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Governor

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May 5, 2023

MEMORANDUM

TO: Marine Fisheries Commission
Northern Region Advisory Committee

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

SUBJECT: Meeting of the Marine Fisheries Commission's Northern Region Advisory Committee

The Marine Fisheries Commission's (MFC) Northern Region Advisory Committee (AC) held a hybrid meeting on Apr. 11, 2023, at the North Carolina Estuarium in Washington. The meeting was also live streamed on YouTube. Advisory Committee members could attend in person or on WebEx and could communicate with other committee members.

The following Advisory Committee members were in attendance in person: Sara Winslow, Carl Hacker, Jon Worthington, Keith Bruno; the following attended via WebEx: Everette Blake, Thomas Newman, Carl Hacker, Jamie Lane, Roger Rulifson, Dale Martin (arrived late). Absent: Melissa Clark

Division of Marine Fisheries (DMF) Staff: Kathy Rawls, Carter Witten, Candace Rose, Lara Klibansky, Debbie Manley, Charlton Godwin, Lee Paramore, Corrin Flora, Dan Zapf, Lucas Pensinger, Jason Rock

Public: Three members of the public attended in person and 25 viewers watched on YouTube. No members of the public provided public comment.

The Northern Region AC had nine members in attendance and a quorum was met.

Northern Region AC Chair Sara Winslow called the meeting to order at 6:02 p.m.

APPROVAL OF THE AGENDA AND APPROVAL OF JAN. 2023 MEETING MINUTES

A motion was made by Jonathan Worthington to approve the agenda for tonight's meeting. Second by Keith Bruno. The motion passed 9-0.

A motion was made by Jonathan Worthington to approve the minutes from the Northern Region AC meeting held on January 10, 2023. Second by Herman Dunbar. The motion passed by unanimous consent.

MARINE FISHERIES COMMISSION UPDATE

Lara Klibansky provided an update on the February 2023 MFC business meeting.

False Albacore (Common name: little tunny *Euthynnus alletteratus*)

In February, the Commission reviewed a False Albacore Information Paper the Division had prepared at their request. This was an update to a 2017 paper that was a general review of information about the false albacore fishery in North Carolina. Following quite a bit of discussion on the information in that paper, the Commission ultimately did pass a motion; asking staff to develop rulemaking language with management options for false albacore starting with the status quo and allowing for growth in the fishery at various percentage points. Staff are reviewing available data to define some of those terms, for example what is "status quo". The Division will be presenting its initial analysis at the Commission's May 2023 business meeting. The final issue paper, with rule language options, is anticipated for either the August or November commission meeting.

Spotted Seatrout

In February, the staff leads presented an overview of the spotted seatrout fishery to the MFC and received input from commissioners on items for consideration in fishery management plan (FMP) development. Just as a reminder, we just completed the scoping period for spotted seatrout. So, we are at the very beginning of the FMP development process. Staff are now going to take the feedback they received during the scoping meetings, from the February MFC business meeting and will begin to develop the draft plan. Lara noted that the Northern AC members also have the opportunity to provide feedback tonight if there are management strategies they'd like staff to consider as they begin the first draft that management plan. Lara acknowledged the feedback provided by Commissioner Cross was a bit more comprehensive than we generally see at this point and we do have space on the agenda to discuss it all with the leads, and it will indeed be discussed more thoroughly at future meetings but staff can provide the AC the input that was received from Commissioner Cross. Public input is a huge part of fisheries management here in North Carolina.

Striped Mullet

In November of 2022, the commission selected their preferred management option for Supplement A to the Striped Mullet FMP, and that was for a state-wide November 7–December 31 season closure which is estimated to result in a 22.1% reduction in harvest compared to the last year of data used in the assessment, which is 2019. In February, the Commission heard the outcome of the public comment period and based on that input they requested the division consider developing regionally specific seasons. Staff are currently working on that. Staff reminded the AC, a supplement is meant to address overfishing immediately, utilizing a simple approach (e.g. a seasonal harvest closure, or area closure), while more comprehensive management will be developed in an amendment that is currently under development. So in May the Commission will be continuing their discussion of the management options provided in Supplement A.

Coastal Habitat Protection Plan (CHPP)

Relating to the CHPP, the Commission unanimously approved a motion supporting the Coastal Habitat Initiative Resolution which came from the Stakeholder Engagement for Collaborative Coastal Habitats Initiative (SECCHI). This resolution was focused on encouraging the State to increase funding for voluntary cost share programs to help improve water quality. As a reminder, DMF and the Albemarle-Pamlico National Estuary Partnership worked collaboratively with a core team of non-governmental organizations to form a public-private partnership which is the Stakeholder Engagement for Collaborative Coastal Habitats Initiative (SECCHI) which was a recommendation from the 2021 CHPP Amendment. The resolution was also supported by the Coastal Resources Commission (CRC) and the Environmental Management Commission (EMC) at their recent meetings.

May MFC Meeting

The May Commission meeting is scheduled for May 24–26 at the Beaufort Hotel in Beaufort. Lara noted that in addition to the update she just provided tonight on striped mullet, spotted seatrout and false

albacore, which are all on the May agenda, if the AC members would like to see a more complete overview of what is expected to be on the agenda in May, Lara encouraged them to review the MFC Workplan. That is updated for each MFC business meeting and is included as part of the briefing materials for each meeting. February's workplan is the most up to date version available.

Staff finished the update and the Chair opened the floor for questions from the AC. The AC asked if false albacore management was going to be addressed by any plans from the South Atlantic Fishery Management Council. DMF staff noted it is going to come up at the Atlantic States Marine Fisheries Commission (ASMFC). AC member Thomas Newman noted the South Atlantic Fishery Management Council chose not to manage little tunny at this time but would look at trends in harvest and catch data every three years. In recent years little tunny has become a fish that is targeted by the recreational sector due to its great fighting ability when hooked. It is rarely eaten in the U.S. The AC asked if our state chose to manage little tunny would we have to get together an AC and develop an FMP or how would that work? DMF noted the MFC has asked us to develop some options that would be more like guardrails, to allow for some expansion in utilization of the stock within pre-determined limits, but not really an FMP at this time. DMF staff noted at the state-level any regulations would need to go through the full rulemaking process before anything can be put in place. If ASMFC includes little tunny in a coastwide FMP and required management, we could use North Carolina's Interjurisdictional FMP as a way to implement regulations, otherwise any rules at the state-level will need to go through the rule making process. The AC asked if all three commissions (MFC, CRC, and EMC) were working together to implement the CHPP? DMF staff noted yes and each agency is needed to carry out any action from the CHPP that falls under their respective authority.

SPOTTED SEATROUT FMP SCOPING UPDATE

Lucas Pensinger and Jason Rock gave a brief overview of comments received during the March 13–24 spotted seatrout scoping period. Overall, there was a lot of participation with over 700 people providing comments online or in person. Comments ranging from strongly “for” and “against” and everything in between. Regarding sustainable harvest, comments ranged from no quota/quota, seasonal closures, bag limit reduction, trip limit reduction, and increase in minimum size. For recreational management there was support for making spotted seatrout a game fish, outreach for catch and release best practices, ending the use of recreational commercial gear licenses, boat limits, eliminating captain and crew limits, and limited entry. General recreational comments included reducing the impact of catch and release tournaments, and gear requirements. Commercial comments included making it entirely a hook and line fishery with limited entry. General commercial comments included gill net limits, closing the personal consumption loophole, area limits, subsidizes to phase out gill nets, increased gill net mesh size, gill net attendance regardless of area or time, and limited entry. Regarding protecting spawning stock biomass, comments included bag limit reductions, increase minimum size, and modifying cold stun protocols. Area management came up quite a lot during the scoping period and included closing certain areas to gill nets and/or all spotted seatrout fishing, and regional management. Commissioner Cross's strategy was also discussed at the scoping meetings and the public was overwhelming against quota allocation. Overall, there was general opposition to a quota and ending catch and release fishing. Multispecies management, stocking, increasing enforcement, considering management in other states, and developing a recreational reporting app (mandatory and optional reporting) were also brought up.

Staff finished the verbal update and the Chair opened the floor for questions from the AC. An AC member asked and suggested we investigate using CRFL funds through a University to conduct research on the catch-and-release delayed mortality rate for spotted seatrout. There was some question as to the accuracy of the 10% delayed mortality rate assigned to spotted seatrout recreational releases. DMF staff pointed out the studies conducted by the Division used methods that are in line with other peer reviewed studies and values used by other states, even though the Division studies were not published in a peer reviewed paper. Staff also reminded the AC the study that was cited for the mortality rate used in the

spotted seatrout stock assessment was peer reviewed, and the results were in line with many other peer reviewed literature on hook-and-release delayed mortality. Staff pointed out there is a table in the stock assessment (Table 1.8) that is a summary of recreational fishery delayed release mortality estimates from a review of the literature. Mortality estimates range from 4.6%–55.6%. An AC member pointed out 10% was comparatively low relative to the other studies referenced in the stock assessment. The AC asked about the potential to reduce discard mortality by restricting the hook type used, e.g. limiting anglers to single barbless hooks, etc. Staff pointed out that while that may decrease mortality, there would be no way to calculate the exact reduction in mortality because we would need to know the current angler use by all the possible hook types, which we do not know that information. There was then some discussion from AC members about various options for a closed recreational season by waterbody jurisdictions, such as closing inland fishing waters during winter months. Another suggestion was to close recreational harvest in joint waters during the week when commercial harvest was open and allow recreational harvest on the weekends when commercial harvest was closed. Discussion among AC members then moved to the commercial daily trip limit. It was noted the reason you don't see all commercial trips landing exactly 75 fish is that once they get close to the limit, e.g. if a fishermen makes a set and gets 50–60 fish, they are not going to make another set to try and get just a few more fish knowing they would likely have to throw back many more just to get to the 75 daily allowable limit. Commercial fishermen don't want to catch what they can't keep and have to throw fish back.

AC members asked about the timeline. Staff responded that at the May 2023 MFC meeting they would review the information obtained during the Scoping process and approve the Goals and Objectives for the FMP. After that staff would work on developing a first draft of the plan with numerous options. The MFC would appoint an FMP AC to work with the division to revise that first draft and fully develop the issue papers. If all things go as scheduled the FMP AC would start meeting with division staff in the fall of 2023.

ESTUARINE STRIPED BASS SEASON UPDATE

Division staff updated the AC on landings to date for striped bass in the Albemarle Sound Management Area. The commercial sector landed 20,460 pounds of their 25,608 lb total allowable landings (TAL) and was open March 3–March 17. The recreational sector landed 9,511 pounds of their 12,804 lb TAL and was open January 1–March 12. Staff informed the AC the WRC harvest season in the Roanoke River was going to be April 14–17 and April 22–23. There were no questions from the AC.

PUBLIC COMMENT

No public comment occurred.

PLAN AGENDA ITEMS FOR THE NEXT MEETING

Lara Klibansky provided one additional update about wind energy. Trish Murphey will provide an update to the AC at a future meeting.

Lastly staff discussed the July Joint MFC AC Workshop. We have decided to schedule the meeting on Monday July 10th based on questionnaire results. Over 50% of those who responded to the survey preferred this date. The meeting will take place at the N.C. Aquarium at Pine Knoll Shores. Staff recognizes this will require quite a bit of travel for many of you and one reason that we chose the aquarium is because we are able to use the space at a reduced cost allowing us to portion more funds for travel and hotels. The aquarium is also a beautiful venue which we feel will help the tone of the meeting. The overall goal of this workshop is to bring members from all five ACs (Northern and Southern Regional ACs, and Finfish, Habitat and Water Quality, and Shellfish/Crustacean Standing ACs) together for open discussion and to hear from DMF staff and others about key topics of interest. For example, we've had a number of requests from different advisors for overviews on stock assessments, the FMP

process, etc. We hope it will be an opportunity for networking, discussion, and collaborative learning. We are still in the planning stages and will update all advisors as those plans solidify.

ISSUES FROM AC MEMBERS

There were no issues from AC Members.

APPROVAL TO ADJOURN

A motion was made at 7:06 by Jonathan Worthington to adjourn the meeting. Second by Herman Dunbar. The motion passed by unanimous consent.

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