

Finfish Standing Advisory Committee
Meeting via Webinar
January 12, 2023
6 p.m.

- 6:00 p.m. Call to Order*
- Vote on the Approval of the Agenda****
- Vote on the Approval of the Minutes from October 20, 2022 ****
- 6:10 p.m. 2023 Annual AC Orientation Presentation– Lara Klibansky
- Discussion of Stock Assessment 101 Presentation
- 6:40 p.m. Marine Fisheries Commission Update – Lara Klibansky
- Striped Mullet FMP Supplement Update – Dan Zapf, Jeff Dobbs
- 7:40 p.m. Public Comment
- 7:55 p.m. Plan Agenda Items for Next Meeting
- 8:00 p.m. Adjourn

** Times indicated are merely for guidance. The committee will proceed through the agenda until completed.*

***Action Items*

****Applies only to Marine Fisheries Commission members*

*N.C.G.S. 138A-15(e) mandates at the beginning of any meeting of a board, the chair shall remind all members of their duty to avoid conflicts of interest under Chapter 138. The chair also shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time. ****

*N.C.G.S. 143B-289.54(g)(2) states a member of the Marine Fisheries Commission shall not vote on any issue before the Commission that would have a "significant and predictable effect" on the member's financial interest. For purposes of this subdivision, "significant and predictable effect" means there is or may be a close causal link between the decision of the Commission and an expected disproportionate financial benefit to the member that is shared only by a minority of persons within the same industry sector or gear group. A member of the Commission shall also abstain from voting on any petition submitted by an advocacy group of which the member is an officer or sits as a member of the advocacy group's board of directors. A member of the Commission shall not use the member's official position as a member of the Commission to secure any special privilege or exemption of substantial value for any person. No member of the Commission shall, by the member's conduct, create an appearance that any person could improperly influence the member in the performance of the member's official duties. ****

*Commissioners having questions about a conflict of interest or appearance of conflict should consult with counsel to the Marine Fisheries Commission or the secretary's ethics liaison. Upon discovering a conflict, the commissioner should inform the chair of the commission in accordance with N.C.G.S. 138A-15(e). ****



ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

KATHY B. RAWLS
Director

Oct. 28, 2022

MEMORANDUM

TO: Marine Fisheries Commission
Finfish Advisory Committee

FROM: Lee Paramore, Northern District Manager
Jason Rock, Biologist Supervisor
Fisheries Management Section

SUBJECT: Meeting of the Marine Fisheries Commission's Finfish Advisory Committee,
October 20, 2022 for 2023 Meetings Planning and Updates.

The Marine Fisheries Commission's (MFC) Finfish Advisory Committee (AC) held a meeting on Oct. 20, 2022. The meeting was a hybrid meeting; some members of the AC were in person at the Morehead City Central District Office while others attended and participated virtually. Members of the public were able to attend and comment in person or had the option to attend the meeting online without an option to comment.

The following AC members were in attendance: Thomas Brewer, Jeff Buckel, Sarah Gardner, David Mense, Allyn Powell, Ken Siegler, William Tarplee, Tom Roller (Absent – Mike Blanton, Brent Fulcher, Randy Proctor, Scott Whitley)

Division of Marine Fisheries (DMF) Staff: Jason Rock, Tina Moore, Corrin Flora, Debbie Manley, Hope Wade, Carter Witten, Lee Paramore, Charlton Godwin, Steve Poland, Jeff Dobbs, Dan Zapf, Ashely Bishop, Lucas Pensinger, and Shelby White.

Public: None in attendance, 36 viewers watched on YouTube.

Finfish AC Chair Tom Roller called the meeting to order at 6:06 p.m. A call for attendance was performed and attendance was recorded. The Finfish AC had eight members present and a quorum was met.

APPROVAL OF THE AGENDA AND APPROVAL OF THE MINUTES

A motion was made to approve the agenda by Ken Siegler. Second by Allyn Powell. The motion passed without objection.

A motion was made to approve the minutes from the Finfish AC meeting held on March 17, 2022 by Doug Mense. Second by Allyn Powell. The motion passed without objection.

MARINE FISHERIES COMMISSION UPDATE

Lee Paramore gave an update on the newly appointed MFC members and who they replaced. Pete Kornegay (science seat) left due to personal reasons and Doug Rader will continue his term until 2023. Ana Shellem is replacing Sam Romano (commercial seat), Donald Huggins is replacing Tom Hendrickson (at-large seat), and Sarah Gardner is replacing Martin Posey (at-large seat).

Paramore reminded everyone we are in the AC solicitation period through Nov. 1. The division is looking for applicants for all ACs and encouraged current members to reapply. The MFC Chair will select AC members and staff will notify applicants by Dec. 1. The AC asked if it would be possible to provide brief resumes for all MFC and AC members so they could be familiar with one another's background and expertise when having discussions. Staff indicated they would investigate this.

Next the committee was provided an overview of the May and August 2022 MFC business meetings. At the May meeting, the review of the N.C. River Herring Fishery Management Plan (FMP) was approved as an information update (not an amendment) because the Atlantic States Marine Fisheries Commission is currently conducting a stock assessment and it will be prudent to wait until the results of the assessment are finalized before making management changes. Amendment 3 to the Southern Flounder FMP was approved at the May meeting, completing the cycle for this plan. Results of the 2022 Striped Mullet Benchmark Stock Assessment were presented to the MFC at its May business meeting. The peer reviewed stock assessment indicates the N.C. striped mullet stock is overfished, and overfishing is occurring in the terminal year of the assessment (2019). At its November meeting, the MFC will be given the results of the scoping period for the review of the Striped Mullet FMP and vote to approve the goal and objectives of draft Amendment 2.

At the August meeting, the MFC tabled the final vote on the selected management measures for estuarine striped bass to give the new commissioners time to fully review the draft Amendment 2 to the FMP; the preferred management measures were approved at the May meeting. The DMF held two meetings in October to review the amendment with the newly appointed commissioners. The MFC is scheduled to select management measures for and give final approval of the Estuarine Striped Bass FMP Amendment 2 at its November business meeting.

The results of the 2022 stock assessment for spotted seatrout and outcome of the peer review workshop will be presented as an informational update. The AC asked what reduction is needed for spotted seatrout to end overfishing. Staff indicated the assessment was just finalized and those calculations have yet to be completed.

Blue catfish continues to be a topic brought up by commissioners as a major concern due to their impact to other species, particularly in the Albemarle Sound. The DMF continues to actively collect data (diet, etc.) on blue catfish and has participated in blue catfish workshops in Virginia.

Dolphin (mahi mahi) was also discussed at the August meeting and the MFC asked the DMF to draft a letter opposing any new regulations (bag limits). Lastly, the MFC asked that a white paper be developed for false albacore; concerns were raised because it is a highly migratory species with no regulations.

The November MFC meeting will be held at the Islander Hotel & Resort in Emerald Isle from Nov. 16th to the 18th.

2023 ANNUAL AC MEETINGS PLANNING OVERVIEW

Paramore reviewed the 2023 calendar and noted that in past years the AC did not meet unless there was something the MFC needed input on; however, moving forward the AC will meet on a regular basis to receive updates and talk about less contentious topics. The next meeting with an action item will be October 2023 for striped mullet. In January 2023, there will be new AC members and the ACs will receive a presentation from one of our stock assessment biologists to orient the new members. It will likely be a WebEx (virtual) meeting. In the upcoming year, meetings will alternate between virtual and in-person meetings; however, there will be listening stations for the public at various locations when the meetings are virtual. AC members will continue to also have the option to attend virtually when meetings are in person.

FISHERY MANAGEMENT PLANS UPDATE

Corrin Flora gave an update on Amendment 3 to the southern flounder FMP, noting the 2022 season was based on management from the amendment and it will be a few months before the data is finalized. The commercial season is wrapping up and there have been some positive signs in the fishery. The AC was interested in which portions of the commercial fishery were still open and how that was being communicated to the public. Staff noted that proclamations have been going out with changes and those have also been accompanied by news releases. The AC noted they have been seeing larger numbers of juvenile southern flounder in shallow water areas and were interested to know if the division was seeing this in their own sampling. Staff indicated they have been seeing this as well as some sign of some older fish in the population. The committee also asked if the annual sampling data was available publicly and staff indicated that data for all managed species, including survey data, is available through the annual FMP Updates and those are readily available on the DMF website.

For the 2022-2023 FMP Review Schedule, river herring, hard clam, oyster, striped mullet, estuarine striped bass, and spotted seatrout are under review. The blue crab stock assessment is also scheduled to be updated beginning in 2023 and will include data through 2022; this will be a stock assessment update of the prior benchmark assessment. The assessment update will add six years of data through 2022 with three years of management under the current FMP amendment. The DMF is also working with UNCW to evaluate new bycatch reduction devices to reduce diamondback terrapin interactions. The Shellfish/Crustacean AC will review this in early 2023. The AC asked which surveys are used in the blue crab stock assessment and staff provided details. The AC also asked if the division has made progress on implementing a pot survey for blue crabs. Staff informed the AC that progress was stalled during the COVID-19 pandemic but plans remain to reinstate discussions. The AC also noted that blue crab landings are down, coastwide, not just in North Carolina.

No management changes were deemed necessary during the review of the River Herring FMP; the plan was approved as an information update and is summarized in the 2022 FMP review. Staff are currently reviewing data and existing management for the Hard Clam and Oyster FMPs. The scoping period for these plans will likely begin in late 2023.

The MFC will review the recommended management measures of Estuarine Striped Bass FMP Amendment 2 in November 2022. Due to continued low juvenile abundance in the Albemarle-Roanoke stock the DMF conducted a stock assessment update in 2022. DMF and Wildlife Resources Commission (WRC) staff are continuing to work on this assessment update. Based on the initial review of the results the director did not open the fall recreational fishery in Albemarle Sound and continues to assess the matter. The AC asked about the recruitment sampling results for 2022. Staff indicated that sampling showed another very low recruitment year for the Albemarle/Roanoke stock.

For spotted seatrout, an independent peer review panel agreed the division's stock assessment was the best available science to manage the stock. The assessment contains data through 2019 and indicated spawning stock biomass is above the target, but overfishing is occurring. The DMF is moving forward with FMP development. In early 2023, DMF will have scoping meetings for this plan.

Next, Flora discussed striped mullet and said the stock is overfished, and overfishing is occurring in 2019. Due to concern about the stock, the Department of Environmental Quality Secretary asked the MFC to work with DMF to implement a supplement to address overfishing. If passed, the supplement will be in place until a next amendment is adopted. Amendment 2 to the Striped Mullet FMP is currently underway. At the November meeting the MFC will review the scoping input and vote to approve the goal and objectives of Amendment 2. The proposed management strategies for Amendment 2 include: sustainable harvest, recreational fishery management, small mesh gill net management, stop net fishery management, and migration corridors. For the scoping period, DMF held three public meetings and provided an online questionnaire to allow for public input. Management actions in Amendment 2 will focus on ending overfishing and rebuilding the spawning stock biomass to provide sustainable harvest. The AC asked several questions about the benchmark stock assessment that were discussed and answered by staff. There was discussion and questions on prior model results and how it would be helpful to more fully understand any factors that were driving differences between the assessments.

Next, staff discussed the scoping input that was received and asked the AC for management ideas for Amendment 2 to the Striped Mullet FMP. Staff clarified further that a season closure is the only option being considered for the supplement, but other more broad and comprehensive options are available to be explored during the development of the amendment. Staff heard concerns about the proposed closure period in the supplement and some on the AC stressed that anything that could be done to add fishing days in November would be a benefit to the roe fishery. Some AC members preferred to see gear restrictions (specifically gill net mesh size restrictions) to limit roe harvest in lieu of a season closure and to allow the bait fishery to operate unimpeded. The AC also mentioned that if a season closure is considered, the division will need data on the roe weight and roe to body weight ratio across the fall season for the different regions of the state because it is regionally variable and season closures for a given date may impact

areas differently. This will be important to understanding the regional differences and economic impacts of a season closure for the striped mullet roe fishery. An AC member noted that in southern region of state, November has always been a very important month for the roe fishery, and this may differ from more northern areas. There were questions and discussion on the movement of mullet by season and prior tagging study work. There were also discussions on the market conditions for striped mullet roe and if it has rebounded since the first year of the COVID-19 pandemic.

PUBLIC COMMENT

None in attendance.

PLAN AGENDA ITEMS FOR NEXT MEETING

In January the AC will receive educational information on stock assessments. The meeting is scheduled to be a virtual meeting. AC meetings are an avenue to bring up issues, concerns, and discuss new information.

The meeting adjourned at 7:52 p.m.