

NC Marine Fisheries Commission

Chairman's Report

May 2024 Business Meeting

Document

State Ethics Education Reminder

2024 Annual Meeting Calendar

Committee Assignments

Regional and Standing Advisory
Committee Reports



EDUCATION REQUIREMENTS FOR PUBLIC SERVANTS

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

Our new 90-minute on-demand online program is available on our website under the Education tab. For your convenience, here is the [link](#). The new program is compatible with portable devices such as phones and tablets.

Live webinar presentations are also offered every month. These presentations are 90 minutes in length and give the opportunity to ask questions of the speaker. Registration information for those can be found [here](#).

For questions or additional information concerning the Ethics Education requirements, please contact Tracey Powell at (919) 814-3600.

Marine Fisheries Commission 2024 Calendar

Dates are subject to change.

January						
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2024 MFC Meeting Dates

MFC Business Meetings

February 21-23
 May 22-24
 August 21-23
 November 20-22

Northern Regional AC

January 9
 April 9
 July 9
 October 8

Southern Regional AC

January 10
 April 10
 July 10
 October 9

Shellfish/Crustacean Standing AC

January 11
 April 11
 July 11
 October 10

Finfish Standing AC

January 16
 April 16
 July 16
 October 15

Habitat and Water Quality Standing AC

January 17
 April 17
 July 17
 October 16

Calendar Key

	MFC		Northern Regional AC
	ASMFC		Southern Regional AC
	SAFMC		Shellfish/Crustacean Standing AC
	MAFMC		Finfish Standing AC
	State Holiday		Habitat and Water Quality Standing AC

2023 Committee Assignments for Marine Fisheries Commissioners

08/31/2023

FINFISH ADVISORY COMMITTEE

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

Commissioners: Tom Roller – co-chair, Mike Blanton – vice chair

DMF Staff Lead: Lee Paramore - lee.paramore@deq.nc.gov

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

HABITAT AND WATER QUALITY ADVISORY COMMITTEE

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

Commissioners: Doug Rader – chair, Sarah Gardner– vice chair

DMF Staff Lead: Anne Deaton - anne.deaton@deq.nc.gov

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

SHELLFISH/CRUSTACEAN ADVISORY COMMITTEE

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

Commissioners: Mike Blanton – chair, Ryan Bethea – co-chair

DMF Staff Lead: Tina Moore - tina.moore@deq.nc.gov

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

CONSERVATION FUND COMMITTEE

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

Commissioners: Doug Rader - chair, and Robert McNeill

DMF Staff Lead: Steve Poland – steve.poland@ncdenr.gov

Meeting Frequency: Meets as needed

LAW ENFORCEMENT AND CIVIL PENALTY COMMITTEE

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

Commissioners: Rob Bizzell - chair, Donald Huggins – co-chair

DMF Staff Lead: Col. Carter Witten – carter.witten@deq.nc.gov

Meeting Frequency: Meets as needed

COASTAL RECREATIONAL FISHING LICENSE TRUST COMMITTEE

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

Commissioners: Robert McNeill– chair, Rob Bizzell, Tom Roller, and Doug Rader

DMF Staff Lead: Paula Farnell – paula.farnell@deq.nc.gov

Meeting Frequency: Meets as needed

NOMINATING COMMITTEE

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

Commissioners: Robert McNeill – chair, Tom Roller – vice chair, Donald Huggins, Sammy Corbett

DMF Staff Lead: Chris Batsavage - chris.batsavage@deq.nc.gov

Meeting Frequency: Typically meets once a year

STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY BOARD

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

Commission Designee: Mike Blanton

DMF Staff Lead: Marine Patrol Capt. Garland Yopp – garland.yopp@deq.nc.gov

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

N.C. COMMERCIAL FISHING RESOURCE FUND COMMITTEE

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

Commissioners: Sammy Corbett - chair, Mike Blanton - vice chair, Ryan Bethea

DMF Staff Lead: William Brantley – william.brantley@deq.nc.gov

Meeting Frequency: Meets two to three times a year

WRC/MFC JOINT COMMITTEE ON DELINEATION OF FISHING WATERS

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

MFC Commissioners: Rob Bizzell, Donald Huggins, Sarah Gardner

DMF Staff Lead: Anne Deaton - anne.deaton@deq.nc.gov

Meeting Frequency: Meets as needed

SHELLFISH CULTIVATION LEASE REVIEW COMMITTEE

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

MFC Commissioners: Rob Bizzell

DMF Staff Lead:

Meeting Frequency: Meets as needed

COASTAL HABITAT PROTECTION PLAN STEERING COMMITTEE

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

MFC Commissioners: Doug Rader, Donald Huggins

DMF Staff Lead: Anne Deaton – anne.deaton@deq.nc.gov

Meeting Frequency: Meets as needed



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

May 1, 2024

MEMORANDUM

TO: Marine Fisheries Commission
Northern Regional Advisory Committee

FROM: Lee Paramore, Northern District Manager
Charlton Godwin, Biologist Supervisor
Fisheries Management Section

SUBJECT: Meeting of the Marine Fisheries Commission's Northern Regional Advisory Committee, Apr. 9, 2024, to provide recommendations for management options for Marine Fisheries Commission consideration on protection of critical seagrass habitat through shrimp trawl area closures

The Marine Fisheries Commission's (MFC) Northern Regional Advisory Committee (AC) held a meeting on Apr. 9, 2024, at the Dare County Commissioners Office, Dare County North Carolina. Advisory Committee members attended in person and online, public comment was received in-person and the meeting was streamed to the public not in attendance via YouTube.

The following Advisory Committee members were in attendance: Sara Winslow, Jonothan Worthington, Thomas Newman, Carl Hacker, Wayne Dunbar, Mellisa Clark, (Online – Roger Rulifson, Jamie Lane) (Absent – Everette Blake, Keith Bruno).

Division of Marine Fisheries (DMF) Staff: Chris Stewart, Steve Poland, Kathy Rawls, Lee Paramore, Tina Moore, Charlton Godwin, Debbie Manley, Chris Lee, Dan Zapf, Jason Rock, Charlie Deaton, Michelle Brodeur, Carter Witten.

Public: Jamie Parker Jr., Dale Beasley, Darrell Beasley, Devin Clark, Joseph W. Johnson, Marc Mitchum, Jamie Parigrer, Terry Beasley, David Wilson, Troy Boyd, Wesley Peale, Calvin Peale, Jenn Dixon, Acey Hiner, James Byrd, Robby Midgette, Naomi Midgette, Micha Sadler, Josh Gibbs, James Fletcher, Vernon Saddler, Stanley Equin, Daniel Midgette, Dana Beasley, Judy Reynolds, Barry Sawyer, Steve House, Gaither Midgette, John Silver, Russell Firth, Patricia Capps, Jamie Wescott, Brian Horsley, Rowdy Austin, Steve Albright, John Machie, Carson Beasley, Carson Creef, Luke Midgette, Sarah Gardner (MFC Commissioner), Jamie Rollensen. 35 viewers watched on YouTube.

The Northern Regional AC had eight members present at the start of the meeting and a quorum was met.

Northern Regional AC Chair Sara Winslow called the meeting to order at 6:02 p.m. The Chair opened the floor for the AC members and DMF staff to provide introductions.

APPROVAL OF THE AGENDA AND APPROVAL OF THE MINUTES

A motion was made to approve the agenda by Jon Worthington. Second by Carl Hacker. The motion passed without objection.

A motion was made to approve the minutes from the Northern Regional AC meeting held on Jan. 18, 2024. Motion by Jon Worthington to approve the minutes. Second by Thomas Newman. The motion passed without objection.

PRESENTATION OF THE PROTECTION OF CRITICAL SEA GRASS HABITAT THROUGH SHRIMP TRAWL AREA CLOSURES

Steve Poland, Section Chief, Fisheries Management provided introductory remarks for context of this meeting. The MFC instructed DMF to look at current submerged aquatic vegetation (SAV) layers on maps and bring the MFC options for shrimp trawl closures to protect SAV as part of the Shrimp FMP Amendment 2 adopted in 2022. Chris Stewart, lead biologist for shrimp, presented the issue paper provided to this AC tonight at the MFC in Feb. 2024 and the MFC passed a motion to bring the issue paper to the MFC Regional and Shellfish Crustacean Advisory Committees for further input. Adjustments to the closure options made based on stakeholder input after the issue paper was drafted were presented to the AC. This action was directed to DMF by the MFC and any potential closures would be implemented by proclamation through adaptive management adopted in Amendment 2 of the Shrimp FMP. The intent is to work collaboratively with stakeholders to balance protection of SAV and limit impacts to the shrimp trawl industry. The DMF is stretching the timeline to bring their recommendations to the MFC later this year from the initial May 2024 meeting. DMF will reach out to more stakeholders for direct input and encourage the public to reach out to participate in these smaller stakeholder group discussions.

Chris Stewart presented information on SAV overlays also known as the mosaic with the current open and closed areas to trawling and initial DMF lines to extend areas closed to shrimp trawling to protect SAV. He iterated several times in the presentation, this was the first step to allow for stakeholder input. He noted the adaptive management strategy was directly from the MFC in the Shrimp FMP Amendment 2 and was limited to addressing shrimp trawl impacts to SAV. He encouraged the public to reach out to the two other commissions who are responsible for the Coastal Habitat Protection Plan that deal more directly with water quality concerns. Information was provided on the importance of SAV as a critical habitat and impacts to this habitat from bottom-disturbing gears. Aerial imagery with sampling conducted randomly at selected sites was updated to identify the maximum known extent of SAV in NC. The original DMF options would close about 9.5% of the current open shrimp trawl areas and he went through the maps of the proposed line changes by region as well as alternative options not shown in the issue paper that would reduce the extent of the closed areas. The MFC Habitat and Water Quality Advisory Committee met in Jan. 2024 and endorsed the current recommendations only after further input from stakeholders and recommended a monitoring program for SAV.

After the presentation, the chair entertained questions and comments from AC members. Thomas Newman asked why the Division brought these SAV closure areas and presented them to the Habitat and Water Quality Committee and did not present them to the public prior to coming to the ACs so the public could provide input before the lines were drawn. Staff responded it was part of the MFC directive to identify issues pertaining to SAV, and the issue paper addresses the most current SAV mosaic data that is available. So through Amendment 2 many of these lines were drawn as a starting point to begin discussion. Thomas discussed that he listened to the habitat meeting and they were focused on the Southern region, and that's why we are getting so much negative feedback from the public. Many of these areas up in the Northern area of the state in Dare and Hyde counties that were shown tonight are in very shallow water where trawlers can't even get into. So why close them to trawling? A bigger concern is the damage done to SAV by skiffs and props. Staff responded that managing boats is outside the scope of the

Shrimp Fishery Management Plan. The Chair recognized that members Roger Rulifson and Jamie Lane are online. Wayne Dunbar asked what kind of proof exists that if we stopped trawling in these areas, it will actually help the SAV? In his experience, anytime he's seen shrimp trawlers go into an area it improves the bottom when they turn it over. Staff responded there is very little evidence that shrimp trawling increases productivity. Shrimp trawling has been shown to tear up SAV and turbidity from shrimp trawlers also threatens SAV by limiting light penetration. There are also areas that are stressed by other issues, such as wind and wave energy, but in those places, it would benefit the SAV to limit shrimp trawling. Mr. Dunbar mentioned additional stressors including skates. He sees this as another way of stabbing the public in the back. Thomas Newman asked why we were using proclamation authority to implement any closures instead of through the rule making process? It's my understanding that once these areas are closed they will not open back up. Staff responded that this is happening through Adaptive Management in Amendment 2, and the DMF will continue to monitor SAV.

Chair Winslow opened the floor to public comment.

PUBLIC COMMENT

Robbie Midgette: I'm a shrimper and I don't want these lines because there are plenty of places with grass that are already closed. I'm not going to speak for the areas around Collington, Manns harbor, Wanchese area, Hyde County there are other boys here who will do that. But my son is here, I'm tenth generation in this community. Some people have been here since 1790 something, we've been shrimping these areas for years. The area around Stumpy Point, this is where we make our livelihood. These places are vital. I talked to Chris earlier and we talked about how the effort is down, some 28%, 38%, so effort is already down and there has been a big reduction in effort in the area. Can we pull up that map of Stumpy Point Chris? (Staff indicated it would take the rest of his public comment time, we could do it after). I looked in there, there is no grass in that Stumpy Point area, so you want to close more of it so there will be no grass? There are a lot of boys in here that work that area behind and just inside where you want to close that is vital to these folks. We've been shrimping there for generations and generations. Haul nets used to catch lots of fish in there but all that's closed too. Let the few folks that are left continue to work.

Chair Winslow asked staff to pull up the map of Stumpy Point Mr. Midgette talked about. The proposed area south of Stumpy point Bay. The map was pulled up to that area.

James Fletcher: Represents United National Fisherman's Association. What is the Latin name of the vegetation we are proposing to protect? Is it Eurasian milfoil? How many of the species are we proposing to protect that are native to America? The question is we are going after something the wrong way? How many of these are imported that the colonists brought over from England. Will any of this do away with the vibrio that is killing fisherman and threatening to kill tourists this year and is it going to clear that out of the water? If we were to allow the ground application of all wastewaters in the state of NC would it allow the seagrass to grow? We are going after it the wrong way. I'm 78 years old. The first meeting I went to he said the water was the wrong color in 1949. He was talking about the dioxins coming out of the plant at Plymouth. The state needs to look at where the problem is. Your parent agency DEQ should be asked to ground apply every drop of wastewater in the state. Address the problem. Address the specific types of vegetation you want to grow. Don't just say SAV. Half of it may have been imported in the last 300 years. Are any of you aware that the jets jettison jet fuel before they come back over this part of the sound? Are you interested in shrimp? How many billions of shrimp could we have in the sound with spawning facilities? We had the third largest aquaculture group in the world in the Sound. The DMF and Environment Natural Resources never took advantage of their expertise. How many places could raise SAV. Are we going at it the wrong way and are we listening to people that have an education from the University and have no common sense.

Dana Beasley: Commercial fishermen from the northern part of the beach. I can't speak on the southern areas and their grasses. But just looking at the numbers you said you wanted about 9.8% or close to 10% of the areas closed to trawling. Looking at 2022 numbers we landed 9.7 million pounds of shrimp, so that means you are going to take possibly 970,000 pounds of shrimp at a value of 2.23 million dollars. It just doesn't seem fair, simple as that. As Mr. Fletcher said I think the problem is fertilizer, golf courses, just overpopulation of the area in general. The aquatic grass isn't the problem, the people have made it the problem. The one thing that is endangered here we haven't talked about is the commercial fisherman. I believe there were close to 7,000 licenses in 1980, now there are roughly 6 maybe 5 thousand, and those are duplicative, and a lot of those are not used, so you might have 3,000 licenses landing what we catch. Everybody eats shrimp. If you cut our production out where is the shrimp going to come from? People aren't going to stop eating it. Where is it going to come from? China, Asia, Thailand? We should be promoting local seafood production.

Barry Sawyer: I run a charter boat in summer, gill net in spring and fall. Drag a shrimp net summer though fall when I'm not chartering, and I guide duck hunts in the winter. I do a lot of this in the small creeks, sounds, and rivers. So I'm out there all the time. A rational talking person would have to put at least a little bit of credit to what these people say that work on the water all their lives. What they say would have to be relevant as much as a study from 1981, by some biologist from who knows where. This sea grass thing or whatever you want to call it is a farce, it's not fact, not accurate, and basically a lie. I look at your proposed areas and I challenge you or anybody to take you to any of these areas in this part of the state and you will not find any seagrass. And I challenge you or anybody on the commission or anybody to let me take you to any of these areas on this end of the state that we tow a shrimp net and you will not find me with one blade of grass, none and I mean none, the salt water has killed it. Your biologist should have told you that. So basically, you want to stop the ones that make a living commercial shrimping, stop the guys that take hundreds of families on shrimping charters in the summer, and stop the recreational guy from going out and just catching a few shrimp to put in his freezer. You want to stop all that because of something that is not even there, it's unbelievable. We should not even be here, we should not even be having this meeting, wasting all my time your time whoever's time. Your goal can't be improving fish stocks because there's the most speckled trout there's ever been, the schools of drum down the inlet you run through them all the time, the flounder stocks incredible regardless of what you say, mullet I could go on and on. So we all know it's about getting the nets out of the water, but it doesn't matter to you people. A lot of the public and recreational people are starting to see through this stuff, it is uncalled for. Some of the public still believes it but an old timer said one time you can fool the fans but you can't fool the players. We know the truth. So in your advisory capacity go back and advise the commission that instead of pushing this untrue proposal do something that they are charged with, do something that would really help the fish stocks, and help people use what God's put here to improve theirs and other people's lives, not take it away from them. I'm done.

Steve House: Thank you I'm Dare County Commissioner Steve house I'm also chairman of the Dare County Working Water Commission and also chairman of the Oregon Inlet Task Force. I can tell you that a lot of the SAV situations around Dare County with potential shrimp closures should not happen at all. And I'll tell you why I believe this, number one: there's a definite reduction in shrimp trawling in North Carolina period. SAVs are there they've always been there with the Oregon Inlet Task Force we have the Miss Katie dredge a first ever public private partnership that keeps the Oregon Inlet open. Our permitting process was fine everything was going smooth no problems. All of a sudden at the very last minute, "oh wait a minute there's a buffer zone around the SAVs", that nobody even knew about. They weren't there, they weren't on any situational map, they weren't drawn anywhere on any of the permits, but all of a sudden, we've got SAVs to worry about. It took us 6 weeks to clear that subject up. And the SAVs that are around Oregon Inlet and around Walter's Slough which is one of the channels we will be dredging we've got documentation those SAVs have not grown and have not decreased. And there has been no shrimping in those waters for a very, very long time. And I would challenge your staff to look at the areas

that have been closed to shrimp trawling and have those SAVs changed, have they grown, have they diminished, and if there is a change, why is it, it's not shrimping. These guys behind me shrimp. And most of them have the small boats and not the big shrimp trawlers, and they go out and pull these sounds SAVs only grow to uh maybe four feet. The places you're planning on closing are deeper than that. The grass wouldn't even grow in there anyway. There are other areas to look at than just our shrimpers. And I agree with several of our people that have spoken before it's just another attempt to get nets out of the water. It's just another attempt to get shrimpers out of our Sounds. Look at the economic impact this would have. There's been no economic impact study on this. None. We're already down 23.4% from last year's numbers, trust me our Representatives in Raleigh are looking at those numbers. Thank you.

John Silver: my name is John Silver I run shrimping charters in the summertime and I'm a commercial shrimper for the rest of the year. So based on scientific data do you expect these shrimp trawl closures to result in SAV restoration? The answer is no. DMF cannot use scientific data to support a reasonable expectation of SAV restoration after closing these areas, because that data doesn't exist. There's no science to support the areas and closed bottom are showing an increase in SAV. I don't even think DMF staff can verify a slowing in the decrease of SAV in a closed bottom. We're talking about areas that have been closed for decades. If shrimping was a problem you would expect to see a direct correlation between a decrease in shrimping and an increase in SAV. In 1995 I heard Marine Fisheries paperwork indicated there were 1,080 shrimpers who made 23,890 trips. In 2022, 299 shrimpers who made 3,349 trips. With such a decrease in shrimping why is the SAV continuing to decrease? Like is said in DMF Amendment 2, I quote, in the absence of shrimp trawling SAV may still be covered by sediment and SAV growth may be impaired by poor water quality or wild disease. That's on page 63. There is no correlation. So what happens when you close these areas to shrimp and the grass continues to decrease as well? What's next crab pots, gill nets something else going to be disturbing in the bottom there? It's just like everything else you give an inch a mile is going to be taken. Thank you for your time

Jamie Parker Jr.: Before I get on the clock can they get the map up for the Roanoke Sound area please. I'm Jamie Parker Jr, I'm a commercial fisherman and a charter captain in the summertime months. I'll start out they were talking earlier about nothing on the bottom. Why does a farmer till his land? Why do you mow your grass? It gets overgrown and you end up with a bunch of trash in your yard. It's the same thing we're doing with nets on the bottom. So I run a charter business in the summertime taking people from all over the United States on shrimp and crab charters that is what I specialize in. We're running 100 to 150 charters in the summer months. Economic impact study, it's been said multiple times. How many, who's done it? It hasn't been done. Look at all the money that's being brought in by these charters to every business in town. You would completely shut me down with what you're showing in Roanoke Sound. I don't leave that area, I stay in that area, very seldomly I'll leave that area. You'd shut my whole business down. I have a son here that works for me all summer, he'd be out of a living. You know with everybody else, I'm not the only one, there's multiple people that that's never been factored in numbers. On the economic side, the mullet rule was just shut down because an economic impact study was never done. Small boat you could time this and areas that the grass is growing, they're unusable. I don't go in there where grass is. It will stop up your shrimp net and you can't pull a shrimp net in there. One of the options was just Roanoke Channel. Look at the transit boats that come through there all year so how am I going to get by with two boats going to pass each other and then I'm going to have to sit there and get a ticket because I'm 10 feet out of a channel. I mean it's just nonsense. You know where the grass was, the salt water killed it, are they going to build a wall north of Oregon Inlet and stop the salt water from killing the grass? You know things have changed since I was a kid. You know the saltwater's pushing further north. We're having to move to different areas because the saltwater's killing things and different things are moving further north. Crabs one year, fish one year depending on salinity they're going to move. The saltwater's pushing further north you know y'all acknowledge that the salt flush. You got oysters growing in places that they've never grown. You're opening oyster areas further north, why is everything else not moving north. Thank you.

Wesley Peele: my name is Wesley Peel I'm a commercial fisherman the whole pink area behind Roanoke Island that's my backyard, that's where I grew up. And the whole Manteo Bay has been nursery area for years and years and years and as of today no net has been drug in there for years and there is no grass in there now. Part of the problem is Manteo Bay was a nursery area and it's still a nursery area but there's 300,000 gallons of chlorinated water dumped in there daily, so let's talk about water quality, instead of trying to close stuff with grass. That chlorine water kills everything and there's no shrimp industry around Manteo. It is going downhill since that water has been dumped in there. I run a shrimp charter in the summertime. I try to teach people the ins of outs of how to catch seafood, crab pots, shrimp nets and I'm trying to be educational and tell people where seafood comes from. I stay all in this area here, most of it in the pink and never see grass there anyway. The green area there Manteo Reef it used to be grass there years ago but because of salt water now it's all gone. Just keep that in mind, please sir. Thank you.

Steve Albright: Good evening, I am Steve Albright, Kill Devil Hills, Colington Island. I'm one of the recreational fishermen that's been enjoying pulling the shrimp trawl in Kitty Hawk Bay for about 25 years. Wonderful way to raise the kids standing around the cull box and watching the sun go down. One of my favorite three weeks of the year and that's all we get. It's not like, maybe down in Wilmington they shrimp year round, it's a narrower window here I think. And the other thing that struck me and I did a little sketch for you, this pink line on here that shows the six foot depth in Kitty Hawk Bay and all down here which in your data says there's no SAV development in six foot or greater because of the sunlight penetration and turbidity. So that map shows probably 75% of the closure area is greater than a depth of six feet and you're never going to get any SAV there. The other thing that's interesting is Currituck Sound and Albemarle Sound have been closed for 30 or more years to trawling there's no great proliferation of SAV within that area, so I don't think you're going to get the benefit that you foresee. And as Jamie just said there's a number of party boats and other boats that are working if you put everybody into that channel you can have a mess. So then there is a group of RCGL licensed folks that enjoy shrimping up in this area. It's nice being around Colington no matter which way the wind's blowing you can get in the lee in a small boat and kind of do it safely. And like I said the drawings tonight were a little better than this map, and the other thing if I can clarify, is that we're getting another season right because it's got pushed to August? So no closures until after this year that is kind of what I heard? It's not going to the May meeting so there's going to be a proclamation that shuts us down this year. Steve Poland: no there's no action until after August and there's no timeline on action, but it won't go to the commission till after August.

Carson Creef: I am your newly elected Dare County Commissioner Carson Creef. Your mind's already made up sir and I'm aware of that here I would like to talk about the general assembly 1997 session which the marine fisheries board was put into place and the opening statement was "whereas the state of North Carolina has one of the most diverse Fisheries in the United States and whereas the general assembly recognizes that commercial fishermen perform an essential function by providing wholesome food for citizens of the state and thereby properly earn a livelihood and whereas the general assembly recognizes the economic contribution important heritage and traditional full-time and part-time commercial fishing and whereas the general assembly recognizes that for many citizens fishing is an important recreational activity and that recreational fish enjoyment satisfies a need and recognizes the importance of providing plentiful fishery resources to maintain and enhanced tourism as a major contributor to the economy of the state. That was the original Board of marine fisheries goal. So if I'm speaking to the board of marine fisheries then why is our new vision statement as of this year "as a model fisheries management agency the North Carolina Division of Marine Fisheries ensures healthy sustainable marine and estuarine fisheries and habitats through management decisions based on sound data and objective analysis. Sound data from 1981? Monitors and evaluates coastal waters for the safe harvest of mollusks and shellfish and recreational uses to safeguard the public and the health of shellfish consumers and recreational bathers. Recreational bathers that's a little bit different than the commercial fishing that they spoke of in 97?

Provides excellent public service by motivated employees in an open and healthy working environment. Views public participation as essential for successful management of North Carolina's Fisheries resources and enforces marine fisheries statutes and laws. If we go back to the North Carolina Constitution, our declaration, our original Bill of Rights in section 38 says right to hunt and fish and harvest wildlife. The right of the people to hunt fish and harvest wildlife is a valued part of the state's heritage and shall be forever, forever, preserved for the public good. The people have a right, including the right to use traditional methods, to hunt fish and harvest wildlife subject only to laws enacted by the general assembly. Only subjected to laws enacted by the general assembly. You don't have to wait another disqualification for office is the following person shall be disqualified for office: first and foremost any person who shall deny the being of an almighty God. OSHA NOAA here we go, in 2016 the National Oceanic and Atmospheric Administration established the US seafood import monitoring program SIMP. Through import monitoring program simp OSHA's analysis found that in 2022 the United States imported over \$30 billion worth of seafood from 150 countries and the top contributor was China. Only about 13% of the total volume of U.S. imports from China were covered by SIMP and subject to documentation. Also our second biggest contributor to imports was Russia nearly exported a billion dollars of seafood to the United States and only 48% were covered. I will. My problem is they are made up, and that's fantastic, but those are Governor appointed positions and when Mark Robinson wins election in 2024 I would ask that the governor completely redo and reappoint the marine fisheries board to serve the original purpose that was put in place in 1997 by the general assembly, fire all of these biologists.

Ralph Craddock: A lot of pink areas and I had some questions about the water depth and where this stuff grows. And it's kind of been answered was it four foot, six foot, six foot or less, six foot and it can grow in slightly deeper water depending on water clarity. Okay but anyway if I'm understanding correctly these are places that you took from 1981 to now, I guess maybe did you go there and check that grass or was it satellite pictures where eel grass had shifted and moved around and settled in deeper water how did you sample that in 1981? DMF staff response: so they go out a group of collaborators APNEP staff, DMF staff, University staff, NOAA staff they ground truth the aerial photographs they take, they look at it under different resolution and then these lines were developed based on that entry. Mr. Craddock: and how many of these is in six foot or I mean you take that shoreline right there I mean you pretty well got to touch the bank in places so I mean you just took and magically drew a line obviously, correct? Staff: these lines line up with the channel markers. Ralph Craddock: Channel markers what I don't understand, there are no damn channel markers over there on left side of Roanoke Island. Tell me where a channel marker is right there back of the airport, there's one out there in the middle of the sound there's one up there above the bridge they're in the middle of the sound I don't know what channel markers you're talking about maybe they magically appeared last night I didn't see it. But anyway, there's a lot of it that yall got to take back to the commission and he pretty well summed it up, I had a lot to put into it, but he can't control nothing but the trawl boats is his exact words. Well if you go down and look at those areas where grass is, there's a kazillion damn outboard motors that goes through that grass. It looks like a man went down there and prepped it to plant corn. There's grass then no grass about the size of a damn prop. Where is this going to lead to? Your opening up a big can of worms for nothing that they can back up, none of the science they come up with. Whether it be fishing, no flounders, holy crap they're thicker than they've ever been. But what I'm saying is you take Croatan Sound is deeper than six foot in most places. You're just cutting the people out because you got jurisdiction over a trawl boat you set right here, stood right here and said that's the only people we can control but if you close this, when it's going to go to your crab potters but when you pull the pot off the bottom I'm sorry but it's going to disturb the bottom. Your gillnet but you're trying to take them out anyway. You need to go tell the MFC that this advisory can't accept what they're trying to put out.

Micah Daniels: Good evening I just want to thank everybody for being here. I want to thank this group for showing up. It just means so much to me that our community is here and that you are taking the time to listen to all the concerns that are being expressed. I would like to say to you I really genuinely believe there's a water quality problem and I thought at one point in your presentation you said that we are going

to address water quality and I hope that's a commitment of this group because we have a huge water quality problem. And I understand this is really complicated, I mean I don't think it's that complicated, but it's a lot involved what can be managed and what cannot. But I'm actually not even a shrimper, I'm just here because I'm well I'm in the seafood industry, but I'm a consumer I am concerned about the attack on the food producers and this group is a whole group of people who produce food for America. And so I just want to say as a consumer when these people can't harvest product then I can't access that product and that's a concern for me. I don't personally shrimp and I cannot go harvest shrimp myself and that leaves me as some people have talked about tonight about the imported shrimp. So as we said we're not going to change the demand of shrimp but we're not going to harvest shrimp and we're going to close areas off our coast because we're concerned about the ecological foot print, the footprint right where we're going to be like here's our Global footprint, our carbon footprint we're going to protect it here and then we're going to fly it in or import it in from Indonesia and from foreign countries and China and Russia. So is that the same I mean it's really hard for me with that Global footprint. We're going to protect the grass here and to protect the grass here we will fly in more shrimp or whatever which is really bad for the environment just as bad for the environment. And my other issue is it's like just on the basis of health. I think this is correct in 2019 Louisiana declared by law they would not stop shrimp trawling in the state of Louisiana not on the basis of economic but on the basis of health. These shrimp have banned antibiotics. The amount of chemicals that are put on them and the lack of. I mean it's just harmful so what we're saying is like Hey we're going to protect we already know we got a huge water quality problem we're going to aim for the grass we're going to aim for this small group of trawlers and I want to say and I mean this so respectfully this is not a young group like you're taking out a group. I mean this is not a group of 20 year olds, this is people that's been their livelihood they have they have managed the water and so I just want to say as a consumer I want their food. I want what they produce. And when you if we choose to eliminate these people then I don't have access to that food and I am just one person here but there are hundreds, thousands, millions of people who eat the food that they produce and I just want to say please consider the consumers. Thank you.

David Wilson: I got some questions for Mr. Stewart. first question: what problem have you seen for us to be in this meeting? Have you found a problem? Do you have a problem for us to be here at this meeting? Could you and why did you not bring any information showing us the problem? Okay where's the information papers that was not up there for nobody? We got to get on the website? Oh my goodness you come to a meeting without being prepared. Okay here's my next question who's behind it? What brought this about? Okay they brought it about for what reason? You told me you just told me you ain't got information on the problem tell me where the information of the problem is? Okay so what is problem back to seagrass. Where is the problem with the seagrass that we got right now it's all over. Wait a minute is there a problem right now is there a problem right now with our seagrass? What problem is there with seagrass? Is it there's not enough of it? Is that what you're telling me we have lost seagrass in certain areas okay from what hurricanes? Okay how about ducks? If you're driving a boat how about how about boats? Do you have proof that shrimpers done it? We know that these areas are unprotected. That doesn't make any difference, I want to know if they've been harassed by shrimpers. So basically what you're telling me is you don't have a problem they are unprotected so you've got to do something whether there's a problem or not. I would let the Lord protect the seagrass because I have faith and trust in him. I mean he's been doing it since he created it and what makes you better than he is? I'm just saying I know you're the speaker, I know you're just the speaker, but the people you work for common human beings that are selfish and self-righteous and this committee here, find a problem before you try to resolve it.

SHRIMP FMP AMENDMENT 2 – ADAPTIVE MANAGEMENT – PROTECTION OF CRITICAL SEA GRASS HABITAT THROUGH SHRIMP TRAWL AREA CLOSURES

The Chair now opened the floor to the Advisory Committee on further questions for staff and discussion. Jon Worthington said he's heard water quality mentioned several times. I've also heard it said water quality is not under our purview. Can we get with the agencies that do have control over water quality and

work with them to get at some of the root causes? Staff: Right now they're working on the water standards so that is a step in the right direction when that gets incorporated it can offer other protections. I would like to encourage members of these ACs, as well as Commissioners, to go to the EMC, the CRC, and all these other commissions and tell them we need their support, we are trying to do it on this end by protecting areas based on direct and indirect impacts from fishery related gears, now we need others to step up. I would offer that as a suggestion, they're working on these different standards and there's other standards in place as far as dredge and fill. This is our chance to do it in the purview of the shrimp FMP. Thomas Newman talked about the area south of Stumpy Point and noted the grass in that area is right up on the shore, so trawlers can't work there anyway because it's just too shallow and close to shore. They work farther out so turbidity shouldn't be a problem. So why close these areas if the trawlers can't work there anyway? Staff answered to create a buffer to protect the SAV that is there. Newman went on to say DMF has shown data that over a third of Hyde county is going to be underwater 30 to 40 years anyway, and if that's the case you're going to have the most SAV on the east coast in 30 years, so why are we closing these huge areas for just little fingers of grass that may not be there as sea level rises. Discussion turned to asking about using a method that would not create such a huge buffer, such as a distance from shore rule. Staff pointed out we were open to other options and were here looking for feedback. The chair pointed out that they have heard a lot of comments about the 6 ft contour, but that creates an enforceability problem. Plus that 6 ft contour can change with tides. Staff pointed out that's why we tried to go with straight lines where possible to make it easier for enforcement but also for fishermen to know where the line is. Wayne Dunbar pointed out that the 6 ft contour goes way out into parts of the sound in some locations up here, and that might take up a lot of bottom. Staff also mentioned distance from shores could be an option, but like our nursery areas the best way to create these lines is usually using points and straight lines off bays and landmarks. Jamie Lane was wondering in the Albemarle Sound, specifically the end where she works near the Albemarle Sound Bridge, that it's been closed to trawling since around the 70s, can we quantify the difference in SAV then versus now to quantify what the difference is? Staff mentioned APNEP has a series of papers out here they looked at the difference between surveys possibly in 2006 and then 2012 and 2013 (not 100% sure of the dates) that's available online, but could not quote those numbers to you right now. Jamie: from my perspective fishing that area regularly for the last almost 20 years, there is no SAV and there's been no trawling for about 50 years and there was quantifiable SAV at least in the 1990s, so from my understanding it couldn't be the trawlers who have destroyed the SAV in Albemarle Sound. We can't change hurricanes that's mother nature but you always say that water quality is outside of your purview so we just shut down fishing, we shut down trawling, we take away nets, we close the Neuse for the CCA whim, and I think this is just another way of them trying to take another chunk out of the commercial industry. But there's no scientific data to back up the closure in the Neuse and there definitely doesn't appear to be any data scientifically that you can quantifiably say that shrimp trawling is killing the SAV. Staff indicated there's lots of data out there showing that we've gained and lost SAV in certain areas, and we can't always put our finger on exactly why we lost it or gained it, as I mentioned at the start of the presentation. There are some data gaps we just can't put our finger on, but we can prevent it from getting impacted by direct disturbance from shrimp trawls and indirect sedimentation and turbidity changes and that's what we can do inside of this plan. Jamie Lane: Since we can't say that the shrimp trawling is directly without a doubt the reason SAV is gone, because we can see in my area of the Albemarle Sound it's gone over the last 30 years with no trawling over the last 50 years, so I would say until we can prove it without a doubt that we should not take any of these options. I would like to make a motion that we take none of these options take them all off the table and until we can 100% say its shrimping that causes SAV loss I think it should be tabled. I don't know if I can make that motion but I am requesting that. The chair asked Jamie if she would repeat the motion to make sure the AC members heard it.

Motion by Jamie Lane: I would like to make the motion that we as an advisory committee do not accept any of the options on the table and furthermore that we wouldn't consider any options to close shrimp trawling or SAV areas to shrimp trawling until we can 100% without a doubt quantify

that they're the one causing the loss of SAV. Second by Thomas Newman. The motion passed unanimously.

The Chair asked if there was any further discussion or information the AC wanted to bring back to the MFC. Thomas Newman: I would just like to comment to the division, to please before you draw lines, talk to us, talk to your constituents that are paying your salary. We pay taxes, you are employees of the state. Jon Worthington: To staff who presented this, somebody did a disservice to you. There should have been a procedure followed, it's like coming in here from the governor asking can we help you? We have a solution in search of a problem. I'm going to go with anything in marine fisheries if it comes out of the puzzle palace in Raleigh or Morehead, you got to have an economic impact, I mean commissioner House touched on that he's heard me say it every time I've been up here, you got to have economic impact you got to show us economic impact you got to show us who's guilty of doing what it is. I use the analogy of a deer getting shot by a neighbor and I'm getting blamed for it, we haven't proven or anybody hasn't proven that the shrimpers are causing all the decline in seagrass. I mean we got environmental factors, we got climate change we got wildlife, a whole host of other things. And the biggest thing is when you do something like this from coming from Raleigh which I mean we're all paid for and, get with the stakeholders and say, hey what can we live with, because you may be closing something up here and it's not even on the board and you can come in here and just swap out a whole thing we're not going to go for that. Why don't I go to the point, the first thing the governor closes. We need to look at these guys that's been talking about less effort tonight so there's less trips so and theoretically you I'm think as Mr. Midgette said something about one of the educated guys, well that's me, but it did take my common sense out of my head when I was at University. You got less effort we should have some correlation to improvement in the environment or the grass. That's what I want, I want like you said, we need more open communication I hate the word transparency, but we need more open honest communication, so you don't have a triangle here where everybody's looking at each other and we got our arms crossed and we, I mean these guys here are trying to make a living. I worked in the government where I signed the back of the check, I had my own business where I signed it on the front. And what they want, they want to be heard and they want to be respected. And I think over the years from what I've seen that hasn't been happening from Raleigh or Morehead. And that's all I got to say. Chair: I think pretty much everybody who spoke tonight mentioned water quality or habitat or fertilizer or run off but you know when the CHPP habitat protection plan was developed originally and when the rewrite was done I think it was last year and the push was made to try to get the Environmental Management Commission the Coastal Resources Commission and those agencies essentially to step up to the plate and kind of work towards a collaborative effort to make habitat better the people of the state of North Carolina are the ones that could have made that difference. As you said essentially, we've been waiting around for this to have some teeth in it for years. SAV is protected by the Coastal Resources Commission, essentially it cannot be destroyed or impacted. So there are a lot of things that need to be moving forward simultaneously for the overall good of the environment. and I think Director Rawls would like to say a few things. Director Rawls: Thank you, madam chair. I just wanted to take a couple of seconds to speak to both of your comments relative to the Division working backwards on this issue. The Division is working on this issue exactly as the Marine Fisheries Commission has directed us to. This is not a Chris issue, this is not a Steve issue, this is a Marine Fisheries Commission Fishery Management Plan issue, and that's what we're doing here. We have done exactly what the Marine Fisheries Commission asked us to do. This is what working with the stakeholders looks like and we talked about the meeting that we had last night to work with some stakeholders. We had some intentions to maybe have some additional meetings with stakeholders but I'm going to be rethinking that. This is what that looks like for us. These are the directions that we got, this is what we're doing. And if your recommendation is you don't want any closures, same for the public if that's the recommendation of the public, then we can absolutely take that back to the Marine Fisheries Commission and we will, and that will be our recommendation that you don't want any additional closures. And that is a fine recommendation. But we are doing exactly what this commission addressed us to do in the Fishery Management Plan and that is what we work by. We do not just sit around our offices

and come up with these things to come to you with. And we absolutely do not sit around our offices and come out here to close fisherman down. That is not what we do. Our job as an agency is to collect data. That is our job. Our job is to collect the science, put it together and take it to the commission. That is our job. And the Commissioners, they have the tough job, we don't really have the hardest job. They have the tough job of making the decisions. That's where the decisions come from, from the Marine Fisheries Commission. So we are trying to work on this issue we are trying to work with the stakeholders so that we can take the best management recommendation back to the Marine Fisheries that we possibly can, because they then are the ones that have to make the decisions on this. Thomas Newman: I understand that's the directive. My biggest concern and the public's biggest concern is that these lines were drawn and as soon as you first presented them, light bulbs are going off in everybody's head and everybody is scared to death they are going to lose everything they got when you draw these lines. I personally feel like the Division should have reached out and said, hey these are our protected areas what can we do with them? If you'll put your feet on the ground in Parched Corn Bay or the north side of Manteo and guys go look at that grass, where grass is supposed to be, you might chuckle because it isn't deep enough for boats to work. I mean it's 18 inches in the biggest place. These guys are scared of that you know. Director Rawls: So and I absolutely appreciate those comments we have talked, we talked about this even internally this morning and some one of the staff said I don't remember who it was made the comment that perhaps we should have just started by presenting the mosaics, the SAV mosaics and go from there and say okay here's where the SAV is, let's talk about these lines. We learned a lot yesterday meeting with those few shrimpers down in core sound about the area and the areas that are valuable to them why and the fact that they don't feel like they can move to other areas. We absolutely learned that in a very small group. And we absolutely appreciated those comments, but what we say over and over again, is that our recommendations, and all division recommendations don't naturally just come at first. Different directors are different. Some directors don't want the division to have to do it till late in the process. I like our recommendations to come out in the very beginning so that people know what we're thinking and that they know where we're starting from. Our recommendations we say it over and over they are just drafts right out of the gate. They are drafts we can change them, we will change them. We have. Striped mullet is a perfect example of us listening to the stakeholders, listening to the fishermen and trying to come to some sort of agreement where we can work together, and this was no different. I recognize that these area closures can be, to your point, can scare people, and that is not our intent. Our intent is just to get what we're thinking out there so that people have something to start with and that was our intent with putting these out here. And again it is not our decision, and it is absolutely not this guy's decision, but this is what you know this is a lot of times what kind of reception we get. And I get, I get, that y'all are upset, but respect goes both ways. And that is something that I just want to leave on the table here. But we are doing our best to work on this issue, it's a tough issue and the Marine Fisheries Commission is going to struggle with this issue. They did when we did Amendment 2 it was a struggle. This is going to be a struggle for them we know that, so we are even more conscious of what we carry back to committee. The message from the committee, the public has been documented it's been recorded we've taken it down we'll absolutely take it back to them and that'll be a piece of the information that they use to make their decision. Thomas Newman: And I greatly appreciate you sitting down with the stakeholders and that's a super important thing but you could skip all these angry people by walking in the Manteo office say hey this is a draft we put together. We got 700 miles of coastline nothing is the same you know up here versus what it is down in the southern area and that's all I'm asking. It's just you know you ain't got to show it that way, you know all everywhere at once, but you know when you put these things out there I mean it's on public record and that's what I was scared of when we came here. I was like man these lines are already drawn I said they've already presented to MFC so we can't change anything on that. That's how I came in here and when I saw lines were changed here this evening that weren't on the original documents that went out, I thought I guess they're out working on changing the lines. Director Rawls: We're always working on changing our recommendations and again our recommendations come out in the beginning so that people know what we're thinking. Thomas Newman: But this was outside the FMP process that scared me because usually when we go through the FMP process stuff is sent to the MFC and then we get

some comments from the public and then next meeting that's where get hammered next month at MFC if we didn't go out here and fight this tooth and nail. Director Rawls: And I understand that because this is an Adaptive Management piece and really quite frankly, the marine fisheries commission adopted a fishery management plan in February of 2022, and it just took us a little bit of time to get to this so it seemed disjointed but this absolutely came directly from the fishery management plan and very specific to the motion in the plan was that we work with the habitat and water quality committee and stakeholders and then come back to them, so that was the specific guidance that was provided in the Marine Fisheries Commission's plan, and our job as an agency is to do exactly what that plan tells us to do. And so that's exactly what we've done. So I thank you Madam Chair for allowing to make comments. Chair: thank you Director. Any other issues from the Advisory Committee? Lee do you have any kind of update relative to the Marine Fisheries Commission? Lee Paramore: the Chair already covered the fact that you were given information in your packet about the Marine Fisheries Commission update of the last meeting and the action that was taken at Marine Fisheries Committee meeting in February. The Marine fisheries commission will meet again in May, the 22nd through 24th, in Beaufort. The agenda items will be coming out shortly. One of the things that'll be on the agenda that probably will interest you is the Striped Mullet Fishery Management Plan that you guys reviewed at your previous meeting, they'll be voting possibly to adopt that plan at the May meeting, so that's when that'll happen. Spotted Seatrout we are working on the FMP for that. There's an AC Workshop it's going to be April 22nd through the 24th that's going to be in New Bern. We don't allow public comment of that but it's open to the public to attend and listen. There's going to be an FMP Advisory Committee that's already been appointed and that'll be like a two and a half day meeting and they'll be reviewing the draft FMP, going through the issue papers, and that'll be the first step in that process of beginning to put that together. That could potentially come back to you in October so that'll probably be the next agenda item that I know for sure is on the slate to come back to the advisory committees will be the spotted seatrout draft plan. And that's what I have unless you guys have a question on the update. And you are always welcome to reach out to me or Charlton with any questions, we are the staff leads for the Northern AC.

ISSUES FROM AC MEMBERS

No issues were provided by the Advisory Committee.

Jon Worthington made a motion to adjourn, seconded by Carl Hacker. Passed unanimously. The meeting ended at 8:03 p.m.



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

April 11, 2024

MEMORANDUM

TO: Marine Fisheries Commission
Southern Regional Advisory Committee

FROM: Tina Moore, Southern District Manager
Chris Stewart, Biologist Supervisor
Fisheries Management Section

SUBJECT: Meeting of the Marine Fisheries Commission's Southern Regional Advisory Committee, Apr. 10, 2024, to provide recommendations for management options for Marine Fisheries Commission consideration on protection of critical seagrass habitat through shrimp trawl area closure

The Marine Fisheries Commission's (MFC) Southern Regional Advisory Committee (AC) held a meeting on Apr. 10, 2024, at the N.C. Division of Marine Fisheries, Central District Office, Morehead City, North Carolina. Advisory Committee members attended in person, public comment was received in-person and the meeting was streamed to the public not in attendance via YouTube.

The following Advisory Committee members were in attendance: Fred Scharf, Tom Smith, Jason Fowler, Jeremy Skinner, Tim Wilson, Pam Morris, Ken Siegler, Michael Yates (Absent – Sam Boyce, Jeff Harrell, and Truby Proctor).

Division of Marine Fisheries (DMF) Staff: Chris Stewart, Tina Moore, Kathy Rawls, Jeff Dobbs, Jason Rock, Dan Zapf, Garland Yopp, Ashley Bishop, Carter Witten, Debbie Manley, Michelle Brodeur, Brooke Anderson, Chloe Dorian, Lucas Pensinger, Charlie Deaton, and Mike Loeffler

Public: Glenn Skinner, Richard Wade, Thomas Smith, Monica Smith, Robert Buckley, Mike Lewis, Jared Davis, C. R. Frederick, Michael Cowdrey, Chris Elkins, Wesley Potter, Woody Daughetry, Lee Edens, Ivey Edens, Cayla Camm, Ike Edens, Gracie Edens, Brady Hattfield, Shane Griffin, Temple S. Chadwick, Kathy Wilson, Landon Merkley, Camryn Rose, Stephen Smith, Larry Mizelle, Justin Mizelle, Cayton Daniels, Sherri Davis, Stevie Davis, Frances Ann Moran Griffield, John McQuaid, Allyn Powell. Thirty-five viewers watched on YouTube.

The Southern Regional AC had eight members present at the start of the meeting and a quorum was met.

Southern Regional AC Chair Fred Scharf called the meeting to order at 6:03 p.m. The Chair opened the floor for the AC members and DMF staff to provide introductions.

APPROVAL OF THE AGENDA AND APPROVAL OF THE MINUTES

A motion was made to approve the agenda by Tom Smith. Second by Jason Fowler. The motion passed without objection.

A motion was made to approve the minutes from the Southern Regional AC meeting held on Jan. 10, 2024. Motion by Jason Fowler to approve the minutes. Second by Tom Smith. The motion passed without objection.

PRESENTATION OF THE PROTECTION OF CRITICAL SEA GRASS HABITAT THROUGH SHRIMP TRAWL AREA CLOSURES

Steve Poland, Section Chief, Fisheries Management provided introductory remarks for context of this meeting. The MFC instructed DMF to look at current SAV layers on maps and bring the MFC options for shrimp trawls closures to protect SAV as part of the Shrimp FMP Amendment 2 adopted in 2022. Chris Stewart, lead biologist for shrimp, presented the issue paper provide to this AC tonight at the MFC in Feb. 2024 and the MFC passed a motion to bring the issue paper to the MFC regionals and Shellfish Crustacean ACs for further input. Adjustments to the closure options that will be presented tonight but are not shown in the issue paper. This action was directed to DMF by the MFC, and any closures would be implemented by proclamation through adaptive management adopted in Amendment 2 of the Shrimp FMP. The intent is to work collaboratively with stakeholders to balance protection of SAV and limit impacts to the shrimp trawl industry. The DMF is stretching the timeline to bring their recommendations to the MFC later this year from the initial May 2024 meeting. DMF will reach out to more stakeholders for direct input and encourage the public to reach out to participate in these smaller stakeholder group discussions.

Chris Stewart presented information on submerged aquatic vegetation (SAV) overlays also known as the SAV mosaic with the current open and closed areas to trawling and initial DMF lines to extend areas closed to shrimp trawling to protect SAV. He iterated several times in the presentation, this was the first step to allow for stakeholder input and that the proposed closures were intended as a starting point to get discussion going. He noted the adaptive management strategy was directly from the MFC in the Shrimp FMP Amendment 2 and limited to addressing shrimp trawls impacts to SAV. He encouraged the public to reach out to the two other commissions who are responsible for the Coastal Habitat Protection Plan (CHPP) that deal more directly with water quality concerns. Information was provided on the importance of SAV as a critical habitat and impacts to this habitat from bottom-disturbing gears. Aerial imagery with sampling conducted randomly at sites was updated to identify the maximum known extent of SAV in NC from 1981-2021. The original DMF options would close about 9.5% of the current open shrimp trawl areas and he went through the maps of the proposed line changes by region as well as alternative options not shown in the issue paper that would reduce the extent of the closed areas. The MFC Habitat and Water Quality Advisory Committee met in Jan. 2024 and endorsed the current recommendations only after further input from stakeholders and recommended a monitoring program for SAV.

After the presentation questions and comments were brought forwarded from AC members. Tim Willis asked whether other states with similar estuaries have created a similar plan? Stewart responded NC is unique in allowing trawling in inside waters. The closest is Chandlier Bay, LA but they are limited much more than in our inside waters and Florida fines people for anchoring in SAV. Ken Siegler asked who is trawling in 18 inches of water, too shallow, so why make a law where they can't trawl anyways. Stewart added that the turbidity plume is also part of the issue with bottom disturbing gear near SAV. Seigler asked what impact does turbidity from barges going down the IWW have on SAV? Stewart responded navigational channels are outside of the scope of the Shrimp FMP. Seigler indicated that the proposed rules would be detrimental to smaller vessels (18 ft). Stewart explained the variables behind how long sediment plumes stay in the water column. Pam Morris stated that while the SAV mosaic provides the historical extent of SAV, it does not accurately depict where it is today. Morris further noted that she is seeing SAV beds becoming smaller and breaking apart in areas already closed to trawling. There is lack of science to show the trawlers are directly impacting SAV. Core Sound is shallow, and winds cause more turbidity than trawls. Stewart noted that the Albemarle-Pamlico National Estuary Partnership (APNEP) monitoring data has shown a net loss of SAV in NC and pointed to some of their recent publications that document the how

SAV has changed between surveys (2006-2007 vs. 2013). Stewart further noted that mapping data can be viewed for each mapping period but cautioned that the absence of SAV in some of the imagery is due to the area not being monitored as sampling occurs on a rotational schedule. Regarding the loss of SAV and continuous SAV beds, Stewart indicated that this is an indicator that these habitats are stressed and need further protection to aid in their recovery. Morris said there are multiple impacts causing the decline of SAV, including development along the coast, propeller strikes on shallow beds, and dredging channels by the park service. Morris added that creating new shrimp trawl management is not needed since shrimp trawlers don't work in areas where SAV is found and only burden enforcement in other areas. Seigler iterated trawling is not the main problem for the grass beds.

Chair Scharf called a five-minute break before starting public comment.

PUBLIC COMMENT

Glenn Skinner – NC Fisheries Association (NCFA), Executive Director and commercial fisherman. We discussed at the NCFA board and voted to oppose all shrimp trawl closures. None of the closures are necessary because there is nothing to suggest that trawls are impacting SAV. Based on the Rules Review Commission has standards to determine these closures are justified or necessary through the Director's proclamation authority. They must show these closures are reasonably necessary to achieve the goal of saving SAV. When I looked up the definition of necessary the word food came up, the trawl fishermen produce food and essential workers to provide food. Therefore, these closures are arbitrary and ask for the AC to oppose the recommendations by the DMF.

Richard Wade – Commercial Fisherman with a 73-foot trawler. These closures will not affect me because I have a big vessel this will hurt the small boats. Has anyone looked at whether the already closed areas see if SAV has improved or declined? You need to look at areas already closed to trawling to verify if SAV has improved. In 1986 DMF Director Hogarth called fishermen ignorant, when we had a thriving industry. Science based management has ruined the trawling industry and the ecosystem.

Monica Smith – Represents Miss Gina's Seafood, Beaufort. A small group of fishermen and I met with the Director and staff earlier this week and I prepared a presentation I would be happy to share with you. I understand the importance of SAV, but there is a lack of science. We are not here to negotiate, we are here to fight, and I have five points to make. 1.) DMF cannot use scientific data to support closing areas that support SAV. Seventy-seven percent of the SAV mapped is already behind closed lines to trawling. 2.) In 1985 there were over 1,000 shrimpers and now is a fraction of fishermen in the industry. 3.) There is no scientific data to show what buffers should be. 4.) There is no economic analysis to show the impact these proposed closures will do to the industry. 5.) Shrimping in NC has a significant cultural and heritage value that is not considered. I request the AC to vote against these closures. More lines do not protect the SAV and DMF cannot definitively say the closures will improve SAV.

Thomas Smith – Represents Miss Gina's Seafood, Beaufort. I grew up as a kid in Core Sound. I had a skiff that I used to catch seafood and it supported me through college. Closing these areas will directly impact my income. I request the AC to deny the proposed closures until science catches up.

Robert Buckley – Harkers Island. I am not a fisherman, but I have come to this area for over twenty years to visit and bought property in 2019 that looks over Back Sound. When I first came here there were trawlers everywhere, now I rarely see a trawler. I bet the number will be reduced by 60-70%. I see fishermen working their tails off and this economy is killing us. Please recommend no more closures, there is no science and it seems like cherry picking.

Jared Davis – Commercial shrimper. I love being on the water. I love to share my heritage with my kids. You're taking food out of our mouths. These closures will hurt a lot of people. There is no data to support whether trawling affects SAV.

C. R. Fredrick – Commercial fisherman, Swansboro for over 50 years. I worked with NOAA on gear development of TEDs. He asked a few questions: Are props considered bottom disturbing gear? How does DMF survey SAV? Are otter trawls considered the same as skimmer trawls? Do SAV move? Once something is taken away from fishermen it is not given back. Trawlers cannot pull in grass a novice will do it but not for long. There are other issues hurting SAV. Sand encroachment and development for example, changing temperatures and pollution as well. Trawling activity is down at least 85% to what it once was. Need more studies to find out the cause of the degradation of SAV. Other gears are fishing in SAV as well.

Michael Cowdry – Commercial fisherman, Sneads Ferry. I started trawling with a 16-foot skiff in the New River and now have a 30-foot vessel. Fishermen are being impacted by the rulemaking process and plagued by best available data. There is no data to support SAV impacted by trawlers. If anything, there is less dragging done now and our waters are no better. The polluted lines match the trawl closure lines because the bottom goes bad when it is not dragged. Only closing something to say we did something. Even show areas closed where there is no vegetation.

Chris Elkins – Represents the Coastal Conservation Association (CCA), Gloucester. The CCA supports the DMF proposed closures. Habitat is important for shrimp and many other species including food for forage fish such as croaker, spot, weakfish. Bycatch from shrimp trawls is also a major issue and closures will reduce bycatch. From my personal view these areas represent a small amount of shrimp harvested and would eliminate mostly smaller operations. I support subsidies for shrimpers to acknowledge and compensate them for some of their loss.

Wesley Potter – Commercial fisherman. The closures will directly have an impact on me and many other fishermen's livelihood. How much would it cost to pay us off? Need to acknowledge the work it would take to figure out these lines. We are not catching grass we are catching shrimp.

Cayton Daniels – Commercial fisherman, Marshallberg. I fish mostly in Back Sound. These closures will put me out of business. There is no data to support these closures. This will kill all the small boats. Less than 20 fishermen are left in this industry under the age of 40. This hurt high school and college kids trying to fish to get them through school. I encourage the MFC to study if the closure in Bogue Sound has improved SAV. I also ask what do rays do to create turbidity in these areas? You see cownose rays from one end of Core Sound to the other right now and they are stirring up the bottom. Not to mention now Ophelia Inlet. Forty percent of my shrimp came from the Straits last year.

Frances Anne Moran Griffield – I'm from a fishing family, I agree that protection of SAV is needed but these closures go too far. I reached out to Professor Rusty Day, College of Charleston to get his insight on trawling over SAV. He thought it was a good idea to prevent trawling in SAV but noted the proposed areas in the paper were excessive. There was also the absence to measure the positive impacts of closures. There is no mention of specific monitoring programs and need to reach a balance for cultural benefits. There was also the failure to address other stressors to SAV and consideration for how these measures weigh against other activities. It was noted too closure causes more need for enforcement which there isn't enough manpower as it is now. We need real-time information on SAV and not just pointing at trawling as theoretical threats to SAV.

John McQuaid – Recreational fisherman, Raleigh. I support the conservation of SAV, but it may already be too late. I have seen a drastic decline in SAV as well as fish in my years coming to the coast. Inshore

trawling is a destructive gear which damages our fish. Closing areas to trawling will protect juvenile fish. I would err on the side of conservation even with limited data.

Stephen Smith – Recreational fisherman, Morehead City. I have met a lot of people as a local dentist and seen a lot of changes in the years I have lived in this area. Offshore could see the gun mount and now it is underwater. Shrimp used to winter off SC and now they winter off NC. Water temperatures are increasing. My lemon tree in my backyard produced 160 lemons last year and we see Spanish mackerel in our water in February. Do warmer waters cause more issues? More research is needed to see if warming temperatures are causing the decline in SAV. Some people are seeing these closures to reduce bycatch and using SAV as the excuse to limit trawling.

Chair Scharf called a five-minute break before starting Advisory Committee discussion and vote to recommend options to the MFC.

SHRIMP FMP AMENDMENT 2 – ADAPTIVE MANAGEMENT – PROTECTION OF CRITICAL SEA GRASS HABITAT THROUGH SHRIMP TRAWL AREA CLOSURES

Fred Scharf requested Stewart to follow up with any responses to the public comment. Stewart noted there is plenty of evidence that otter trawl doors damage SAV. NOAA and APNEP also survey SAV, which comprises of an aerial high-resolution component as well as ground truthing, completed annually on a rotational basis in areas. DMF staff and others assist with the ground truthing, which requires sampling on the ground to determine SAV presence and other habitat characteristics. When SAV is exposed to extreme high and low temperatures they usually grow back in 1 to 2 years. Scharf added that the grass species composition changes as temperatures increase.

Seigler said trawlers do not drag through grass beds, they don't make money towing through them. He mentioned a study in Buzzards Bay where eelgrass loss was caused by nitrogen loading and suggested getting more water quality samples to see what the nitrogen levels are rather than blaming commercial trawlers. Scharf asked what should we do about unprotected SAV? Stewart noted the direction was provided by the MFC through Amendment 2 of the Shrimp FMP and asked how would others on the AC recommend dealing with this issue? Jeremy Skinner said he would like to see more data on areas already closed to trawling and how the SAV has changed. Skinner further noted that the division should revisit the issue once more data is available.

A motion was introduced by Jeremy Skinner to not support the proposed closures in the issue paper; Need water quality data in the areas with seagrass loss and healthy seagrass areas and need a link between habitat protection and seagrass recovery. The motion was seconded by Ken Seigler.

Michael Yates requested clarification whether we are talked about shrimp trawls affecting SAV or other things affecting SAV? Are we asking DMF to address the other issues affecting SAV not only shrimp trawls. Tim Willis said we need to address other things before closing more areas to trawling, as it appears a lot of other things are being ignored that contribute to the loss of SAV. We already do not have enough law enforcement to cover the regulations already in place. Scharf reiterated the discussion to the group what he heard as the intent behind the motion; we want to wait for more data, no support for any trawl closures, and there is not enough manpower to enforce. Ken Seigler added to get the water quality issues resolved before closing more areas to trawling.

Tom Smith stated we should give SAV a chance and exclude all traffic over the SAV. There is a need to protect these core areas. I'll admitted the initial proposed closures are ambitious but let's do what we can to protect SAV habitat and just close the unprotected SAV through this FMP. The CHPP looks at other aspects not under the authority of the MFC like water quality. Why is there such an issue to say no use to

trawls in an area if we already know the trawlers don't go in there? Ken Seigler said if trawls can't be allowed then exclude everyone from SAV. Smith noted we cannot go there through the shrimp FMP. Scharf said we could recommend other protections where current grass exists. Willis said who is going to enforce these laws. Pam Morris wanted to foster a better understanding behind the SAV mosaic. The SAV mosaic is built over time in some areas, not all and layered upon one another. And the mosaic has shown SAV has changed over time, closed areas are disintegrating and the SAV is in broken pieces. There is zero proof that trawling has an affect on these areas. And I can tell you from my own experience running to the Cape with our boat and in the shallowest of water hoping we don't bump. Knowing that our prop is also hitting SAV. SAV occurs in waters 6 feet and less and there is more damage caused by general boating activity through these waters than trawling. Other things to consider is the impact of global warming. Effort and the number of fishermen are declining. The buffers for the closures are too big. I ask DMF to go back and look at how SAV has changed in waters already closed.

Scharf called the motion to vote. **The motion passed 5-2 with one abstention.**

Scharf said the Southern AC motion will go to the MFC for them to make their final decision. Please participate in the process and provide further input before the final recommendation.

ISSUES FROM AC MEMBERS

No issues were provided by the Advisory Committee.

Jeremy Skinner motioned to adjourn, seconded by Tom Smith. The meeting ended at 8:49 p.m.



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

April 26, 2024

MEMORANDUM

TO: Marine Fisheries Commission
Shellfish/Crustacean Advisory Committee

FROM: Tina Moore, Southern District Manager, Fisheries Management Section

SUBJECT: Meeting of the Marine Fisheries Commission's Shellfish Crustacean Advisory Committee, April 11, 2024, to provide recommendations for management options for Marine Fisheries Commission consideration on protection of critical seagrass habitat through shrimp trawl area closure

The Marine Fisheries Commission's Shellfish/Crustacean Advisory Committee (AC) held an in-person meeting on April 11, 2024, at the Division of Marine Fisheries, Central District Office, Morehead City, NC.

The following AC members were in attendance: Lauren Burch, Tim Willis, Michael Hardison, Mike Marshall, Ted Wilgis, Ryan Bethea, Mike Blanton, Mary Sue Hamann (Absent: Bruce Morris, Jim Hardin, and Brian Shepard)

Division of Marine Fisheries (DMF) Staff: Debbie Manley, Steve Poland, Chris Stewart, Tina Moore, Brooke Anderson, Jason Rock, Dan Zapf, Kathy Rawls, Carter Witten, Mike Loeffler, Charlie Deaton, Jason Peters, Chloe Dorin

Public: Glenn Skinner, Michell Hostetler, Warren Hostetler, Monic Smith, Thomas Smith, Woody Daughtrey, Kenny Rustick, C. R. Frederick, Ken Seigler, Barbara Garrity-Blake, Thomas A. Smith Sr., Zach Davis, Cayton Daniels, Wendy Johnson, Landon Merkley, Billy Merkley, Jeffrey Moore, Savannah Gillikin, Grace Masencerp, Larry Mizelle. Thirty viewers watched on YouTube.

Shellfish/Crustacean AC Chair Mike Blanton called the meeting to order at 6:05 p.m.

Chair Blanton provided some introductory remarks, reminding the committee of the requirements for conflict of interest per N.C.G.S. 138A-15(e) which committee members noted no known conflict. The Shellfish/Crustacean AC members in attendance met a quorum.

APPROVAL OF AGENDA AND APPROVAL OF THE MINUTES

A motion was made by Tim Willis to approve the agenda. Second by Mary Sue Hamann. The motion passed without objection.

A motion was made by Mike Marshall to approve the minutes from the Shellfish Crustacean AC meeting held on January 11, 2024. Second by Tim Willis. The motion passed without objection.

PRESENTATION OF THE PROTECTION OF CRITICAL SEA GRASS HABITAT THROUGH SHRIMP TRAWL AREA CLOSURES

Steve Poland, Section Chief, Fisheries Management provided introductory remarks for context of this meeting. The MFC instructed DMF to look at current SAV layers on maps and bring the MFC options for shrimp trawl closures to protect SAV as part of the Shrimp FMP Amendment 2 adopted in 2022. Chris Stewart, lead biologist for shrimp, presented the issue paper to the AC. The issue paper was previously presented to the MFC in Feb. 2024 and the MFC passed a motion to bring the issue paper to the MFC regional and Shellfish Crustacean Advisory Committees for further input. Adjustments to the closure options that were not shown in the issue paper were included in the presentation to the ACs. This action to consider additional SAV protection was directed to DMF by the MFC and any closures would be implemented by proclamation through adaptive management adopted in Amendment 2 of the Shrimp FMP. The intent is to work collaboratively with stakeholders to balance protection of SAV and limit impacts to the shrimp trawl industry. The DMF is extending the timeline to provide recommendations to the MFC until later this year and not as initially planned for the May 2024 meeting. DMF will reach out to more stakeholders for direct input and encourage the public to reach out to participate in these smaller stakeholder group discussions.

Chris Stewart presented information on submerged aquatic vegetation (SAV) overlays also known as the mosaic with the current open and closed areas to trawling and initial DMF lines to extend areas closed to shrimp trawling to protect SAV. He iterated several times in the presentation, this was the first step to allow for stakeholder input. He noted that this adaptive management strategy was directly from the MFC in the Shrimp FMP Amendment 2 and is limited to addressing the impacts of shrimp trawl on SAV. He encouraged the public to reach out to the two other commissions (CRC and EMC) who have the responsibility for dealing more directly with water quality concerns as outlined in the Coastal Habitat Protection Plan. Information was provided on the importance of SAV as a critical habitat and impacts to this habitat from bottom-disturbing gears. Aerial imagery with results of sampling conducted randomly at sites was updated to identify the maximum known extent of SAV in NC. The original DMF options would close about 9.5% of the current open shrimp trawl areas and maps of the proposed line changes by region were presented. In addition, the alternative options not provided in the issue paper that were developed to reduce the extent of the closed areas were also shown in the presentation. The MFC Habitat and Water Quality Advisory Committee met in Jan. 2024 and endorsed the current recommendations only after further input from stakeholders and recommended a monitoring program for SAV.

After the presentation questions and comments were brought forward from AC members. Mary Sue Hamann asked for the reasoning behind the updated closure areas. Stewart said the new options followed discussions with stakeholders, division staff, the MFC Habitat and Water Quality AC, and Marine Patrol to help reduce the extent of shrimp trawl closure areas. Vice-Chair Ryan Bethea asked Marine Patrol about how many shrimp trawling violations there are, how big of a problem is it? Colonel Carter Witten said he'd have to look into it further but recalls a violation for someone fishing without proper license. Beathea asked Marine Patrol about enforcement and if trawling in SAV was a concern to them and if the proposed closures are necessary? Witten said this is a request from the MFC and it is Marine Patrol's job to enforce MFC rules. Straight lines are the easiest for enforcement, but they also enforce depth contours, distance from shore, under other current spatial regulations. Enforcement options are region specific and vary because some methods don't work as well in one area over another. Hamann asked whether this committee can make recommendations outside shrimp trawling and Stewart responded they can make recommendations for other concerns (i.e., water quality). Hamann wanted to know if there is research on if limiting shrimp trawling is actually the best approach to protecting SAV versus other approaches (i.e., water quality).

Lauren Burch wanted to know if SAV grows like fungus and needs connectivity to branch out? Stewart said spreading can occur and other grass species can populate in a bed. Connectivity is important for nursery protection. Burch asked if we've seen growth in SAV in historic closure areas? Stewart said we see mostly a decline throughout the state and there are numerous reasons for declines in SAV, not only shrimp trawling. Burch added that SAV then should be growing in areas where shrimp trawls cannot occur and this suggests the trawl closures are not working to increase SAV. The areas looking to expand closures will impact small vessels the most. Why add closures to areas where SAV is not going to grow in the deep-water areas? The fishermen know where they can't trawl. Stewart noted the lines were drawn for connectivity and ease of enforcement. These lines are not just for trawlers who know the waters but also novices learning to work the areas, also for RCGL trawls. Lines will help enforcement mostly for those who intentionally go into the grassbeds and don't care about the consequences to the SAV.

Hamann requested a summary of comments and suggestions that have been made, stakeholder concerns, and how DMF is responding to those concerns. She was glad DMF was soliciting further input from stakeholders and noted it was unfortunate that DMF cannot evaluate the economic impact to the industry. Stewart said comments were received that these closures put the burden on fishermen rather than water quality issues that impact SAV and we encourage all stakeholders to go to the CRC/EMC meetings to express their concerns. Stewart noted the trip ticket data doesn't allow level of data resolution to look at effort in specific areas. We only have the authority to address shrimp trawling. He reiterated the need for stakeholder input, and the alternatives presented tonight open the deeper waters to allow access to shrimp trawling that doesn't overlap with SAV.

Tim Willis asked if DMF communicated with other states (SC, GA) about what they've done? There's a lot of areas that have been closed for 10 years still losing SAV. Is there any solid data showing what's causing SAV loss? It's the inexperienced boaters tearing up SAV, not commercial trawlers. And therefore, it is inappropriate to put on shrimp trawlers without data to support further closed areas. Stewart noted there is no inshore trawling in other states and physical disturbances are known to damage SAV.

Ted Wilgis asked how closed areas would impact cultch planting, leases and other gears? What's the trigger or mechanism used to re-evaluate closed areas? Chesapeake does aerial surveys every year with federal funding, maybe we can tap into federal funding. Recommends providing more funding for monitoring and looking into water quality. We need more information on what is having the most impact for SAV protection and work with other groups. Stewart said the closed areas would only impact shrimp trawling. Other gears would still be allowed. APNEP is looking at loss and gains of SAV in closed areas to trawling but APNEP has limited personnel and funding to accomplish the work.

PUBLIC COMMENT

Chair Blanton requested the public to keep their comments tasteful and directed at the issue, not staff. This is an ongoing issue that the division was directed by the MFC to take on and they have done exactly what they were tasked to do. Try to keep comments to three minutes.

Glenn Skinner, commercial fisherman and director of NC Fisheries Association. The NC Fisheries Association board met and voted unanimously to not recommend any closures and didn't find information necessary to support the recommendations. Rulemaking standards must identify if rules are reasonably necessary. They didn't find anything pointing to shrimp trawl closures as described being necessary. I'm not saying the SAV is not necessary. So I looked up the definition of the word "necessary" and it keeps coming back to food and food production being necessary. Commercial shrimp trawlers are essential workers. Voting on this closure would be inappropriate. He asked the committee not to support these options. The MFC Habitat and Water Quality Committee meeting in January indicated that we would go forward to the MFC to vote and asked what changed since? Poland said the original intent was to follow guidance of MFC. Following the MFC Habitat and Water Quality meeting, DMF decided we needed further input from the stakeholders to fine-tune the areas to protect SAV. Skinner requested stakeholder input before any lines are drawn.

Monica Smith, Miss Gina's Shrimp. There is a lack of science directly relating shrimp trawling to SAV loss. DMF doesn't have scientific data to indicate restoration will occur in closed areas. Current shrimp trawl closed areas are still losing SAV. There has been a huge reduction in shrimp trawling over the years, so why does SAV continue to decrease? No scientific data to support the use of buffers. The SAV mosaic doesn't represent current SAV habitat or future habitat and doesn't show yearly data. Economic impact study has not been done. These closures would be devastating to small boats, ~75% of their fishing occurs in the proposed closed areas. Please vote against shrimp trawl closures to protect SAV until science supports it.

Woody Daughtery, lived here since 1972. Tens of thousands of people have moved here to be near the water. New docks, seawalls, boats, and prop scars. This is an agenda for a piece of paper to say we've stopped shrimping, shrimpers already stay off your grass.

Kenny Rustick, commercial trawler. Stewart keeps bringing up turbidity. Shrimped many hours on the shrimp lines. Shrimp go to turbid areas to feed. I have seen Core Sound flourish in the past when there were a lot of trawlers and think the loss of shrimpers has reduced the ecological productivity in Core Sound. I remember when the wind blew 100 mph through Cape Lookout.

More turbidity caused by nature than all trawlers combined over a year. Places they want to close in Core Sound is where the shrimpers work. About 95% of the money, I made last fall was in the Straits channel. In 1989 we had a cold storm and froze Core Sound over, then in spring of 1990 there was no more grass.

C.R. Frederick, commercial trawler with 50+ years of commercial fishing, on smaller waters. I spent 5 years working with NOAA on TEDs in skimmer rigs. We addressed reduction of bycatch, met and exceeded those reductions, now we are moving on to SAV. Commercial fishermen don't want to catch the last fish or destroy the last SAV. What is the preferred depth of eelgrass? Mentioned Spooners Bay clam gardens. If SAV grows into that garden, will they be banned from their gardens? If we don't know shrimp trawls are responsible for 90% or 60% of SAV damage, why are they getting 100% of impact from closures. We need to establish lines better than using data from 1981. Reckless to put this on the backs of commercial shrimp trawlers. We need more data, research, flyovers before putting people out of work.

Ken Seigler, commercial fisherman. Rain and wind cause green slime algae to grow in the water at the same time eelgrass grows. Wind, rain, turbidity makes algae smother eelgrass. The problem is algal blooms from nutrient overload. The primary mechanisms for loss of eelgrass is nutrient loading and shading by algae, not shrimpers towing their trawl nets. There's no market for eelgrass, they don't want to catch it. Shrimpers aren't the problem. Eelgrass will not return if water quality is not good. Rainfall and runoff causing nutrient overloading. We are at the extreme southern limit of eelgrass. Nutrient load is the problem. I urge this committee to not recommend any shrimp trawl closures until further data is collected.

Barbara Garrity-Blake, president of NC Catch. NC Catch advocates for local seafood and threats to consumers access to local seafood. We host seafood festivals in downeast community of NC and feature local seafood including shrimp, free for the public. We get seafood for these festivals from many of the shrimpers here tonight at this meeting. I am proud of local fishermen and connecting the public to local seafood and community. Commercial shrimpers support our community. NC Catch also shares concerns about loss of SAV. We are increasing fishing restrictions but loosening environmental protection restrictions. Not protecting wetlands. Another concern in Gloucester is that the downeast conservation group included a 50 ft buffer from a structure being built near the water. And now no longer have that buffer. Environmental regulations are getting looser, fishing regulations are getting tighter. Appreciates DMF agreeing to meet with fishermen and delaying an MFC recommendation. The management strategy would be improved by collaboration with fishermen.

Zach Davis, shrimps in Core Sound. Done research on APNEP and CHPP. A study by NC State showed SAV decline is caused by turbidity related to sediment pollution which leads to algae growth. Bottom disturbance is not causing turbidity-related loss of SAV. Another study in Florida showed SAV can have a growth rate of 8 mm per day following cutting. In 21 days you can't tell it was ever altered. This should indicate shrimp trawls aren't impacting SAV long-term. Substantial reduction of SAV in closed areas (up to +70%), provided data. Trawling is not the problem, it's water quality and pollution. Trawl closures are not going to matter. I have the data and can share it with DMF. Chair Blanton requested Davis to provide the information to AC and the staff lead. Tina Moore provided Mr. Davis with her email address to send the information. As of writing these minutes Davis has not followed up with the information.

Cayton Daniels, commercial trawler. These closures would put me out of business. No justification for closures, the science isn't there. There is no support that shrimp trawls are causing damage to SAV and that shrimp trawl closures would also cause growth in SAV. There are larger reductions in SAV in closed areas than open areas. There has been a huge reduction in the number of shrimp trawl participants over the years. Closures will cut the small trawlers out. The industry has given until there's no more to give. Look into SAV in Bogue Sound following the previous closure. Need further studies. Turbidity is natural, the sound looks like chocolate milk after the cownose rays move through. Closures from the 2022 FMP has had huge effect on the industry. We can't take it anymore.

Landon Merkley, welding and boat repair, college student, commercial fishermen. I trawl mostly in the potential closed areas of Straights, Back Sound, and Core Sound. Closures will hurt me financially from selling and eating shrimp. The bottom of Back Sound has become harder and beaches in front have washed away. He has seen a decline in water quality and encroachment of sand in these areas to cause loss of SAV. There is more loss in closed areas than open areas. Wants to see evidence that SAV loss is caused by trawlers. If SAV is already stressed, then why stress it further? The shrimpers have been stressed. He asked the AC to vote against these closures and identify what is really impacting seagrass.

Jeffrey Moore, I have been shrimping since my childhood. My daughter loves to go shrimping. The potential closures are the only areas they fish in. Only shrimp there 20-30 days a year. We fill our freezers for food and to make some money. Please vote against closures as there's no science to support them. Closing these areas would be a real blow to the trawling community. Development, runoff and hurricanes are more impactful.

Chair Blanton asked if anyone else wanted to speak. No one spoke up. Chair Blanton said your concerns are valid. There are places to address these concerns. Pushed this as an MFC Commissioner for 6 years to bridge the gap. We heard your opinions and input. Asks stakeholders to start outlining facts and knowledge that you know and take that to the people that need to hear it the most.

SHRIMP FMP AMENDMENT 2 – ADAPTIVE MANAGEMENT – PROTECTION OF CRITICAL SEA GRASS HABITAT THROUGH SHRIMP TRAWL AREA CLOSURES

Chair Blanton said we need to vote on options to bring to MFC and opened the floor for discussions. Hamann wanted clarification on what the AC can recommend all, each, defer. Blanton said can make any motion we want.

Mary Sue Hamann made the motion to defer a vote until all public comments are heard and summarized to us a full set of options from the experts are made available. Second by Michael Hardison.

Lauren Burch then moved to amend the motion to recommend more funding for further research in already closed areas and not close any new areas until there is a determination of a correlation to SAV loss by trawling activity. Second by Ted Wilgis.

Discussion by the committee continued. Hardison asked for more funding, what are we looking for to understand losses and how do you quantify losses and cause, seems generic. Referenced losses identified on page 2 in the paper. Stewart said that is the value from the APNEP study. Hardison asked how do you quantify what causes the loss and the economic value of SAV? Mike Marshall recommends the amendment supersedes the motion because the motion can be carried out quickly whereas the other motion cannot be done quickly and therefore are at odds with one another. Suggested they should be considered as two separate motions. Wilgis asked if we need to have one all-encompassing motion or several motions. After further discussion the Chair suggested there are ways to address this. One we could have the maker withdraw the amended motion and vote on the first motion or we can take a vote on the amended one to make it all or part of the original motion.

Burch agreed to withdraw her motion to amend the original motion, which was approved by the second, Ted Wilgis.

Willis asked what is meant by the full set of options in the motion. Hamann clarified she wanted to see more options after gaining more public comment on shrimp trawling closures. Easier if we had the full set of options rather than thinking of all that could occur on our own.

A call to vote by Chair Blanton. **The motion failed 2-4 with 2 abstentions.**

A motion made by Lauren Burch to recommend more funding for further research in already closed areas and not close any new areas until a determination of a correlation of SAV loss by trawling activity, second by Ted Wilgis.

Discussion on what kind of research? Burch said she did not want to specify because it would limit what could occur for research. Hardison said it may have value to look further into the economic value of SAV and determine the causes to its loss.

Motion to amend made by Mary Sue Hamann to add the continued collection and synthesis of stakeholder input, second by Tim Willis.

Blanton noted DMF will be reaching out further to stakeholder groups. Already looking for those groups to gain their input. Your motion would mimic the intentions of what is already occurring. Hamann said this would be an endorsement to DMF to know the importance this information is to us. Wilgis asked if this information from the MFC ACs plus the stakeholder groups will go back to the MFC? Poland responded that DMF will bring all information back to the MFC and use the information gained to adjust the options. It will be up to the MFC to determine if they would send the information collected back out to the MFC ACs. Burch asked if information can be published for these meetings in fish houses not online. Poland said DMF plans to reach out individually to fishermen to get targeted, individual level in small groups together for input in regions with most impact.

Motion to amend passed 4-2 with 2 abstentions. Which becomes part of the main motion which now reads:

A fully amended motion made by Lauren Burch to recommend further research to determine if there is a correlation of SAV loss in open and closed areas to shrimp trawling, continue collection, and synthesis of stakeholder input. No closure of new areas until a determination of a correlation of SAV loss by trawling activity. And seek more funding for monitoring, second by Ted Wilgis.

Marshall noted we also need research in non-closed areas. If sampling only in closed areas how do you tell the difference? Have to have correlation in loss or gain of SAV in open and closed areas. Further discussion amongst the committee adjusted the motion to its final state. Both the first and second of the motion accepted the changes to the motion.

The motion passed 6-0, with 2 abstentions.

ISSUES FROM ADVISORY COMMITTEE MEMBERS

Mike Marshall stated that this whole thing seems extremely awkward, and staff did what they were tasked to do. You may want to get some structure together on habitat issues. It needs a little work. Wilgis added to that point, these are items through the CHPP which doesn't have much regulatory teeth. Could the EMC, CRC, and MFC have a joint meeting and work through some of the issues more. Blanton said it would be difficult.

Tim Willis made a motion to adjourn. Seconded by Lauren Burch. The meeting adjourned at 8:38 p.m.