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MEMORANDUM

TO: North Carolina Marine Fisheries Commission

FROM: Jeffrey Dobbs and Daniel Zapf
Fishery Management Plan Coordinators

SUBJECT: Southern Flounder Fishery Management Plan Amendment 4

Issue

Review draft of Southern Flounder Amendment 4 and vote to send document out for public and advisory committee (AC) review.

Supporting Documents

- Draft Amendment 4 to the Southern Flounder Fishery Management Plan (FMP)

Action

Vote to send draft Southern Flounder Amendment 4 out for public and AC review.

Background

At their August 2024 business meeting the North Carolina Marine Fisheries Commission (MFC) passed a motion “to ask the DMF Director to ask the DEQ Secretary to modify the Annual FMP Review Schedule to amend the Southern Flounder FMP for the review of the plan to begin in 2024. The intent is to allow for more recreational access while maintaining the rebuilding requirements of Amendment 3”. The secretary subsequently approved this schedule change along with a request from the DMF to begin concurrent development of Amendment 5 to explore long-term solutions to the issue of recreational access while maintaining Amendment 3 rebuilding requirements. The primary purpose of Amendment 4 is to immediately address the August 2024 MFC motion by implementing the 50/50 sector allocation in 2025 allowing additional recreational access to the Southern Flounder resource.

While nothing about Southern Flounder management is simple, the most straightforward approach to address the MFC request in 2025 is to expedite the sector (commercial/recreational) allocation transition to 50/50 (i.e., parity) in 2025 rather than in 2026 as prescribed in Amendment 3 to the Southern Flounder FMP. The Amendment 3 management strategy transitions sector (commercial/recreational) allocation on the following schedule: 2023: 70/30; 2024: 70/30; 2025: 60/40; 2026: 50/50. Amendment 3 does not include a mechanism to alter the sector allocation shift schedule so amending the plan (Amendment 4) is the only method to

immediately address the MFC motion and provide recreational access to the Southern Flounder resource in 2025. Under the Amendment 3 allocation shift schedule to 60/40 in 2025, there will likely be a short recreational season that year. Expediting the shift to 50/50 reduces the possibility of recreational catch overages that may mitigate the need for future season closures, though will not increase the length of the recreational season. However, maintaining Amendment 3 rebuilding requirements does not provide substantial harvest opportunities for any fishing sector regardless of allocation, and given recreational harvest levels in recent years, even with a shift to 50/50 allocation, full season closures in 2026 and beyond remain a possibility due to overages.

Estimated recreational landings during 2022 and 2023 indicate an increase in catch over shorter seasons (Table 1). Even with a shift to 50/50 allocation, a recreational season at the one fish bag limit from Amendment 3 would only be able to be open between two and four weeks to maintain allowable landings (266,176 pounds; Table 2) while accounting for dead discards.

Table 1. Recreational harvest estimates (pounds) from 2022 and 2023, MRIP and recreational gig survey. An asterisk (*) indicates the 2022 estimate was used because data from 2023 were not available.

Year	Hook and Line Landings	Gig Landings	Total Landings	Hook and Line Dead Discard	Gig Dead Discard	Total Dead Discard	Total Catch	Season length
2022	166,091	7,882	173,973	52,771	251	53,022	226,995	4 weeks
2023	192,168	7,882*	200,050	41,308	251*	41,559	241,609	2 weeks

The Amendment 3 management strategy prescribes how the shift in landings from the commercial to the recreational sector will occur. Per Amendment 3, the pound net total allowable landings (TAL) allocation will remain at 186,458 pounds and the poundage shifted to recreational harvest will come from the commercial mobile gear TAL allocation (Table 2).

Table 2. Annual Allocations, in pounds, for the Southern Flounder commercial and recreational fisheries and associated sub-allocations for each sector that maintains a 72% overall reduction and the current pound net sub-allocation. An asterisk (*) indicates catch from Recreational Commercial Gear License holders is not included in the Total Allowable Landings.

Year	Allocation	Total Allowable Catch	Dead Discards	Total Allowable Landings	Commercial Fisheries			Recreational Fisheries*		
					Total Allowable Commercial Landings	Mobile Gears	Pound Nets	Total Allowable Recreational Landings	Hook and Line	Gigs
2021	70/30	548,034	15,682	532,352	372,646	186,188	186,458	159,706	142,206	17,500
2022	70/30	548,034	15,682	532,352	372,646	186,188	186,458	159,706	142,206	17,500
2023	70/30	548,034	15,682	532,352	372,646	186,188	186,458	159,706	142,206	17,500
2024	70/30	548,034	15,682	532,352	372,646	186,188	186,458	159,706	142,206	17,500
2025	60/40	548,034	15,682	532,352	319,411	132,953	186,458	212,941	189,608	23,333
2026	50/50	548,034	15,682	532,352	266,176	79,718	186,458	266,176	237,010	29,166

Following an accelerated timeline allows for adoption of Amendment 4 to the Southern Flounder FMP by the MFC in August 2025 at the earliest (Table 3). If any step in this timeline is not completed as shown, it will result in an implementation date after the allowed window for a recreational season (August 16 – September 30) negating any possible gain in recreational access this amendment could provide. As such, if any schedule milestones are missed, development of this amendment would be terminated, and sector allocation shifts would continue to occur as prescribed in Amendment 3.

Table 3. Proposed timeline for development and adoption of Amendment 4 to the Southern Flounder FMP.

Milestones	Completion Date
DMF drafts Amendment 4	October 31 - December 20, 2024
Advisory committee review draft Amendment 4 (Finfish AC)	January 27, 2025
NCMFC approves Amendment 4 for AC review and public comment	February 19 - 21, 2025
Public and NCMFC AC review (Northern, Southern, Finfish)	March 7, 2025 - April 7, 2025
NCMFC selects preferred management options	May 21 - 23, 2025
DEQ Secretary and legislative committee review of draft Amendment 4	June - July, 2025
NCMFC approves Amendment 4	August 20 - 22, 2025
Implement management	August 2025

Development and adoption of Amendment 4, as proposed, is a short-term solution to address recreational access. Amendment 5 will explore long-term solutions to the issue of recreational access while maintaining Amendment 3 rebuilding requirements.

Management Options

Status Quo: maintain Amendment 3 allocation transition schedule.

Expedite Allocation Shift: Expedite the sector (commercial/recreational) allocation transition to 50/50 in 2025 rather than in 2026 as prescribed in Amendment 3.

Next Steps

At their February business meeting, the MFC will vote on whether to send draft Amendment 4 out for public and MFC AC review. If approved, a public comment period and AC review will occur in March and April 2025. Public comment and AC recommendations will be presented to the MFC at their May 2025 business meeting. At that meeting, the MFC will select preferred management options and draft Amendment 4 will then be sent for Department of Environmental Quality and legislative review.