

Fishery Management Plans

February 2023 Business Meeting

01 MFC Workplan

02 Fishery Management Plan
(FMP) Update Memo

04 Striped Mullet FMP
Decision Document

09 Striped Mullet Supplement A
to Amendment 1

Marine Fisheries Commission 2023-2025 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 Rule 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 -23	May -23	Aug -23	Nov -23	Feb -24	May -24	Aug -24	Nov -24	Feb -25
Active Management Plans										
Estuarine Striped Bass Stock Assessment Update	Lee/Schlick	(SA)								
Striped Mullet FMP Amendment 1 Supplement	Zapf/Dobbs	A								
Striped Mullet FMP Amendment 2	Zapf/Dobbs	(PD)			AC/Pub	PMO	A			
Spotted Seatrout FMP Amendment 1	Behringer/Pensing	(PD)	G/O		(PD)	AC/Pub	PMO	A		
Hard Clam/Oyster	Dobbs/Facendola				G/O	(PD)		AC/Pub	PMO	A
Blue Crab FMP Amendment 2 Revision	Facendola/Corbett		Revision Update							
Blue Crab Stock Assessment Update	Lee/Schlick			(SA)	SAR					
Status of Commission Requests										
Delineation of Fishing Waters Issue	Rawls/Klibansky		In progress							
Update False Albacore Informaiton Paper	Seward/Markwith		Present to MFC							
Federal Permits - Review Feasibility of State Requirements	Murphey/Batsavage/Witten/Poland/Klibansky		In progress							
Provide # of Pound Net Sets Over Time	Poland/Markwith/White		Present to MFC							
Rulemaking										
Periodic Review and Expiration of Existing Rules, per G.S. 150B-21.3A										
Subchapter 18A - Shellfish Sanitation (Marinas Rule)	Blum/Walsh	A								
Subchapter 18A - Shellfish Sanitation (about 79 rules)	Blum/Walsh	FA	NOT	NCR/PH/PC	A					
Other MFC Rulemaking										
Mutilated Finfish Rule Amendment	Blum/	A								
MFC Committees Activity Overview										
	(Meeting date(s) in cell)									
CRFL Advisory Committee	Botinovich/Klibansky		March 1 or 2							
Nominating Committee	Batsavage/Farnell				11-Oct					
Advisory Committees Activity Overview										
	(Meeting date(s) in cell)	Virtual	In-Person	Virtual	In-Person	Virtual	In-Person	Virtual		
Northern Regional Advisory	Behringer/Paramore	10-Jan	11-Apr	11-Jul	10-Oct	JAN	APR	JUL		
Southern Regional Advisory	Moore/Stewart	11-Jan	12-Apr	12-Jul	11-Oct	JAN	APR	JUL		
Finfish Standing Advisory	Paramore/Rock	12-Jan	13-Apr	13-Jul	12-Oct	JAN	APR	JUL		
Shellfish/Crustacean Standing Advisory	Moore/Deaton	17-Jan	18-Apr	18-Jul	17-Oct	JAN	APR	JUL		
Habitat and Water Quality Standing Advisory	Deaton/Harrison	18-Jan	19-Apr	19-Jul	18-Oct	JAN	APR	JUL		



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

February 10, 2023

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Corrin Flora, Fishery Management Plan Coordinator
Fisheries Management Section

SUBJECT: Fishery Management Plan Update and Schedule Review

Issue

Update the N.C. Marine Fisheries Commission (MFC) on the status of North Carolina fishery management plans (FMPs).

Action Needed

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

Overview

This memo provides an overview on the status of four North Carolina FMPs for the February 2023 MFC business meeting.

Striped Mullet FMP

The peer reviewed, benchmark stock assessment for striped mullet indicated the stock was overfished and experiencing overfishing in the terminal year of 2019. Due to overfishing concerns, the Secretary authorized the MFC to develop temporary management through a supplement. At its November 2022 business meeting, the MFC selected preferred management for Supplement A to the Striped Mullet FMP Amendment 1. The MFC will have the opportunity to vote on final approval of Supplement A at its February 2023 business meeting.

Until new management is adopted, Striped Mullet are managed under the Striped Mullet FMP Amendment 1. At the November MFC business meeting, the MFC approved the Striped Mullet FMP Amendment 2 goal and objectives. Staff are currently considering comment heard during the scoping period and drafting the initial plan. Additionally, at its February 2023 business meeting, the MFC will receive a presentation characterizing the striped mullet fishery.

Spotted Seatrout FMP

The peer reviewed, benchmark stock assessment for spotted seatrout indicated the stock is not overfished but is experiencing overfishing. The DMF will hold scoping for the Spotted Seatrout FMP Amendment 1 from March 13–24, 2023. The division asks stakeholders to participate in scoping to inform the draft plan. Online and in-person scoping opportunities will be available.

Amendment 1 will focus on ending overfishing and conservation measures to promote healthy spawning stock biomass. At its February 2023 business meeting, the MFC will receive a spotted seatrout fishery overview presentation.

Eastern Oyster and Hard Clam FMPs

The 2022 FMP Schedule includes review of the Eastern Oyster and Hard Clam FMPs. The Division Plan Development Team is identifying available data sources to assess the needs of the wild fisheries of North Carolina. Scoping will occur later in 2023.

Blue Crab FMP

The Blue Crab FMP Amendment 3 adaptive management framework included an update to the stock assessment at least once between full reviews of the FMP. The 2018 stock assessment indicated the stock was overfished and overfishing was occurring in the terminal year of 2016. Amendment 3 implemented management to address the stock status. A stock assessment update will begin in 2023 and will include data through 2022.

Amendment 3 adaptive management allows the Division, with Shellfish/Crustacean Advisory Committee consultation, to modify the Diamondback Terrapin Management Area allowed devices list. Based on research by the University of North Carolina Wilmington, the DMF is working to amend the approved devices list. The DMF consulted with the Shellfish/Crustacean Advisory Committee at its January 2023 meeting. The committee supported the modification to the device list and provided additional considerations to the DMF for implementation. Based on consultation, the DMF is updating language in the 2023 Revision to the Blue Crab FMP Amendment 3 and completing outreach materials. The DMF will present the 2023 Revision to the MFC at its May 2023 business meeting.

Estuarine Striped Bass FMP

At its November 2022 meeting, the MFC adopted Amendment 2. The Division continues to implement management from Amendment 2.

Based on stock concerns identified during preparation of the 2022 Annual Review, specifically continuing low juvenile abundance, the Division is updating the Albemarle-Roanoke stock assessment with data through 2022. Division and WRC staff consulted with a group of external experts to ensure the assessment continues to be the best available science. The MFC will receive an update on the stock assessment at its May 2023 business meeting.

DECISION DOCUMENT

Striped Mullet Fishery Management Plan

Supplement A to Amendment 1



This document was developed to help the MFC track previous activity and prepare for upcoming actions on the Striped Mullet Supplement A.

February 8, 2023

Summary of Need

The current striped mullet stock assessment, terminal year 2019, determined the stock is overfished and overfishing is occurring. There are no current management measures directly limiting harvest of striped mullet commercially and the recreational harvest is limited by a daily possession limit of 200 mullet (white and striped in aggregate). Management measures to address the stock status through Amendment 2 to the FMP will not be completed until at least 2024. A supplement to Amendment 1 will allow immediate implementation of temporary management measures to end overfishing of the striped mullet stock while the more long-term measures addressing sustainable harvest and stock rebuilding are explored and implemented through Amendment 2. Any supplemental management measures will remain in place until Amendment 2 is adopted unless they are adopted as part of that amendment.

Peak striped mullet commercial landings occur in October and November (approximately 55% of landings), with most landings occurring from approximately October 15-November 15. The increase in landings during this time period coincides with the migration of striped mullet from estuarine waters to offshore spawning areas. A season closure during this time extending through the end of the year would provide the greatest harvest reduction over the shortest period of time. In addition, an end of year season closure would ensure there is no recoupment of catch that year, increasing the probability of the management measure successfully reducing harvest and ending overfishing.

Regarding the development of a Supplement, General Statute 113-182.1 (e1) states:

“If the Secretary determines that it is in the interest of the long-term viability of a fishery, the Secretary may authorize the Commission to develop temporary management measures to supplement an existing Fishery Management Plan pursuant to this subsection. Development of temporary management measures pursuant to this subsection is exempt from subsections (c), (c1), and (e) of this section and the Priority List, Schedule and guidance criteria established by the Marine Fisheries Commission under G.S. 143B-289.52. During the next review period for a Fishery Management Plan supplemented pursuant to this subsection, the Commission shall either incorporate the temporary management measures into the revised Fishery Management Plan or the temporary management measures shall expire on the date the revised Fishery Management Plan is adopted.”

Supplement Timing (Grey indicates the step is complete.)

August 2022	DMF Director requests approval from MFC to request Secretarial approval for a supplement to Striped Mullet FMP Amendment 1
November 2022	Draft Supplement A presented to MFC including management options. MFC Selected Option 2.
December 2022-January 2023	Public Comment Period
February 2023	MFC Review Public Comment and Final Vote on Approval of Supplement A

Decisions Points

Decision to Request a Supplement – August 2022

At the August MFC Business Meeting the DMF Director Kathy Rawls gave an update on Striped Mullet management, and requested the Commission support a request to the DEQ Secretary for approval of supplemental management of striped mullet while Amendment 2 is developed. The Commission discussed the issue. Highlights from that discussion are included below:

- What type of management would be considered?

A seasonal closure is the only practical option that would be considered for supplemental management, however, the Division will consider other options brought by the Commission or members of the public. Additionally, all other options will be considered for Amendment 2 management.

- What is the impact of supplement development on timing of development of Amendment 2?

The Division does not anticipate any impact on the timing of Amendment 2.

- How long is the temporary management expected to remain in place?

Based on the expected timeline of Amendment 2, the Division expects the supplemental management measures will remain in place for one year, but possibly up to two years.

Following the discussion, the Chairman asked if any Commissioner objected to pursuing a supplement. There were no objections. The Chairman indicated the Division had the endorsement of the Commission to request the DEQ Secretary approve development of supplemental management.

Following the meeting a request was sent to the Secretary of DEQ for review and approval. The Secretary approved development of a supplement, after which the Division drafted the supplement document.

Management Options in Supplement A – November 2022

End of year season closures are considered the most effective and efficient management option that can be implemented through the supplement process and be expected to successfully limit striped mullet harvest. An end of year season closure would be implemented as no possession across both commercial and recreational sectors with no additional modification or prohibition of gears. An end of year season closure, if approved by the MFC would be implemented via proclamation.

At the November 2022 MFC business meeting Division staff presented the draft Striped Mullet Supplement A document including three season closure management scenarios that are estimated to end overfishing. These are shown below in Table 6 from the draft Supplement document.

DMF Recommended Management Strategy

The DMF recommended supplemental management measure of either option 1 or 2. To achieve a 20-33% reduction, any end of year season closure must begin no sooner than October 29 and no later than November 7 and continue through December 31. The Division supports a 20-33% reduction to exceed the threshold and either meet or approach the target. This reduction level increases the probability of, at a minimum, ending overfishing even if there is variability in fishing effort, market demand, striped mullet availability to the fishery, or recruitment fluctuations.

Table 6. Management options that satisfy the 9.9% commercial harvest reduction to end overfishing. All reductions are calculated from 2019 commercial harvest levels (terminal year of stock assessment).

Single Management Measures that Satisfy Reduction	Management Measure	Estimated Commercial Harvest Reduction (%)
Season Closures		
1	October 29 – December 31	33.7
2	November 7 – December 31	22.1
3	November 13 - December 31	10.9

Decision to Select Preferred Management Strategy

Following the presentation by staff, the Commission engaged with DMF staff in a lengthy discussion after which a number of motions were made, discussed and voted on. Below are highlights from that discussion:

- What is the estimated recreational harvest reduction?

We cannot calculate an estimate for recreational harvest reduction because the data available for the recreational harvest is not captured with enough precision to accurately calculate daily landings and the recreational mullet harvest, both white and striped, is for bait.

- Why is recreational harvest being closed?

To be equitable across all fisheries and to reduce management complexity to improve enforceability.

- Can the reductions be taken from the rest of the year instead of from the fall row season?

In the context of the biology of the fish and the dominant fishery, the Division does not believe reductions at other times of the year would be successful. The demand and effort is primarily focused during the spawning period, it is likely that even if we closed striped mullet for the rest of the year, we would expect any reductions achieved to be recouped during the fall row mullet fishery.

- Is commercial harvest used to determine abundance? Specifically, the commercial harvest has been up the last couple of years, doesn't that mean we should wait to see if that changes the need for this supplement?

Stock assessments, which use commercial harvest, Division survey data and life history data are used to estimate fishing mortality and stock abundance. Commercial harvest is not equivalent to stock abundance because it is impacted by factors including but not limited to fisherman effort and market demand. However, when compared, commercial landings and abundance trends from Division sampling programs do show a similar pattern over time.

Regarding recent increases in harvest, we cannot tell if fishing mortality is lower or if spawning stock biomass is higher, that can only be determined through a stock assessment update. We can only say that abundance observed in the Division's sampling programs and harvest has increased over the last two years.

- Is the Division confident in the current stock assessment?

Yes, we are confident in the assessment. The Division has observed an increase in landings and abundance over the last two years, however, this does not necessarily translate into a change in the stock status. The only way to determine if the stock status has changed is to update the stock assessment.

Motion

Delay Implementation of the Supplement A to Amendment 1 of the striped Mullet Fishery Management Plan.

Motion Failed

Motion

Approve supplement A to Amendment 1 of the Striped Mullet Fishery Management Plan with option 1, with the caveat that allows recreational possession in the whole year.

Motion fails for lack of second.

Motion

Approve Supplement A to Amendment 1 of the Striped Mullet Fishery Management Plan with Option 2.

Substitute Motion

Approve Supplement A to Amendment 1 of the Striped Mullet Fishery Management Plan with Option 1.

Motion failed.

► Motion Approved Unanimously.

Next Steps

The draft Supplement A to Amendment 1 of the Striped Mullet FMP went out for public comments. The MFC will hear the public comment that was received during the 30-day public comment period and will vote on final approval at their February 2023 business meeting.

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SUPPLEMENT A TO AMENDMENT 1 TO THE N.C. STRIPED MULLET FISHERY MANAGEMENT PLAN

November 2022

ISSUE

Consideration of Supplement A to Amendment 1 to the N.C. Striped Mullet Fishery Management Plan (FMP) to implement temporary management measures to immediately address overfishing of the striped mullet stock while Amendment 2 is developed.

ORIGINATION

The North Carolina Division of Marine Fisheries (DMF).

BACKGROUND

The North Carolina striped mullet stock is overfished and overfishing is occurring in 2019, the terminal year of the stock assessment (NCDMF 2022). As statutorily required, management measures will be developed through Amendment 2 to end overfishing and rebuild spawning stock biomass. Development of Amendment 2 is underway, with final adoption and implementation tentatively scheduled for 2024. Because of the timeline of FMP development, there will be four-years between the terminal year of the stock assessment and implementation of management measures to address the stock status. The supplement allows for implementation of temporary management measures to supplement Amendment 1 until Amendment 2 is adopted.

General Statute 113-182.1 provides a mechanism to supplement management under a Fishery Management Plan (FMP) between scheduled reviews when the Secretary of the Department of Environmental Quality (DEQ) determines it is in the interest of the long-term viability of the fishery. The draft supplement contains analysis of the proposed management change, projected outcomes, and proposed rules or proclamation measures necessary to implement the management change. The North Carolina Marine Fisheries Commission (MFC) may only consider a single management issue for each draft supplement. The supplement allows for implementation of temporary management measures to supplement Amendment 1 until Amendment 2 is adopted. NCMFC Rule 15A NCAC 03M .0502 provides the Director proclamation authority to implement restrictions in the taking of mullet. In accordance with the MFC FMP Guidelines, the MFC will review the draft supplement and reject (end of process), approve, or modify and approve it for public comment.

The North Carolina Striped Mullet FMP was adopted in April 2006 and established minimum and maximum commercial landings triggers of 1.3 and 3.1 million pounds (NCDMF 2006). If annual landings fall below the minimum trigger, the DMF would determine whether the decrease in landings is attributed to stock decline, decreased fishing effort, or both. If annual landings exceed the maximum trigger, DMF would determine whether harvest is sustainable and what factors are driving the increase in harvest. The Striped Mullet FMP established a daily possession limit of 200 mullets (white and striped combined) per person per day in the recreational fishery, through NCMFC Rule 15A NCAC 03M .0502.

The Striped Mullet FMP Amendment 1 was adopted in November 2015. The associated rules from Amendment 1 were implemented in April 2016; to resolve issues with Newport River gill net attendance

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and mitigate known user group conflicts. Amendment 1 also updated the management framework and updated minimum and maximum commercial landings triggers to 1.13 and 2.76 million pounds (NCDMF 2015). Amendment 1 maintains the recreational fishery limit. Other than the recreational daily possession limit there are no management measures directly limiting harvest of striped mullet.

Stock assessments for the North Carolina striped mullet stock were conducted by the DMF in 2006 (NCDMF 2006), 2013 (NCDMF 2015), 2018 (NCDMF 2018), and 2022 (NCDMF 2022). In each assessment, a fishing mortality threshold of $F_{25\%}$ was used to determine if overfishing was occurring. The 2022 assessment also used a spawning stock biomass (SSB) threshold of $SSB_{25\%}$ to determine if the stock was overfished. Stock assessments in 2006, 2013, and 2017 determined overfishing was not occurring but could not determine whether the stock was overfished. While these assessments concluded overfishing was not occurring, each noted concerning trends, data uncertainty, and the potential impact of future poor recruitment events. Given this concern, the commercial landings triggers and adaptive management framework were approved in the Striped Mullet FMP and updated in Amendment 1.

Commercial landings in 2016 were 965,198 pounds, less than the minimum commercial landings trigger. As required under the FMP, the DMF initiated data analysis and ultimately recommended updating the 2013 stock assessment with data through 2017 prior to considering any management action. As an assessment update, there were no changes to model parameters and peer review was not required, as the configuration of the model that previously passed peer review was maintained. The 2018 stock assessment concluded overfishing was not occurring in 2017 but indicated declining spawning stock biomass, declining recruitment, and increasing fishing mortality. A major concern in the 2017 assessment was lack of contrast in commercial landings data and lack of contrast and high variability associated with fishery-independent indices including the Fishery-Independent Gill Net Survey (Program 915), the Striped Mullet Electrofishing Survey (Program 146), and the Striped Bass Independent Gill Net Survey (Program 135). Also of concern were the poor fits to survey data and length compositions.

At its August 2018 business meeting, the DMF presented its recommendation along with recommendations from the Northern, Southern, and Finfish Advisory Committees to the NCMFC that no management action be taken since the stock assessment update indicated overfishing was not occurring. The DMF would, however, continue to monitor trends in the commercial fishery and fishery-independent indices. The recommendation was approved by the MFC.

For the 2022 striped mullet stock assessment, a F threshold of $F_{25\%}$ and a target of $F_{35\%}$ were maintained from the prior assessment since the commercial fishery continues to target mature female fish during the spawning season and the ecological importance of striped mullet. Complementary reference points for stock size were adopted based on female SSB, with a threshold of $SSB_{25\%}$ and a target of $SSB_{35\%}$. The stock assessment model estimated a value of 0.37 for the $F_{25\%}$ threshold and a value of 0.26 for the $F_{35\%}$ target. In 2019, the terminal year of the assessment, F was 0.42, higher than the $F_{25\%}$ threshold, indicating overfishing is occurring (Figure 1). The model estimated a value of 1,364,895 pounds for the $SSB_{25\%}$ threshold and a value of 2,238,075 pounds for the $SSB_{35\%}$ target. Female SSB in 2019 was estimated at 579,915 pounds, smaller than the $SSB_{25\%}$ threshold, indicating the stock is overfished (Figure 2).

An external peer review workshop was held in April 2022. The panel concluded the assessment model and results are suitable for providing management advice for at least the next five years. The panel considers the current model a substantial improvement from the previous assessment, representing the best scientific information available for the stock.

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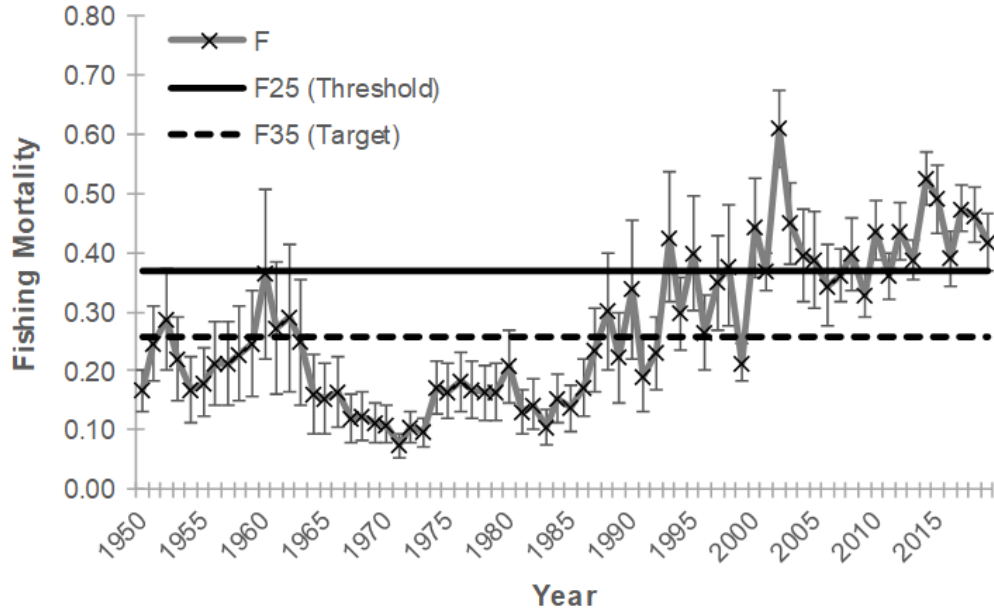


Figure 1. Comparison of annual estimates of fishing mortality (numbers weighted, ages 1-5) to the fishing mortality target (F35%) and threshold (F25%). Error bars represent ± 2 standard deviations.

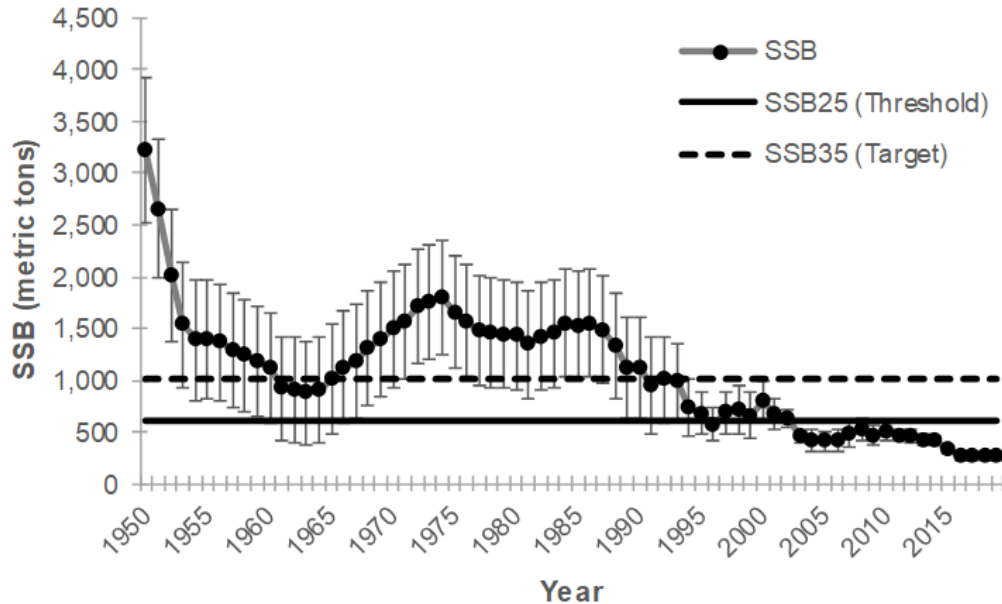


Figure 2. Comparison of annual estimates of female spawning stock biomass (SSB) to the SSB target (SSB35%) and threshold (SSB25%). Error bars represent ± 2 standard deviations.

AUTHORITY

G.S. 113-134 RULES
G.S. 113-182 REGULATION OF FISHING AND FISHERIES
G.S. 113-182.1 FISHERY MANAGEMENT PLANS
G.S. 113-221.1. PROCLAMATIONS; EMERGENCY REVIEW
G.S. 143B-289.52 MARINE FISHERIES COMMISSION-POWERS AND DUTIES
15A NCAC 03M .0502 MULLET
15A NCAC 03H .0103 PROCLAMATIONS, GENERAL

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DISCUSSION

The 2022 stock assessment (NCDMF 2022) indicates recruitment has not only declined but has been below average since 2009 (Figure 3). The decline in recruitment coincides with declining spawning stock biomass while fishing mortality has increased (Figures 1-2).

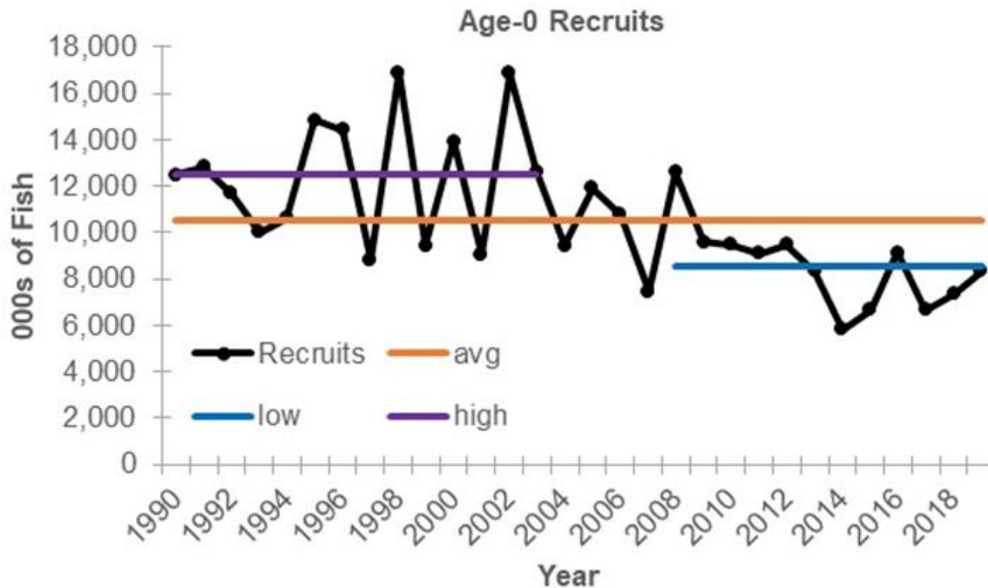


Figure 3. Estimates of striped mullet recruitment from the 2022 striped mullet stock assessment (NCDMF 2022). Average recruitment is the average number of recruits from 1990 to 2019, high recruitment is the average number of recruits from 1990 to 2003, and low recruitment is the average number of recruits from 2008 to 2019.

A 9.3% reduction in total removals relative to landings in 2019 is needed to reduce fishing mortality to the threshold and a 33% reduction is needed to reach the target. Amendment 1 to the Striped Mullet FMP included adaptive management allowing for implementation of management measures if commercial landings exceeded or fell below commercial landings triggers. Because neither the minimum or maximum commercial landings triggers were exceeded in 2022, adaptive management cannot be used to immediately implement management measures. A supplement to Amendment 1 is the only option to immediately implement management measures to end overfishing of the striped mullet stock. Given the stock is overfished and overfishing is occurring, ending overfishing immediately is in the long-term interest of the fishery because it begins rebuilding spawning stock biomass and meets the statutory requirement to end overfishing in two years. Measures addressing sustainable harvest and stock recovery will be explored and implemented through Amendment 2.

Implementation of quotas, seasons, size limits, area closures, gear restrictions, and harvest limits were discussed in Amendment 1 (NCDMF 2015). However, because management measures implemented through a supplement are intended to address a single issue, in this case ending overfishing, size limits, area closures, and gear restrictions are not considered viable options, and are not recommended, because they are unlikely to result in necessary harvest reductions without other measures in being place. A harvest quota would result in necessary harvest reductions and should be considered as a practical long-term option for management of the striped mullet fishery. However, because of the time needed to develop a quota monitoring framework and update infrastructure it is not considered a practical option through the supplement process and is not recommended. Trip limits, in conjunction with other options, could result in necessary reductions but given the high-volume nature of the striped mullet fishery may result in excessive

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dead discards. Trip limits should be explored during Amendment 2 but are not recommended for the supplement.

Given the inherent seasonality of the striped mullet fishery and life history characteristics that make striped mullet more vulnerable to the fishery during certain times of year, season closures are considered the most effective and efficient method to achieve the necessary reductions that can be implemented immediately through a supplement. Striped mullet are highly fecund (upwards of 4 million eggs for a large female; Bichy 2000) and spawn in large groups near inlets and in offshore areas (Collins and Stender 1989). Spawning individuals have been reported from September to March; however, peak spawning activity occurs from October to early December (Bichy 2000). Prior to spawning, striped mullet form large schools in estuaries and can be easily spotted near the surface making them particularly vulnerable to harvest. Closing a portion of the fall season to possession of striped mullet would reduce landings in the targeted striped mullet fishery, where most effort occurs. Targeting a season closure to the period of peak striped mullet harvest minimizes the length of the closure and the numbers of discards that might occur in other fisheries.

Characterization of the Fishery

Recreational Fishery

The federal Marine Recreational Information Program (MRIP) is primarily designed to sample anglers who use rod and reel as the mode of capture. Since most striped mullet are caught with cast nets for bait, striped mullet recreational harvest data are imprecise. In addition, angler misidentification between striped mullet and white mullet is common, and bait mullet are usually released by anglers before visual verification by creel clerks is possible. As such, mullets are not identified to the species level in MRIP data (Catch Type B). Beginning in 2002, MRIP began deferring to mullet genus to classify unobserved type B1 (harvested/unavailable catch) and B2 (released/unavailable catch) catch. As a result, the magnitude of recreational mullet genus harvest far exceeds that of both striped mullet and white mullet. This methodological improvement increased the precision of mullet harvest estimates albeit without species level resolution. As such, estimates of recreational harvest for mullet prior to 2002 are considered unreliable.

The 2022 striped mullet stock assessment used the sum of recreational striped mullet harvest and a proportion of the recreational harvest of mullet genus to estimate removals by the recreational fleet (NCDMF 2022). The proportion of mullet genus assumed to be striped mullet in the recreational harvest was 29%, a value derived from a DMF striped mullet recreational cast net harvest study (NCDMF 2006).

Recreational harvest peaked in 2002 and 2003 at greater than four million fish harvested (Table 1). From 2004 to 2017 recreational harvest remained stable at around one million fish before declining in 2018, 2019 and 2020 to around 500,000 fish. This decline was likely related to decreased abundance of striped mullet and regulations that drastically shortened the recreational fishing season for southern flounder, a fishery where live mullet is a popular bait. Recreational harvest in 2021 was 1,484,850 fish.

Generally, most recreational striped mullet harvest occurs during the late summer and early fall. From 2017 to 2021 most recreational harvest occurred during September/October with some harvest during July/August (Figure 4). Based on MRIP harvest estimates very few, if any, striped mullet are harvested recreationally during the January/February or March/April waves (Table 2).

Striped mullet harvest data from the Recreational Commercial Gear License (RCGL) were collected from 2002 to 2008. The program was discontinued in 2009 due to a lack of funding and the minimal contributions

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from RCGL to overall harvest. From 2002 through 2008, an average of 41,512 pounds of striped mullet were harvested per year using a RCGL (Table 3).

Table 1. Recreational harvest (number of fish landed) of striped mullet and mullet genus estimated from MRIP sampling, 2002-2021. Based on results of a DMF cast net study (NCDMF 2006), 29% of the mullet genus harvested are assumed to be striped mullet.

Year	Striped Mullet		Mullet Genus		Striped Mullet from Mullet Genus (29%)	Striped Mullet + Mullet Genus
	Harvest		Harvest (B1)		Harvest (B1)	Striped Mullet Total Harvest
	(A+B1)	PSE		PSE		
2002	4,668,427	18.0	4,480,197	36.3	1,299,257	5,967,684
2003	3,368,881	29.6	2,487,885	20.4	721,487	4,090,368
2004	5,496	101.7	4,790,382	16.1	1,389,211	1,394,707
2005	10,795	61.5	4,487,719	21.4	1,301,439	1,312,234
2006	15,706	63.5	3,599,098	21.4	1,043,738	1,059,444
2007	301,004	81.3	5,052,995	22.3	1,465,369	1,766,373
2008	3,458	65.0	4,097,156	14.4	1,188,175	1,191,633
2009	83,480	90.6	3,736,571	14.3	1,083,606	1,167,086
2010	126,250	44.7	4,113,171	14.3	1,192,820	1,319,070
2011	80,267	28.6	3,653,514	14.3	1,059,519	1,139,786
2012	351,960	79.5	3,510,395	16.3	1,018,015	1,369,975
2013	150,020	53.9	4,493,166	20.5	1,303,018	1,453,038
2014	50,381	67.0	4,490,722	26.2	1,302,309	1,352,690
2015	142,696	64.5	4,405,800	21.5	1,277,682	1,420,378
2016	29,965	50.6	5,039,891	55.6	1,461,568	1,491,533
2017	37,791	43.9	5,170,318	55.2	1,499,392	1,537,183
2018	35,565	59.3	1,564,676	31.7	453,756	489,321
2019	324,986	52.0	817,596	25.3	237,103	562,089
2020	323,102	43.2	719,908	23.2	208,773	531,875
2021	1,194,213	73.6	1,002,195	31.6	290,637	1,484,850

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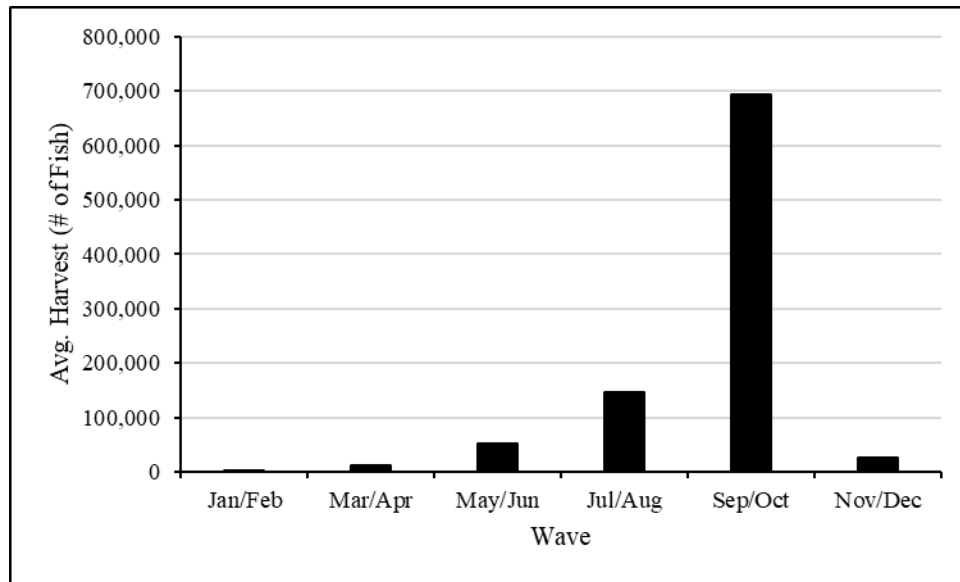


Figure 4. Average number of striped mullet harvested by the recreational fishery by wave based on MRIP estimates, 2017-2021.

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Table 2. Recreational harvest (number of fish landed) of striped mullet and mullet genus by wave estimated from MRIP sampling, 2002-2021. Striped mullet assumed as 29% of mullet genus.

Year	Wave	Striped Mullet	Mullet Genus	Striped Mullet from Mullet Genus (29%)	Striped Mullet + Mullet Genus
		Harvest (A+B1)	Harvest (B1)	Harvest (B1)	Striped Mullet Total Harvest
2017	January/February	.	.	.	.
2017	March/April	.	82,931	24,050	24,050
2017	May/June	27,708	284,430	82,485	110,193
2017	July/August	8,505	354,629	102,842	111,347
2017	September/October	1,579	4,432,737	1,285,494	1,287,073
2017	November/December	.	15,590	4,521	4,521
2018	January/February	.	.	.	.
2018	March/April	.	.	.	.
2018	May/June	2,239	136,595	39,613	41,852
2018	July/August	18,993	750,891	217,758	236,751
2018	September/October	13,505	457,709	132,736	146,241
2018	November/December	828	219,480	63,649	64,477
2019	January/February	.	.	.	.
2019	March/April	.	32,700	9,483	9,483
2019	May/June	11,773	86,637	25,125	36,898
2019	July/August	82,801	280,921	81,467	164,268
2019	September/October	217,317	367,020	106,436	323,753
2019	November/December	13,096	50,318	14,592	27,688
2020	January/February	1,648	1,540	447	2,095
2020	March/April	.	21,050	6,105	6,105
2020	May/June	6,308	78,303	22,708	29,016
2020	July/August	40,470	239,694	69,511	109,981
2020	September/October	274,675	370,617	107,479	382,154
2020	November/December	.	8,704	2,524	2,524
2021	January/February	.	6,340	1,839	1,839
2021	March/April	7,087	.	.	7,087
2021	May/June	1,336	144,319	41,853	43,189
2021	July/August	21,670	292,846	84,925	106,595
2021	September/October	1,164,119	558,690	162,020	1,326,139
2021	November/December

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Table 3. North Carolina Recreational Commercial Gear License (RCGL) survey estimates of the number of striped mullet harvested, pounds harvested, number released, and total number caught. The survey was discontinued in 2009.

Year	Number Harvested	Pounds Harvested	Number Released	Total Number
2002	66,305	64,213	6,549	72,854
2003	28,757	24,774	3,514	32,270
2004	34,736	35,947	2,875	37,611
2005	35,888	36,314	3,492	39,380
2006	38,175	37,385	5,352	43,527
2007	35,472	40,168	7,449	42,921
2008	51,465	51,785	9,207	60,672

Commercial Fishery

Since 1972, striped mullet commercial landings have ranged from a low of 965,198 pounds in 2016 to a high of 3,063,853 pounds in 1993 (Figure 5). From 2003 to 2009, landings were stable between 1,598,617 and 1,728,607 pounds before increasing to 2,082,832 pounds in 2010. Landings fluctuated annually between 1.5 and 2.0 million pounds from 2010 to 2014 before declining in 2015 and again in 2016, dropping below the minimum commercial landings trigger established by Amendment 1. Commercial landings in 2021 increased to 2,135,952 pounds, which is 1,005,952 pounds above the minimum commercial landings trigger.

Historically, beach seines and gill nets were the two primary gear types used in the striped mullet commercial fishery, with most commercial landings prior to 1978 coming from the beach seine fishery. Gill nets (runaround, set, and drift) replaced seines as the dominant commercial gear type in 1979 and since 2017 runaround gill nets have accounted for most (>70%) striped mullet commercial landings (Figure 6).

Because the commercial fishery primarily targets striped mullet for roe, the fishery is seasonal with the highest demand and landings occurring in October and November when large schools form during their spawning migration to the ocean and females are ripe with eggs (Figures 7-8). Striped mullet are primarily targeted commercially using runaround gill nets in the estuarine and ocean waters of North Carolina. The striped mullet beach seine fishery primarily occurs in conjunction with the Bogue Banks stop net fishery. The stop net fishery has operated under fixed seasons and net and area restrictions since 1993. Currently, stop nets are limited in number (four), length (400 yards), and mesh sizes (minimum eight inches outside panels, six inches middle section). Stop nets have typically been permitted along Bogue Banks (Carteret County) in the Atlantic Ocean from October 1 to November 30. However, the stop net season was extended to include December 3 to December 17 in 2015 due to minimal landings of striped mullet (Proclamation M-28-2015). In 2020 and 2021, the stop net fishery was open from October 15 through December 31 (Proclamations M-17-2020 and M-21-2021). Due to the schooling nature of striped mullet, the beach seine fishery has the potential to be, and historically has been, a high-volume fishery with thousands of pounds landed during a single trip. In addition, the use of cast nets in the striped mullet commercial fishery has been increasing since around 2003.

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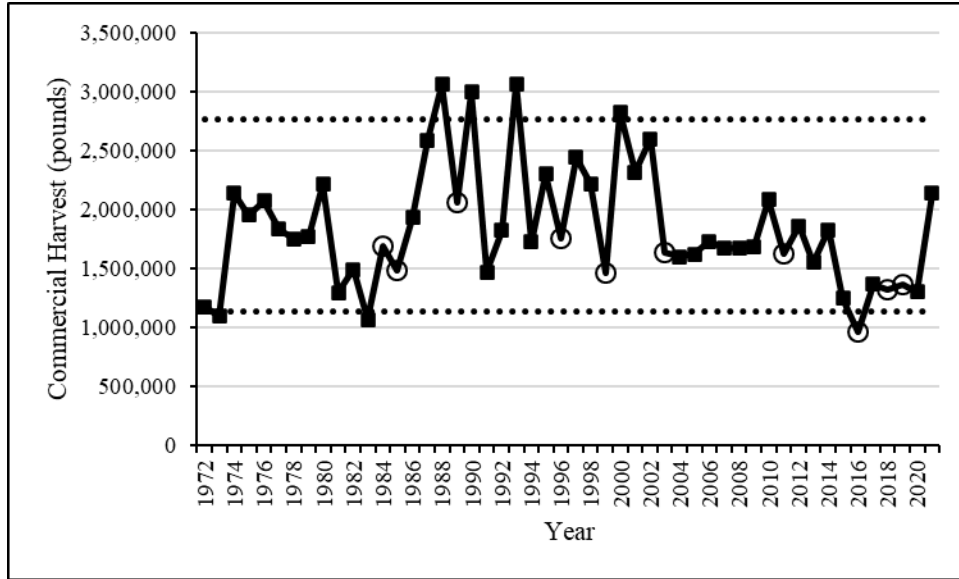


Figure 5. Striped mullet commercial landings (pounds) reported through the North Carolina Trip Ticket Program, 1972–2021 Lower dashed line (1.13 million lb.) and upper dashed line (2.76 million lb.) represent landings limits that trigger closer examination of data. Open circles represent years with significant hurricanes of storms.

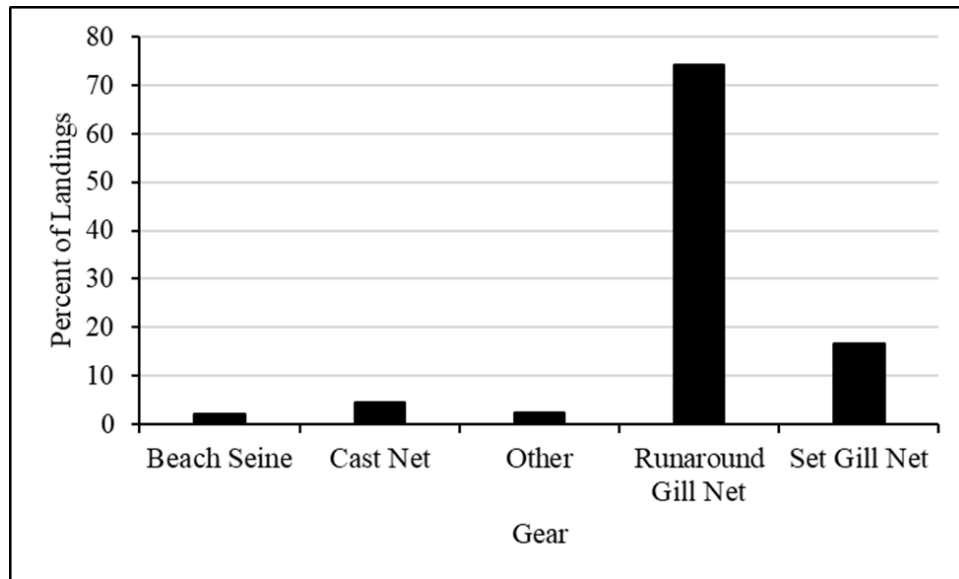


Figure 6. Percent of striped mullet commercial landings reported through the North Carolina Trip Ticket Program by gear, 2017–2021.

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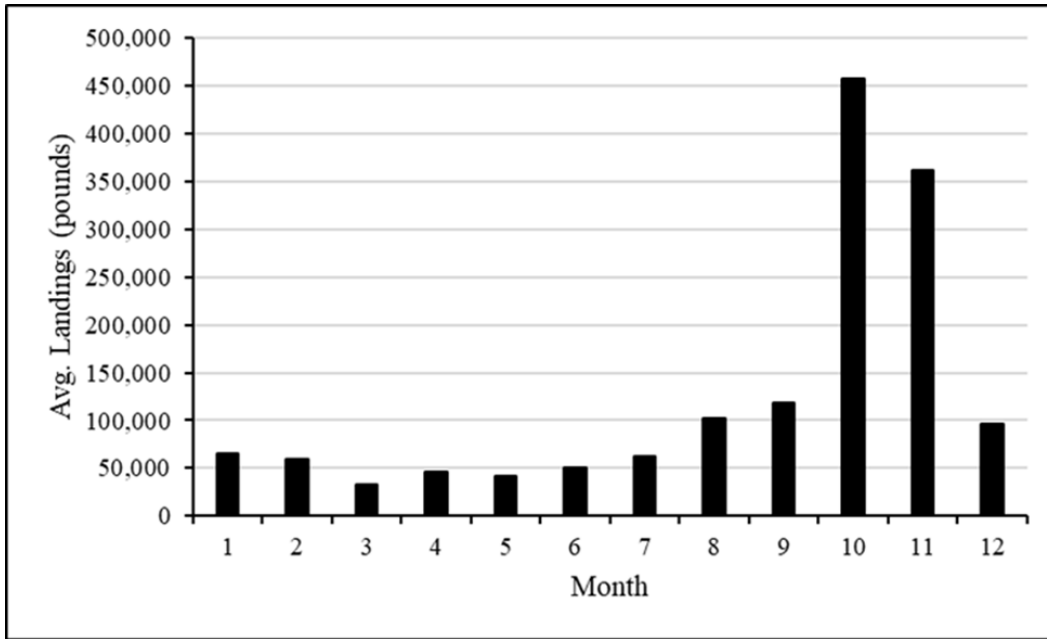


Figure 7. Average commercial landings of striped mullet by month, 2017-2021.

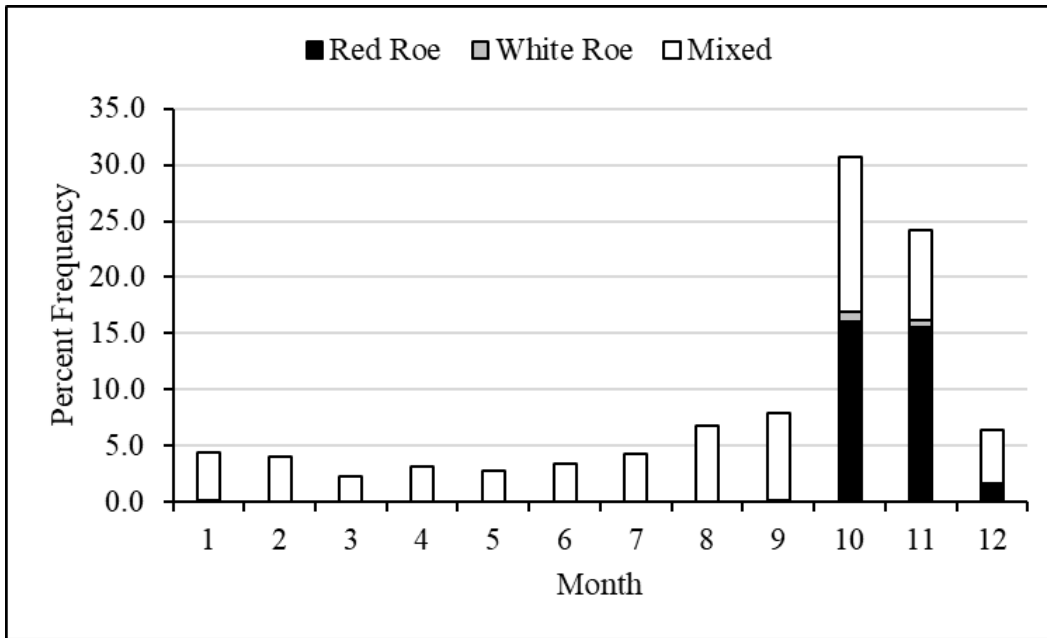


Figure 8. Percent frequency of striped mullet commercial landings by market grade and month, 2017-2021. Red Roe includes striped mullet graded as Red Roe and Roe. White Roe includes striped mullet graded as White Roe. Mixed includes striped mullet graded as Jumbo, Large, Medium, Mixed, Small, and X-Small.

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PROPOSED MANAGEMENT OPTIONS

The goal of this supplement is to reduce fishing mortality and end overfishing with simple quantifiable measures as quickly as possible. A 9.3% reduction in total removals relative to landings in 2019 is needed to reduce fishing mortality to the threshold and a 33% reduction is needed to reach the target. The Division recommends harvest reductions of 20-33% to exceed the F threshold and either reach or approach the F target. This level of reduction increases the probability of, at a minimum, ending overfishing even if there is variability in fishing effort, market demand, striped mullet availability to the fishery, or recruitment.

Non-quantifiable measures such as gear restrictions, area closures, size limits, and recreational specific measures were not considered because they may not quantifiably reduce harvest. A quota system was not considered because the infrastructure is not in place to quickly implement this type of management. Management strategies such as daily trip limits, day of the week closures, and early or mid-season closures were not considered because the risk of recouped catches would likely limit the realized reductions of these management measures. Rather than reduce harvest, measures like early season closures would likely just act to delay harvest.

End of year season closures are considered the most effective and efficient management option that can be implemented through the supplement process and be expected to successfully limit striped mullet harvest. An end of year season closure would be implemented as no possession across both commercial and recreational sectors with no additional modification or prohibition of gears. Despite the closure occurring across all sectors, reductions cannot be quantified for the recreational sector due to data limitations. Therefore, overall reduction calculations are based solely on striped mullet landings from the commercial fishery. A 9.3% overall reduction equates to a 9.9% reduction in commercial harvest, and a 20-33% overall reduction equates to a 21.3-35.4% reduction in commercial harvest. All management options are presented as percent reductions to the commercial harvest relative to commercial landings in 2019 (terminal year of the stock assessment).

End of Year Closures

Historically, peak striped mullet roe landings have occurred in October-November, with most landings occurring from approximately October 15-November 15. An end of year season closure during this time provides the greatest reduction over the shortest period. The closure occurring at the end of the year, does not allow for recoupment of catch that year, increasing the probability of successfully reducing harvest, and ending overfishing. The closure must occur during the peak fall roe harvest season, which impacts the most economically valuable segment of the striped mullet fishery. An end of year closure also creates regulatory discards associated with fisheries that do not target striped mullet during the closed period. However, much of the striped mullet harvest during this time comes from directed trips where runaround gill nets are used to capture visible, schooling striped mullet so discards in other fisheries are unlikely to be excessive. A wrap-around end of year closure extending into January was not considered because of the minimal benefit to striped mullet and to avoid creating striped mullet discards in other fisheries. A closure extending into January would not yield any significant extension to the fall striped mullet season and would likely increase pressure on other fisheries, like spotted seatrout. An end of year closure is most likely to achieve the necessary reductions because recoupment would be less significant than other management options not considered in this supplement.

Summary of Economic Impacts

Modeling software, IMPLAN, is used to estimate the economic impacts of an industry to the state at-large, accounting for revenues and participation. For a detailed explanation of the methodology used to estimate

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the economic impacts please refer to DMF’s License and Statistics Section Annual Report on the Fisheries Statistics page (NCDMF 2021). Due to the management options being considered, this analysis focuses on the commercial industry.

Commercial landings and effort data collected through the DMF Trip Ticket Program are used to estimate the economic impact of the commercial fishing industry. For commercial fishing output, total impacts are estimated by incorporating modifiers from NOAA’s Fisheries Economics of the United States report (NMFS 2022), which account for proportional expenditures and spillover impacts from related industries. By assuming the striped mullet fishery’s contribution to expenditure categories at a proportion equal to its contribution to total commercial ex-vessel values, it is possible to generate an estimate of the total economic impact of striped mullet statewide.

From 2011 to 2021 striped mullet ex-vessel value has been about \$1 million dollars and impacts about 800 jobs annually (Table 4). Annual sales impacts have varied but averaged \$3.6 million from 2011 to 2021. In general, these estimates demonstrate the striped mullet fishery contributes to about 1% of commercial fishing sales impact statewide.

Table 4. Annual commercial estimates of annual economic impact to the state of North Carolina from striped mullet harvest, 2011-2021. Economic impacts are reported in 2020 dollars.

Year	Pounds Landed	Ex-Vessel Value	Job Impacts	Income Impacts	Value-Added Impacts	Sales Impacts
2021	2,135,952	\$ 1,333,475	714	\$ 1,860,564	\$ 3,503,122	\$ 4,004,336
2020	1,299,464	\$ 651,104	658	\$ 1,330,677	\$ 2,257,282	\$ 2,912,396
2019	1,362,212	\$ 929,282	673	\$ 1,502,372	\$ 2,344,706	\$ 3,475,378
2018	1,312,121	\$ 953,667	731	\$ 1,502,185	\$ 2,686,226	\$ 3,303,076
2017	1,366,338	\$ 1,037,526	802	\$ 1,571,518	\$ 2,564,816	\$ 3,559,251
2016	965,337	\$ 669,843	716	\$ 1,006,728	\$ 1,739,854	\$ 2,240,287
2015	1,247,044	\$ 804,675	784	\$ 1,203,068	\$ 2,086,467	\$ 2,663,251
2014	1,828,351	\$ 1,112,465	912	\$ 1,735,047	\$ 3,293,379	\$ 3,936,322
2013	1,549,157	\$ 1,402,914	1,042	\$ 2,318,409	\$ 3,902,777	\$ 5,173,187
2012	1,859,587	\$ 1,041,659	948	\$ 1,957,469	\$ 3,167,843	\$ 4,390,261
2011	1,627,894	\$ 1,015,852	885	\$ 1,890,316	\$ 3,371,858	\$ 4,175,332
Average	1,504,860	\$ 995,678	806	\$ 1,625,305	\$ 2,810,757	\$ 3,621,189

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Table 5. Monthly commercial estimates of annual economic impact to the state of North Carolina from striped mullet harvest over five years, 2017-2021. Economic impacts are reported in 2020 dollars.

Month	Pounds Landed	Ex-Vessel Value	Job Impacts	Income Impacts	Value Added Impacts	Sales Impacts
1	65,170	\$ 36,107.03	130	\$ 53,057.71	\$ 98,355.14	\$ 114,549.45
2	59,618	\$ 33,227.53	129	\$ 49,108.96	\$ 90,877.25	\$ 106,053.22
3	32,731	\$ 18,569.84	122	\$ 28,460.61	\$ 52,101.53	\$ 61,568.49
4	45,885	\$ 25,851.76	141	\$ 39,856.46	\$ 72,837.04	\$ 86,245.48
5	41,826	\$ 23,508.17	121	\$ 35,221.68	\$ 64,912.23	\$ 76,114.04
6	50,157	\$ 28,058.94	131	\$ 43,466.77	\$ 79,323.84	\$ 94,077.95
7	62,675	\$ 36,047.32	139	\$ 54,151.74	\$ 99,720.97	\$ 117,036.20
8	101,967	\$ 60,393.25	179	\$ 91,585.84	\$ 168,184.68	\$ 198,027.77
9	118,860	\$ 69,487.04	210	\$ 103,726.30	\$ 191,374.87	\$ 224,109.33
10	458,246	\$ 328,837.30	361	\$ 485,746.18	\$ 899,026.44	\$ 1,048,966.80
11	362,172	\$ 261,014.19	297	\$ 357,945.86	\$ 688,459.22	\$ 766,383.96
12	95,910	\$ 59,908.44	176	\$ 83,266.89	\$ 157,024.20	\$ 179,263.56

To further understand the dynamics of the striped mullet fishery the monthly economic impacts over the last five years are reported in Table 5. The striped mullet commercial fishery is driven by seasonal changes in population availability. The estimated change in job impacts and sales impacts reflect the availability of striped mullet throughout the year. Most of the harvest and economic impacts are concentrated in October and November of each year.

Management Option Scenarios

Management options for consideration include end of year closures that end December 31 (Table 6). All options provided in Table 6 meet the statutory requirement to end overfishing.

Table 6. Management options that satisfy the 9.9% commercial harvest reduction to end overfishing. All reductions are calculated from 2019 commercial harvest levels (terminal year of stock assessment).

Single Management Measures that Satisfy Reduction	Management Measure	Estimated Commercial Harvest Reduction (%)
Season Closures		
1	October 29 – December 31	33.7
2	November 7 – December 31	22.1
3	November 13 - December 31	10.9

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End of Year Season Closure (options 1 and 2)

(+ potential positive impact of action)

(- potential negative impact of action)

- + No additional resources required to implement
- + No additional reporting burden on fishermen or dealers
- + Reduces effort from current level
- + High likelihood of ending overfishing
- + Increases probability of ending overfishing stock or fishery conditions are variable
- Weather may prevent fishing during open periods
- Effort may increase during the open period reducing the effectiveness of the closure
- Reduction in fishing mortality may not be achieved
- Overfishing may still occur if recruitment is low
- May adversely impact some fisheries and fishermen more than others
- Create regulatory discards in the closed period

End of Year Season Closure (option 3)

(+ potential positive impact of action)

(- potential negative impact of action)

- + No additional resources required to implement
- + No additional reporting burden on fishermen or dealers
- + Reduces effort from current level
- + Could potentially end overfishing
- No buffer to increase probability of ending overfishing if stock or fishery conditions are variable
- Weather may prevent fishing during open periods
- Effort may increase during the open period reducing the effectiveness of the closure
- Reduction in fishing mortality may not be achieved
- Overfishing may still occur if recruitment is low
- May adversely impact some fisheries and fishermen more than others
- Create regulatory discards in the closed period

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RECOMMENDATION

DMF Recommended Management Strategy:

The DMF recommends approval of the supplement to implement either option 1 or 2. To achieve a 20-33% reduction, any end of year season closure must begin no sooner than October 29 and no later than November 7 and continue through December 31. The Division supports a 20-33% reduction to exceed the threshold and either meet or approach the target. This reduction level increases the probability of, at a minimum, ending overfishing even if there is variability in fishing effort, market demand, striped mullet availability to the fishery, or recruitment fluctuations.

MFC Selected Management Strategy:

At its November 2022 business meeting the NCMFC selected Option 2: a season closure from November 7 – December 31 as its preferred management option.

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