 16230
September 1–November 30, 2021
ITP Year 2022



Barbie L. Byrd
North Carolina Department of Environmental Quality
North Carolina Division of Marine Fisheries
Protected Resources Program
3441 Arendell Street
Morehead City, NC 28557

December 2021

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SUMMARY

This report summarizes activities of the North Carolina Division of Marine Fisheries (NCDMF) Observer Program during fall (September–November) 2021 of the Incidental Take Permit (ITP) Year 2022 (September 1, 2021–August 31, 2022) for ITP No. 16230. Throughout this document, all references to gill nets are for anchored gill nets only unless stated otherwise.

During fall 2021, significant regulatory changes remained in effect for the large-mesh gill-net fishery for southern flounder (*Paralichthys lethostigma*). These regulations were included in Amendment 2 of the Southern Flounder Fishery Management Plan (FMP) adopted by the North Carolina Marine Fisheries Commission (MFC) on August 23, 2019. This regulatory action was taken because the most recent southern flounder stock assessment indicated that the stock is overfished and overfishing is occurring. North Carolina state law requires management actions be taken to end overfishing within two years and recover the stock from an overfished condition within 10 years.

To reduce harvest in the large-mesh gill-net fishery, the state was divided into three flounder management areas: Northern, Central, and Southern (Figure 1). Each area was scheduled an exact open and close date for the commercial harvest of flounder. The Northern area (Management Unit [MU] A) was open from September 15–October 1, 2021, the Central area (MU B, excluding Core Sound, and MU C) was open from October 1–19, 2021, and the Southern area (the Core Sound portion of MU B, MU D2, and MU E) was open from October 1–21, 2021. Gill-net activity was still subject to conditions put forth by federally issued ITPs for sea turtle and sturgeon incidental takes, and areas could be closed by proclamation should allowable take numbers be approached or exceeded. See Table 1 for proclamations issued for anchored gill nets during fall including those for the flounder fishery.

In the past, projected observer coverage needed to meet levels required in the ITP were calculated for each mesh-size category and management unit using the average reported trips from the previous five years (e.g., 2016–2020 for the 2021 fall season). These average numbers of reported trips by mesh category and management unit were then used in seasonal reports to estimate observer coverage achieved for a given season. This method was used for the small-mesh gill-net fishery. Given the significant reductions in the southern flounder fishery, an alternative method was needed to project fishing effort for large-mesh gill nets. Instead, reported fishing trips for each of the previous five years were compared to the number of possible fishing days that year for each management unit separately. The resulting average fishing trips/fishing day across the five years was applied to the number of days in fall 2020 that the fishery was open. These estimates of fishing effort were compared to the traditional five-year average; whichever number was greater was used to estimate the number of observed trips needed.

All observed trips during fall 2021 were alternative platform trips due to the COVID–19 pandemic. Because each alternative platform trip requires two observers, Marine Patrol officers contributed additional effort to ensure that observer coverage requirements were met.

Estimated observer coverage of the large-mesh gill-net fishery exceeded 10% in all management units (312 observed trips; percent coverage range: 18.5–23.0%) (Table 2). Management Unit D1 remained closed to large-mesh gill nets throughout fall.

Estimated observer coverage of the small-mesh gill-net fishery exceeded 1% in all management units (59 observed trips; percent coverage range: 1.7–8.3%) (Table 3). Observers and Marine Patrol officers logged 217 No-Contact trips, primarily looking for small-mesh effort (Table 4).

There were 12 observed sea turtle interactions from large-mesh gill nets and zero from small-mesh gill nets during fall 2021 (Table 5). Eleven of the interactions were in MU B and one was in MU E. The species composition consisted of five live green sea turtles, two dead green sea turtles, three live Kemp's ridley sea turtles, and two unidentified sea turtles (Table 5). The cumulative estimated and/or observed takes for large-mesh gill nets were calculated daily to ensure that authorized takes were not exceeded (Table 6).

In addition to anchored gill nets, Marine Patrol officers observed one runaround gill net (also called a drop/strike net) in MU C and one drift gill net in MU A. Although these gear types are not included in the ITP, occasional observer coverage is useful to characterize these fisheries.

As part of their regular duties, Marine Patrol officers checked gill nets for compliance. Occasionally, citations and/or Notice of Violations (NOVs) were issued to fishermen when gear or fishing practices were out of compliance. A citation is an enforcement action taken by a Marine Patrol officer for person(s) found to be in violation of general statutes, rules, or proclamations under the authority of the MFC and is considered a proceeding for district court. An NOV is the NCDMF's administrative process to suspend a permit and is initiated by an officer or division employee when a permit holder is found to be in violation of general or specific permit conditions. A citation and an NOV may both be initiated by the same permit condition violation; however, they are two separate actions. For this report, NOV's or citations associated with gill-net activities or the Estuarine Gill Net Permit (ENGP) (database codes "NETG" and "EGNP") were compiled. Marine Patrol issued nine citations and nine NOV's for large- and small-mesh gill nets during fall 2021 (Tables 7 & 8).

As per the ITP, the NCDMF established the EGNP in September 2014 to register all fishermen participating in anchored large- and small-mesh gill-net fisheries. Permits are renewed on an annual basis, based on the fiscal year for licenses. Contact information associated with the EGNPs are used by observers to call fishermen to schedule trips. To help arrange trips, the Observer Program worked with the License & Statistics Section to distill the list of fishermen with active EGNPs to those that have actually reported landings with anchored gear (by mesh size) during the last three years. Observers also attempted to contact fishermen in person at boat ramps and on the water when possible. Observers logged contact attempts by phone or in-person and returned phone calls from fisherman into a database with categories of the response: 1) Left message with someone else; 2) Not fishing general; 3) Fishing other gear; 4) Not fishing because of weather; 5) Not fishing because of boat issues; 6) Not fishing because of medical issues; 7) Booked trip; 8) Hung up, got angry, trip refused; 9) Call back later time/date; 10) Saw in person; 11) Disconnected; 12) Wrong number; 13) No answer; 14) No answer, left voicemail; 15) Not fishing because of natural disaster (e.g., hurricane) (Figure 2). During fall 2021, observers logged 312 contacts.

Observers were able to reach fishermen on 95 occasions to try to arrange a trip. Out of 97 voicemails and 10 messages left with someone else, observers received 17 returned calls from fishermen. Despite these attempts, only 15 trips were booked in advance. The Observer Program is following up on phone numbers that were disconnected or incorrect; some of them have already been updated.

TABLES

Table 1. Proclamations (Proc) issued for fall (September–November) 2021 affecting anchored large- and small-mesh gill-net fisheries.

Date	Proc. Number	Regulation change
9/14/2021	M-16-2021	This proclamation opens Management Unit (MU) A to the use of gill nets for the purpose of harvesting flounder in accordance with Amendment 2 to the NC Southern Flounder Fishery Management Plan (FMP) and the Incidental Take Permit (ITP) for Sea Turtles. It maintains the exempted areas in MU A open to the use of runaround, strike, drop, and trammel gill nets to harvest blue catfish. It also maintains small-mesh gill net attendance requirements in the entirety of MU A.
9/15/2021	FF-40-2021	This proclamation establishes commercial flounder season dates for Internal Coastal Waters by Flounder Management Area. It maintains a 15-inch total length minimum size limit. It also maintains the regulation making it unlawful to possess flounder taken from anchored large-mesh gill nets with a stretched-mesh length less than 6 inches. It makes it unlawful for a commercial fishing operation to possess flounder from the Atlantic Ocean Waters taken by any method other than trawls. This action is being taken to comply with the requirements of Amendment 2 to the NC Southern Flounder FMP.
9/30/2021	M-17-2021	This proclamation opens MUs B (subunits only), C, D2 and E to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.) in accordance with Amendment 2 to the NC Southern Flounder FMP and the ITP for Sea Turtles.
10/1/2021	M-18-2021	This proclamation opens MUs B (subunits only), C, D2 and E to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.) in accordance with Amendment 2 to the NC Southern Flounder FMP and the ITP for Sea Turtles.
10/1/2021	M-19-2021	This proclamation opens MU D1 to the use of gill nets with a stretched mesh length of less than 4 inches.

Table 1 continued

Date	Proc. Number	Regulation change
10/19/2021	M-22-2021	This proclamation closes MU B (subunits Shallow Gill Net Restricted Area [SGNRA] 1-4, Mainland Gill Net Restricted Area MGNRA and portions of Core Sound Gill Net Restricted Area [CGNRA]) and MU C to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.) in accordance with Amendment 2 to the NC Southern Flounder FMP and the ITP for Sea Turtles.
10/21/2021	M-23-2021	This proclamation closes all management units south of MU A to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.) in accordance with Amendment 2 to the NC Southern Flounder FMP and the ITP for Sea Turtles.
12/1/2021	M-24-2021	In MU A, this proclamation removes attendance requirements and imposes vertical height restrictions for anchored gill nets with a stretched mesh length of 3 inches through 3 ¾ inches. It maintains the exempted portion of MU A that allows the use of run-around, strike, drop, and trammel gill nets with a stretched mesh length of 5 ½ inches through 6 ½ inches to harvest blue catfish.

Table 2. For large-mesh gill nets, estimated percent observer coverage calculated from observer trips (≥ 4 inch) and estimated fishing trips using Trip Ticket Program data (≥ 5 inch) by management unit during fall 2021 (September–November) for Incidental Take Permit Year 2022. Management Unit D1 was closed to large-mesh gill nets in all fall months.

Management Unit	Estimated Fishing Trips	Observed Trips	Percent Observer Coverage
A	563	104	18.5
B	397	83	20.9
C	189	37	19.6
D1	closed	closed	closed
D2	111	23	20.7
E	282	65	23.0
Total	1,542	312	20.2

Table 3. For small-mesh gill nets, estimated percent observer coverage calculated from observer trips (< 4 inch) and estimated fishing trips using Trip Ticket Program data (< 5 inch) by management unit during fall 2021 (September–November) for Incidental Take Permit Year 2022. Management Unit D1 was closed to small-mesh gill nets during September.

Management Unit	Estimated Fishing Trips	Observed Trips	Percent Observer Coverage
A	294	5	1.7
B	920	20	2.2
C	150	3	2.0
D1	48	4	8.3
D2	167	5	3.0
E	412	22	5.3
Total	1,991	59	3.0

Table 4. Number of "No Contact" trips by management unit completed by Marine Patrol and observers during fall 2021 (September–November) for Incidental Take Permit Year 2022. "No Contact" refers to unsuccessful attempts to find and observe anchored gill-net effort. An asterisk indicates that Management Unit D1 was closed to large-mesh gill nets during all of fall and closed to small-mesh gill nets during September.

Management Unit	Marine Patrol No-Contact Trips	Observer No-Contact Trips	Total No-Contact Trips
A	38	9	47
B	6	11	17
C	30	3	33
D1	closed*	closed*	closed*
D2	4	2	6
E	114	0	114
Total	192	25	217

Table 5. Summary of observed sea turtle interactions (n=12) in anchored large-mesh gill nets during fall 2021 (September–November) for ITP Year 2022. No interactions were observed in small-mesh gill nets. CCL=Curved Carapace Length. CCW=Curved Carapace Width. n/r =not recorded

Date	Management Unit	Latitude (N)	Longitude (W)	Species	Disposition	CCL (mm)	CCW (mm)
10/4/2021	E	34.53236	77.36574	Green	alive	n/r	n/r
10/5/2021	B	34.97902	76.26725	Green	alive	355	300
10/5/2021	B	34.87402	76.30605	Green	alive	330	254
10/5/2021	B	34.82266	76.37554	Green	alive	355	254
10/5/2021	B	35.13364	75.99060	Kemp's Ridley	alive	440	400
10/5/2021	B	34.82423	76.37454	Kemp's Ridley	alive	355	304
10/5/2021	B	35.30612	75.60244	Unidentified	alive	n/r	n/r
10/6/2021	B	34.92164	76.24176	Green	alive	n/r	n/r
10/6/2021	B	34.92164	76.24176	Green	dead	295	258
10/6/2021	B	34.91981	76.24410	Green	dead	292	257
10/6/2021	B	34.91684	76.24782	Unidentified	dead	n/r	n/r
10/6/2021	B	34.87088	76.30989	Kemp's Ridley	alive	457	330

Table 6. Summary of estimated (green and Kemp's ridley sea turtles) and observed cumulative (unidentified) sea turtle interactions in anchored large-mesh gill nets by management unit during fall 2021 (September–November) for Incidental Take Permit Year 2022. No interactions were observed in small-mesh gill nets.

Management Unit	Green		Kemp's ridley		Loggerhead		Unidentified	
	Alive	Dead	Alive	Dead	Alive	Dead	Alive	Dead
A	0	0	0	0	0	0	0	0
B	9.0	4.7	6.8	0	0	0	1.0	1.0
C	0	0	0	0	0	0	0	0
D1	0	0	0	0	0	0	0	0
D2	0	0	0	0	0	0	0	0
E	6.9	0	0	0	0	0	0	0
Total	15.9	4.7	6.8	0	0	0	1.0	1.0

Table 7. Citations written by Marine Patrol for anchored gill nets by date and violation code during fall 2021 (September–November) for Incidental Take Permit Year 2022.

Date	Code	Description
9/29/2021	NETG03	Using gill net with improper buoys or identification
9/30/2021	NETG04	Leave gill net in waters when could not be legally fished
9/30/2021	NETG04	Leave gill net in waters when could not be legally fished
10/4/2021	NETG10	Gill net with illegal mesh size
10/4/2021	NETG10	Gill net with illegal mesh size
10/5/2021	NETG04	Leave gill net in waters when could not be legally fished
10/5/2021	NETG04	Leave gill net in waters when could not be legally fished
10/12/2021	NETG03	Using gill net with improper buoys or identification
11/10/2021	NETG03	Using gill net with improper buoys or identification

Table 8. Notice of Violations (NOV) written by Marine Patrol for Estuarine Gill Net Permit (EGNP) holders using anchored gill nets by date and violation code during fall 2021 (September–November) for Incidental Take Permit Year 2022.

Date	Code	Description
10/11/21	EGNP10	Set more than the legal length of gill net.
10/25/21	EGNP30	Failure to comply with gill net configurations outlined in proclamation.
10/26/21	EGNP10	Set more than the legal length of gill net.
10/26/21	EGNP09	Failure to set or retrieve nets in accordance with time restrictions.
10/29/21	EGNP09	Failure to set or retrieve nets in accordance with time restrictions.
11/04/21	EGNP09	Failure to set or retrieve nets in accordance with time restrictions.
11/04/21	EGNP09	Failure to set or retrieve nets in accordance with time restrictions.
11/30/21	EGNP09	Failure to set or retrieve nets in accordance with time restrictions.
11/30/21	EGNP99	Failure to comply with statutes(s), rules(s), and/or proclamation(s).

FIGURES

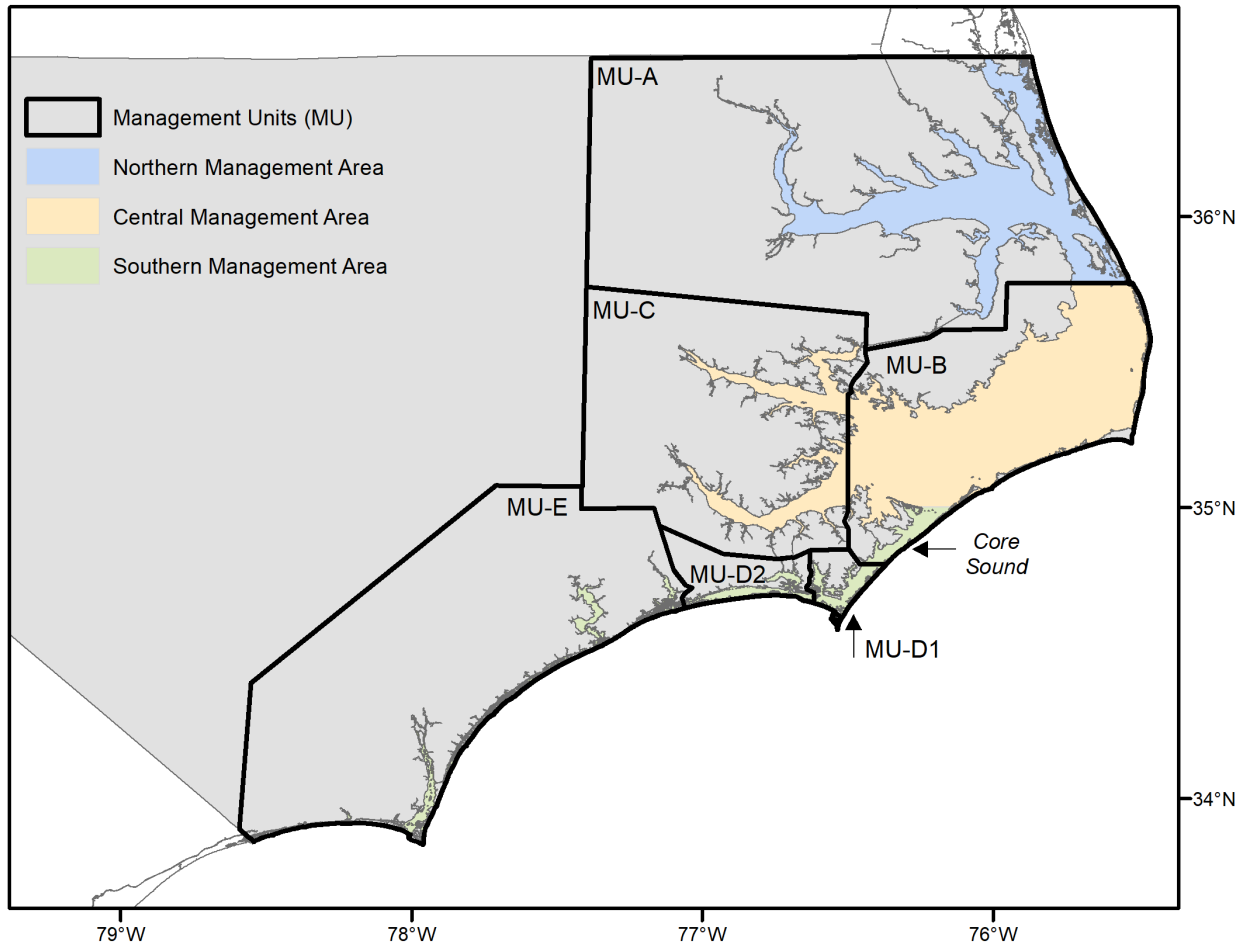


Figure 1. Locations of Incidental Take Permit management units (MU: A, B, C, D1, D2, and E) and flounder management areas (MA: Northern, Central, Southern). Management Unit B is split between the flounder central and southern MAs. Otherwise, MUs are contained within one flounder MA.

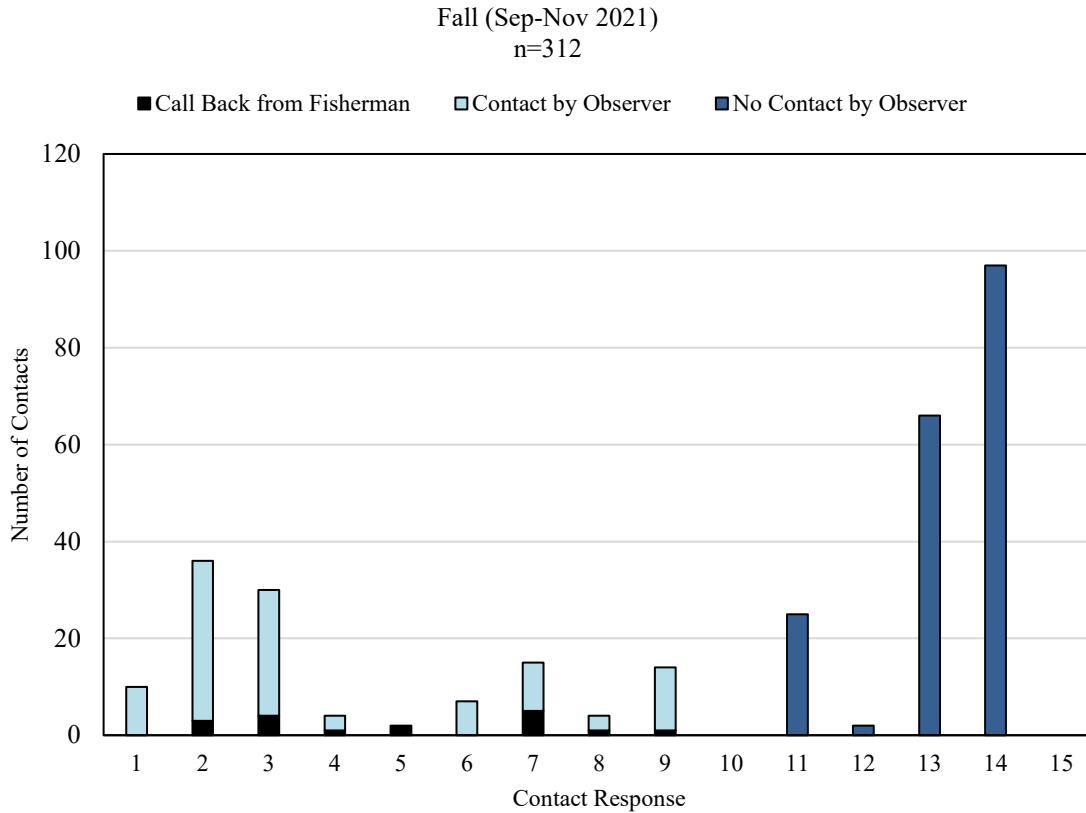


Figure 2. Number of contacts (n=312) during fall (September–November) 2021 to schedule trips. Contact type categories include the following: 1) Left message with someone else; 2) Not fishing general; 3) Fishing other gear; 4) Not fishing because of weather; 5) Not fishing because of boat issues; 6) Not fishing because of medical issues; 7) Booked trip; 8) Hung up, got angry, trip refused; 9) Call back later time/date; 10) Saw in person; 11) Disconnected; 12) Wrong number; 13) No answer; 14) No answer, left voicemail; 15) Not fishing because of natural disaster (e.g., hurricane). Contact types are shown as those when the observer contacted a fisherman (light blue bars), when the observer did not (dark blue bars), and when the fisherman returned an observer’s call (black bars).



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

Monthly Progress Report
Incidental Take Permit No. 18102
December 2, 2021

Celeste Stout
Office of Protected Resources (F/PR)
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Dear Celeste:

During November 2021, the anchored large-mesh gill-net fishery was closed state-wide and the anchored small-mesh fishery was open state-wide. There were two live Atlantic sturgeon observed from a single small-mesh gill net in Management Unit B. Both Atlantic sturgeon fell out of the net before they could be photographed, measured, or tagged.

Although the ITP reporting requirements include monthly reports not seasonal reports, information associated with two takes listed above for November is combined in this report with information associated with the takes in the other fall months, September and October. The two November takes bring the total number of observed Atlantic sturgeon to six for fall (Table 1). Additionally, there was an unidentified live sturgeon observed in a large-mesh gill net in Management Unit B in October; the sturgeon fell out of the net before it could be identified, measured, or tagged.

During September–November, 312 large-mesh trips and 59 small-mesh trips were observed (Table 2). Cumulative estimated and observed interactions during fall 2021 are included in Table 3. As a reminder, these numbers are preliminary.

Table 1. Summary of observed Atlantic sturgeon interactions in anchored gill nets during September – November 2021 for ITP Year 2022.

Date	Condition	Management Unit	Mesh Size Category	Net Length (yds)	Soak Time (min)	Net Sets (#)
9/29/21	Alive	A	Large mesh	80	720	18
9/29/21	Dead	A	Large mesh	80	720	18
9/30/21	Dead	A	Large mesh	1000	720	1
10/13/21	Alive	C	Large mesh	100	720	4
11/28/21	Alive	B	Small mesh	800	1440	4
11/28/21	Alive	B	Small mesh	800	1440	4

Table 2. Number of observed trips during September – November 2021 by management unit and mesh-size category for ITP Year 2022. During October, Management Unit A was only open to large-mesh gill nets on October 1st.

Month	Management Unit	Large-mesh observed trips	Small-mesh observed trips
September	A	104	2
	B	Closed	0
	C	Closed	0
	D1	Closed	Closed
	D2	Closed	1
	E	Closed	3
October	A	0	1
	B	83	8
	C	37	3
	D1	Closed	3
	D2	23	3
	E	65	16
November	A	Closed	2
	B	Closed	12
	C	Closed	0
	D1	Closed	1
	D2	Closed	1
	E	Closed	3

Table 3. Summary of cumulative estimated (Management Unit A) or observed (management units B-E) Atlantic sturgeon interactions during September – November 2021 by management unit and disposition for anchored large- and small-mesh gill nets for ITP Year 2022.

Management Unit	Large Mesh		Small Mesh	
	Alive	Dead	Alive	Dead
A	5.0	10.2	0	0
B	0	0	2.0	0
C	1.0	0	0	0
D	0	0	0	0
E	0	0	0	0
Total	6.0	10.2	2.0	0

Kind regards,



Barbie Byrd, Biological Supervisor
 NC Department of Environmental Quality
 Division of Marine Fisheries

cc: Angela Somma
 Wendy Piniak
 Marina Barrineau
 Dee Lupton
 Lucas Pensinger
 Steve Poland
 Kathy Rawls

Red Drum Landings 2020-2022

Landings are complete through January 25, 2022.

2020 landings are final. 2021 landings are preliminary.

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2020	9	Red Drum	32,039	28,991	35,003
2020	10	Red Drum	57,388	43,644	63,659
2020	11	Red Drum	26,704	14,318	27,646
2020	12	Red Drum	12,067	3,428	2,197
2021	1	Red Drum	11,372	5,885	1,700
2021	2	Red Drum	16,674	3,448	3,996
2021	3	Red Drum	2,552	5,699	3,971
2021	4	Red Drum	***	7,848	6,528
2021	5	Red Drum	11,651	13,730	9,661
2021	6	Red Drum	14,409	12,681	6,985
2021	7	Red Drum	10,351	13,777	15,618
2021	8	Red Drum	12,340	21,252	15,846

FY20 Fishing Year (Sept 1, 2020 - Aug 31, 2021) Landings 207,547

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2021	9	Red Drum	27,936	28,991	35,003
2021	10	Red Drum	52,632	43,644	63,659
2021	11	Red Drum	20,788	14,318	27,646
2021	12	Red Drum	17,003	3,428	2,197
2022	1	Red Drum		5,885	1,700
2022	2	Red Drum		3,448	3,996
2022	3	Red Drum		5,699	3,971
2022	4	Red Drum		7,848	6,528
2022	5	Red Drum		13,730	9,661

2022	6	Red Drum	12,681	6,985
2022	7	Red Drum	13,777	15,618
2022	8	Red Drum	21,252	15,846

FY21 Fishing Year (Sept 1, 2021 - Aug 31, 2022) Landings 118,359

*partial trip ticket landings only

***landings are confidential

YEAR	Month	SPECIES	POUNDS	DEALERS	TRIPS	AVERAGE (2007-2009)
2017	1	SOUTHERN FLOUNDER	1,677	38	122	7,713
2017	2	SOUTHERN FLOUNDER	2,758	55	215	4,617
2017	3	SOUTHERN FLOUNDER	8,254	67	874	23,512
2017	4	SOUTHERN FLOUNDER	9,591	83	787	68,389
2017	5	SOUTHERN FLOUNDER	33,105	105	1,121	122,514
2017	6	SOUTHERN FLOUNDER	74,799	115	1,905	154,090
2017	7	SOUTHERN FLOUNDER	75,032	108	1,757	170,387
2017	8	SOUTHERN FLOUNDER	102,890	116	2,366	201,862
2017	9	SOUTHERN FLOUNDER	235,915	128	2,849	396,301
2017	10	SOUTHERN FLOUNDER	549,825	142	3,977	781,717
2017	11	SOUTHERN FLOUNDER	302,372	123	2,004	392,150
2017	12	SOUTHERN FLOUNDER	166	7	8	37,303
2018	1	SOUTHERN FLOUNDER	610	14	43	7,713
2018	2	SOUTHERN FLOUNDER	1,833	34	154	4,617
2018	3	SOUTHERN FLOUNDER	2,815	43	387	23,512
2018	4	SOUTHERN FLOUNDER	8,142	74	769	68,389
2018	5	SOUTHERN FLOUNDER	18,342	90	951	122,514
2018	6	SOUTHERN FLOUNDER	42,501	105	1,407	154,090
2018	7	SOUTHERN FLOUNDER	57,283	117	1,496	170,387
2018	8	SOUTHERN FLOUNDER	72,496	121	1,917	201,862
2018	9	SOUTHERN FLOUNDER	109,125	114	1,776	396,301
2018	10	SOUTHERN FLOUNDER	363,339	109	3,062	781,717
2018	11	SOUTHERN FLOUNDER	226,856	89	1,355	392,150
2018	12	SOUTHERN FLOUNDER	471	5	5	37,303
2019	1	SOUTHERN FLOUNDER	524	25	74	7,713
2019	2	SOUTHERN FLOUNDER	558	23	69	4,617
2019	3	SOUTHERN FLOUNDER	1,412	44	216	23,512
2019	4	SOUTHERN FLOUNDER	5,966	66	448	68,389
2019	5	SOUTHERN FLOUNDER	36,666	92	1,038	122,514
2019	6	SOUTHERN FLOUNDER	61,199	109	1,438	154,090
2019	7	SOUTHERN FLOUNDER	59,404	109	1,554	170,387
2019	8	SOUTHERN FLOUNDER	95,629	109	1,779	201,862
2019	9	SOUTHERN FLOUNDER	51,734	59	551	396,301
2019	10	SOUTHERN FLOUNDER	327,394	120	2,337	781,717
2019	11	SOUTHERN FLOUNDER	159,595	58	537	392,150
2020	3	SOUTHERN FLOUNDER	***	***	***	***
2020	4	SOUTHERN FLOUNDER	***	***	***	***
2020	8	SOUTHERN FLOUNDER	***	***	***	***
2020	9	SOUTHERN FLOUNDER	86,553	30	790	396,301
2020	10	SOUTHERN FLOUNDER	340,711	138	2,623	781,717
2020	11	SOUTHERN FLOUNDER	52,602	25	68	392,150
2021	3	SOUTHERN FLOUNDER	***	***	***	***
2021	4	SOUTHERN FLOUNDER	***	***	***	***
2021	5	SOUTHERN FLOUNDER	***	***	***	***
2021	6	SOUTHERN FLOUNDER	***	***	***	***
2021	7	SOUTHERN FLOUNDER	***	***	***	***

2021	8 SOUTHERN FLOUNDER	31	3	4	201,862
2021	9 SOUTHERN FLOUNDER	63,290	30	751	396,301
2021	10 SOUTHERN FLOUNDER	412,168	127	2,390	781,717
2021	11 SOUTHERN FLOUNDER	***	***	***	***

NOTE: 2021 data are preliminary. 2017-2020 data are complete.

*****Data are confidential**

YEAR	SPECIES	GEAR	POUNDS	DEALERS	TRIPS
2017	SOUTHERN FLOUNDER	GIGS	136,306	90	2,756
2017	SOUTHERN FLOUNDER	GILLNETS	552,864	128	12,376
2017	SOUTHERN FLOUNDER	OTHER	8,377	90	940
2017	SOUTHERN FLOUNDER	POUND NET	698,836	45	1,916
2018	SOUTHERN FLOUNDER	GIGS	92,302	88	2,089
2018	SOUTHERN FLOUNDER	GILLNETS	364,949	122	9,127
2018	SOUTHERN FLOUNDER	OTHER	6,432	79	562
2018	SOUTHERN FLOUNDER	POUND NET	440,129	37	1,546
2019	SOUTHERN FLOUNDER	GIGS	91,370	81	1,837
2019	SOUTHERN FLOUNDER	GILLNETS	324,782	119	6,833
2019	SOUTHERN FLOUNDER	OTHER	4,727	65	354
2019	SOUTHERN FLOUNDER	POUND NET	379,201	34	1,017
2020	SOUTHERN FLOUNDER	GIGS	33,237	49	370
2020	SOUTHERN FLOUNDER	GILLNETS	187,593	105	2,475
2020	SOUTHERN FLOUNDER	OTHER	1,292	21	85
2020	SOUTHERN FLOUNDER	POUND NET	257,863	27	558
2021	SOUTHERN FLOUNDER	GIGS	32,107	46	358
2021	SOUTHERN FLOUNDER	GILLNETS	247,930	99	2,372
2021	SOUTHERN FLOUNDER	OTHER	5,138	37	117
2021	SOUTHERN FLOUNDER	POUND NET	190,430	23	321

NOTE: 2021 data are preliminary. 2017-2020 data are complete.

*****Data are confidential**