

LETTERS

Marine Fisheries Commission Public Comments - February 2020

Submitted Date and Time	Name and State	Comment
02/13/2020 - 9:42am	Jack Rhyne North Carolina	STOP trying to over regulate the fishery problem. Florida's program years ago turned around their fishery. Ban inshore netting and inshore shrimp trawling. Buy out COMMERCIAL fisherman. Recreational fisherman impacted NC state's economy to the tune of 1.6 BILLION dollars in 2017.
02/13/2020 - 6:33pm	Mitchell Lassard North Carolina	I propose that a rule be made that no fisherman or woman can use a drag anchor to drag on a gill net in a oyster lease or deeded oyster lease. It kills the oysters in the oyster leases. I would also add that I was told by your office that I had to find a commercial fishing license. I purchased mine for 2,700.00 dollars. This should make this my property and we should be able to do what we want to just as long as we don't break the laws and lose the license. Thank you for your time.
02/13/2020 - 8:08pm	Benny Ingraham North Carolina	All of the restrictions proposed for shrimp trawling effectively puts an end to local, wild caught shrimp for consumers and puts an end to the livelihoods of many traditional fishing families. This puts an end to one of the parts of the important history of North Carolina. The end of shrimp trawling in waters 0-3 miles seals it's coffin because that is where the shrimp is caught. Closing certain days kills our ability to survive. There are enough restrictions on small mesh gill nets. They are only used part of the year. It doesn't effect the fish populations any more than recreational fishing does. In fact, there are astronomically more recreational fishermen reducing the resource than commercial since the continued restrictions put more and more out of business. There are very few commercial gill netters left. Small mesh nets are necessary for sea mullet fishing because they have small heads. They are an important, sustainable resource for all the fish eating consumers who want to know their seafood is free of banned chemicals and pesticides from imported and farmed seafood. A good suggestion is to ban commercial gear from fishers who do not make 100% of their living from commercial fishing. Part-timers don't always know or follow the regulations. Everytime anyone complains about a gillnetter, DMF acts like the person is an expert on commercial fishing when the probably haven't even been on a boat. Why not ask the people who really know the waters, the bottom, the needs of the fishery because of being immersed in it every day for generations?
02/14/2020 - 6:03am	Chris McCaffity North Carolina	As a recreational fishing license holder, I ask for our flounder fishery to start being responsibly managed in a way that avoids complete closures and reduces regulatory discards. Please use some of our license fees to help fund the regional stocking of larval-stage flounder and other fish to create Hatchery Supported Quotas that support more harvest. As a commercial fishing license holder, I ask that some of our license fees help regionally stock larval-stage seafood to create Hatchery Supported Quotas that support more harvest. Please consider how this solution can help offset the negative impacts habitat degradation has on spawning. Stocking natural seafood can help us sustainably feed a growing population while keeping fish and fishermen wild and free. As a seafood consumer and concerned citizen, I ask that NC fishery managers focus more on enhancing our fisheries and food supply than restricting the public's freedom to access them. A fundamental shift in management priorities along with license fees and fisheries grants can pay for hatcheries and habitat enhancements. Wise use of proven management tools that focus on enhancement will create more seafood, recreational opportunity, and eco-friendly revenue while preserving our freedom to fish and access public resources. We can make our fisheries better than ever if we will work together using management tools that benefit EVERYONE and the environment. Here are some other issues the commission should act on immediately. Please reopen NC's historic River Herring fishery. Thousands of people signed a petition in support of keeping this spring tradition alive. Please support a moratorium on farming fish in public waters. Please consider options for purchasing Catch Shares to create state-controlled quotas in federal fisheries that have been privatized to prevent foreign ownership of our public resources. Please ask the South Atlantic Fishery Management Council not to create dozens of new Special Management Zones off our coast since they will be an enforcement nightmare with no biological benefit. Please ask the Bureau of Ocean Energy Management not to allow multiple rounds of secret seismic testing and require any offshore energy structures to be designed as permanent artificial reefs. I am always happy to answer any questions and/or provide more detail. Thanks for your time and thoughtful consideration of these comments.
02/14/2020 - 11:53am	Bobby Comer North Carolina	Concerns over the shrimp management plans. With dwindling recreational creel limits of inshore species why would we as a state allow millions upon millions of these juvenile fish to be shoveled back dead into our sounds? if you do the math on the poundage of bycatch versus fish weight its mind boggling the sheer numbers of dead fish. Why would we not restrict the size of the trawling vessels to being 20' or under inshore to allow the continuation of the heritage portion of shrimping? This would also take care of the big business shrimpers from ruining both the heritage side and decimating our nursery areas and killing so many juvenile fish. I believe all our shrimp eventually leave the sounds and when they are in the oceans it looks like there is a lot less of a problem with the higher levels of bycatch. Let that season pertain to the bigger boats and get them out of our sounds. Our recreational license was suppose to help support and enhance our fisheries as it stands its got us nothing but 1-gray trout, 4-specks, 3-bluefish, 1-red drum, 0-flounder. Now you have created another sector within recreational sector the "for hire" giving that type of recreational fisherman who can afford a guide a greater creel limit. How is this even legal? As our nursery areas get decimated by inshore trawling all that's happened with our fisheries is greater reductions in creel limits due to the inability or backbone to address the problem that's causing our fisheries demise. Its time to protect our inshore areas from being decimated by trawling. How can a fisheries management team not address the killing of millions of fish that they continue to show the populations are in decline, proven so by the reduction in harvest? All you do is kick the can down the road. I'm sure there will be some other "study" done that will waste more time since the state doesn't have the backbone to address the money and political influence over our fisheries management.
02/14/2020 - 12:42pm	Brian Shields North Carolina	I am typing in support of the current gill net band. I moved to coastal Carolina almost 8 years ago. It did not take long for me to fall in love with my new home's inshore estuaries and the beauty and the fishing they offer. I have never understood some of our management strategies of this natural gift that our state has. The idea that leaving an unattended net where an incorrectly caught fish could sit for over 12 hours obviously does not make sense as a sustainable method for targeting a certain size and species of fish. I have always publicly stayed silent on this issue until now. I have personally seen an amazing turn around in fish size and numbers this fall and winter. I do understand that a mild winter does play a role in the Speckled trout population. This in conjunction with the higher size limit do add to its success. But , we cannot ignore the evidence of how nets affect the striper spawn and the huge effect on withholding these nets has on allowing the much larger class of striper to spawn up river and actually allow a sustainable amount of eggs to reproduce. It is now very difficult to argue with this since the 2017 release of the data from Project F-108 by Kyle Richards and Ben Ricks. The science is there. It can't be reasonably argued with. This is a turning point where I feel there is only one choice which is to continue the gill net band and to consider eliminating inshore gill net bands all together as this is just common sense as demonstrated by our fellow Atlantic Coastal states. Thank you for the opportunity to submit my written comments as I will unfortunately be out of town for the live public meeting in my home of New Bern. Thanks you, Brian Shields

02/14/2020 - 5:21pm	William Alabama (own residential property in North Carolina)	1. I am a non-resident CRFL inshore/nearshore recreational fisherman. Retired, own residence in Carteret County, N.C. 2. Trawling and gill netting should be eliminated within inshore waters. Period. 3. Spotted Sea Trout, aka speckled trout, should be declared a gamefish. 4. Commercial fishing should be just that: non-transferrable license rights, percentage of income from ticketed fish sales. If not, there should be NO artificial number limiting the number of licenses available. 5. Commercial limits should be proportional to recreational: spotted sea trout, 4 rec, 75 commercial. Not equitable nor proportional. For hire: same limits as rec. Overall economic impact of the recreational fishery far exceeds that of the commercials. 6. Encourage the use of circle hooks and crimped barbs on treble hooks. Thank you.
02/15/2020 - 4:18am	Kevin Sizemore North Carolina	I have a 12 year old Son whom I have taken to the NC Coast approximately 5 times so far to fish from various beaches and piers here in NC. Not once have we been able to catch over 10 fish between us any of our trips. Some trips were 3 day, some were a week long. We have fished mostly from the Surf in the Fall. We have backwater fished with our Kayaks. I find it amazing that shrimp trollers continue to pull nets right up near the beach, right off the end of piers daily, and on the hour. They are drowning millions of juvenile fish year over year since I can remember from the late 80's. This has to be making an impact. I remember fishing from the Surf back in the 80's & 90's and it wasn't much of a problem to catch enough for a meal. Now, you have to fish an entire week to have enough for a meal. What changed?? Recently, a friend of mine visited from New Orleans. I told him how we couldn't keep ANY Flounder, and Trout was four per day. He just laughed and said in the New Orleans area you could keep all the Flounder you wanted and Trout was 25 per person, per day. Absolutely NO GILL NETTING is allowed in upstream rivers and feeder creeks there. No shrimp trollers can come within so many feet of the beach. The sport/recreational fishing is abundant and growing there unlike here in NC where you struggle to catch enough for one meal. Please stop commercial gill netting in our feeder creeks, rivers, and sounds (Pamlico) and you will see our great NC fishery become alive again. People will come back again to enjoy this once beloved place to bring your kids for an afternoon of surf fishing. I had to go to SC this year for my Summer vacation due to the prices of accommodations being much better AND I can catch a lot more fish and keep flounder. We went to the Isle of Palms area and will go back this year to SC, not NC due to all of the above mentioned.
02/15/2020 - 8:42am	Brian Page North Carolina	U cant even enforce the laws that r already on the book what makes the state think it can regulate this use common sense and fair measures
02/15/2020 - 9:30am	Robert Koraly North Carolina	Speaking as a 12 year recreational guide and lifetime NC waterman....this is a terrible idea for an already undermanned, underfunded agency to try to enforce tackle box and hook inspections for every angler on the water. There are over 100 species of recreational fish in N.C. that require a wide variety of size and style terminal tackle to catch. Telling the recreational fishing community what kind of lures and hooks they must use is a ludicrous proposition that will never be effectively enforced. You want to educate anglers on the effectiveness of circle hooks and proper release techniques, that's fine...also affordable...also doesn't require year-round, state-wide enforcement. There are too many other productive ways to spend the DMF's time, money, and resources. Not to mention the simple fact that one shrimp trawl inshore or one gill net or sink net set can do more damage than all the treble hooks in the state combined. Furthermore, there are other economic issues that are ignored here. What happens to the North Carolina based tackle company that suddenly has to deal with half of its hook inventory and production becoming illegal in its home state? What happens to all the marinas and tackle shops that carry this inventory? They just have to eat the losses? How about going to the source and if you want to make fishing with treble hooks illegal in N.C., then make it illegal to sell or manufacture treble hooks in N.C. The DMF cannot do this because they have neither the influence or jurisdiction. The governing bodies of our state would never do this because it goes against the capitalist nature of our society and it would never fly or get the votes. So instead they are proposing to go after the only group they have power over...the recreational fisherman. There are better ways to spend the resources of the NCDMF than on legislature that is not properly researched (which DMF has openly admitted in regards to hook-based mortalities). There are more effective enforcement measures than checking hooks and tackle boxes. And the average recreational fisherman doesn't catch much anyway...regardless of what hook they use. I believe the DMF has a fundamental misconception of the average recreational angler in NC.
02/15/2020 - 9:40am	Scott Williams North Carolina	Requiring the use of non offset circle hooks for all fishing can be detrimental to our catches. I use non offset circles for a lot of species, but i have personally found that they deep hook more fish than a standard J hook in certain situations. Certain fish eat differently and will not set the hook on themselves as circles are designed to do. Also, treble hooks on lures generally do not cause damage from my experience with trout and drum using mirrolures. And using a single hook on a lure of that style does not allow the lure to have the correct action, and all of our local tackle manufacturers would be spending a lot of money on research and development to get a lure to have the same action, if they dont just close the doors instead.
02/15/2020 - 10:01am	Jonathan Brown North Carolina	Why are recreational fishermen especially kids expected to carry the brunt of regulations, when commercial fishermen do far more damage!!!!
02/15/2020 - 10:20am	William J Gibson North Carolina	There needs to be a compromise between commercial and recreational fishermen. In recent years there has been a huge influx of recreational fisherman purchasing property and building homes on the rivers and creeks in eastern Nc bringing a boost to the economy in these counties. Suggestion is to keep netting out of the finger creeks where a lot of homes are that owners enjoy fishing from their docks or boats. Sometimes there is only 20 yds from one side of creek to the other. Netting should be restricted to big water or rivers.
02/15/2020 - 11:03am	Joe Tunstall North Carolina	More laws are not the solution. Proper information backed by thorough research and actual law enforcement to support the laws already on the books. I own a fishing guide business and work at a tackle shop. I have lived on the coast all my life. Tourism is important, but not the sole success to a coastal economy.
02/15/2020 - 11:05am	Paul Amble North Carolina	Thank you for allowing me to comment through this forum. For years I have been disappointed by the poor fishing stocks in the Abemarle Sound. I am strongly in favor of banning fishing nets (Gil nets) and other non-sport, mass catch (like multiple hook lines) approaches that remove too many fish from the system. It would be nice to one day take my children out and teach them to fish on a body of water, local to my home, that has keeper fish in it.

02/15/2020 - 12:22pm	Kevin Myers North Carolina	<p>My comments are based on North Carolina's Southern flounder situation. I agree with several points in what the DMF is trying to do and I also disagree with some of what they are doing.</p> <p>I started flounder gigging and fishing seriously and continuously in 2008. I have enjoyed it and also been disappointed. We do have a problem with our southern flounder population and I've seen it first hand in my 11 years of chasing this fish. It is not sustained and that has troubled me. I've noticed a cycle in the population and sizes yearly with them. I've been gigging in an 25 mile stretch of water from Green Channel up to New River inlet, I noticed in 2010 a very large population of fish from 3" - 12", so much that in 2 nights I counted over 300 fish. I saw no fish large enough to gig. I told my friend that in 3-4 years there are going to be a lot of keeper flounder. In 2012 and 2013, I had my best years of catching and gigging Southern flounder. I have watched this cycle twice since then but with lesser numbers. That's bad! I'm good with closing the season, helping the fish population and making sure generations have the same chance I've had, if not even better. I liked what we've done with red drum and now speckled trout, it's great! Let's do it for Southern flounder too! I know we can! It's not about money, it's not about away of life, it's not about recreational fishing and it's not about who gets cut out of anything! It's about doing for Southern flounder what we've done for wood ducks, red drum and wild turkey. It's our responsibility as humans to look after our natural resources. We suck at it. We wait to late sometimes. We get greedy and waste to much.</p> <p>I wished when we increased the size to 15 inches that we would have increased it to 16 or 18 inches. And also cut the numbers back to 4 a day. I believe at that creel limit,we would not have had to cut the season to the recreational fishermen. And so here we are, recreational fishermen can't Southern flounder fish. I can't even summer flounder fish. As far as I have researched, the summer flounder seem to be doing fine. I heard the reason they did this was because people can't tell the difference. I am also a duck hunter, and you better know the species you're shooting when you take them or you get a fined and possibly imprisonment. It can work the same with Flounder. I was good with DMF closing flounder fishing. I knew it was the best thing for the southern flounder. I caught some nice summer flounder that I should have been able to keep, that was discouraging but I kept to the decision made by DMF. Then I heard they opened the season for the commercial fisherman! That was not discouraging, that was disgusting! I would not have minded if they had opened it for the commercial fisherman and even myself to take summer flounder. They opened it for the commercial fishermen to take flounder in general, after cutting me out of all flounder. We all pay money to take these resources, but we are not treated equal and that is also troubling. I feel if you're going to close Southern flounder fishing, then close Southern flounder fishing for everyone and help that species to become sustainable for all of us. Set up regulations for the future to keep that sustainability. I hear a lot of talk about people wanting to break the law and take the southern flounder. That is not right, nor will I participate In any illegal action. I know we have a problem and I want to see it fixed. I am discouraged with the DMF and would like to see some changes in it also. I'm almost to the point to have DMF shut down and let the North Carolina Wildlife Resource Commission take it back over. That's not right either, the DMF has done a great job with our resources on the coast and I'm proud of what they've done. I like the officers that I've met on the water. And I support them in anyway and everyway I can. I will also do the same for DMF, but we have got to get this situation under control. Quit letting our feelings get in the way of what this fish needs. I will help In whatever way I can, as long as the DMF does the same for me and all other fishermen, no matter if it's recreational or commercial.</p> <p>Thank you sincerely for all you all are doing, it's not easy! Kevin</p>
02/15/2020 - 12:37pm	William Flinchum North Carolina	The fishermen of North Carolina take pride in being environmentally conscious and responsible. We police ourselves to do the right thing. There is no need for burdensome regulation on this topic. The sport and recreational activity is a way of life, the Fishman of North Carolina are already heavily regulated and would fight tooth and nail and public hearings and in the voter booth.
02/15/2020 - 12:37pm	William Flinchum North Carolina	The fishermen of North Carolina take pride in being environmentally conscious and responsible. We police ourselves to do the right thing. There is no need for burdensome regulation on this topic. The sport and recreational activity is a way of life, the Fishman of North Carolina are already heavily regulated and would fight tooth and nail and public hearings and in the voter booth.
02/15/2020 - 1:10pm	Bruce Bennett North Carolina	How about no commercial fishing withing 5 miles of the nc coast. Catch and release for all inside of 5 miles for 5 years! This will fix the fish problems. Require no salt water fishing licence for 5 years.
02/15/2020 - 5:42pm	Cpt Larry Vice North Carolina	Dear commercial commissioners.i see in hour minutes that the Morehead river keeper wants our commercial fishing license money for a project.please research these groups that want money.maybe they are ok but some will sell there soul to the highest bidder.this group were just at the CCA banquet and posted the trip on my sons face book page a few months ago.i think their is middle ground between the rec and commercial groups but this is not right.if they have the money and supporters to go to that dinner they probably don't need our money. The community college or high schools or FFA could probably do the same thing as a project for 10% of what they offered and could use the money to help future students or maybe even provide a scholarship to commercial fishermen sons and daughters.also reduce any further restrictions on commercial fishing. Cpt.(ret) vice
02/15/2020 - 5:46pm	GREG HUNT North Carolina	Thanks for destroying the saltwater fishery on our coast... Why is it NC is the only state that allows gill nets and dragging nets inshore raping the estuaries.. How about baming that for a couple years and see what happens.
02/16/2020 - 7:43am	Eric Bregman North Carolina	So you have trawlers with a 4 to 1 by catch to shrimp rate. You have gill nets all over the place. But yet, you are somehow worried about the types of hooks rec anglers are using?! As long as those nets and trawlers are in the water, we should be able to use what ever hooks we darn well please. Remove the nets and trawlers...then we can talk. Until then maybe focus on things that really impact our fisheries decline.
02/16/2020 - 10:50am	Jeff Byrd North Carolina	Come on enough already let use licensed recreation fishermen and women keep some fish for food stop or at least slow down the netters give something back to the people that bring money to the coast
02/16/2020 - 10:54am	Michael Miller North Carolina	Netting off shore really needs to happen. Netting inland depletes all fish populations. Netting offshore and not inland waters would greatly help with this issue. All states around us have gone to this and we are the only one's that keep blaming everything else.

02/16/2020 - 10:57am	Dave Stewart North Carolina	The continued fight rec n comm needs to stop. Problem lies within NCDMF and NCDEQ. There currently is a major shortage of enforcement within STATE. No way to cover waters and stop any law defiant fishermen; rec or comm. We have netters hitting closed waters with no changes. And also rec guys dump a limit and go for more. Don't create any new rules until you can handle what is in place. In my world a lot of these violations happen in NCW jurisdictions but created by your rules. I personally hope we see one day 1 controlling agency. Looking at this current season on speckled trout. It's obvious that net line in neuse helped extremely. But also creeks down river have been wiped out. A couple of inland creeks also got hit. Beards for sure. Gotta stop ALL illegal fishing. One way or another. I have fished the neuse since '77 and can share w u changes. All is not cause of commercial n rec fishing. Water quality is also an issue. Neuse River from bridge to minnesott has no flushing currents and acts as a cess pool. I have asked for help with that but offered none. Please put all personal opinions aside and do what's right for our kids to have a future enjoying our waters.
02/16/2020 - 11:09am	GREGORY W. JUDY North Carolina	On March 13, 2019, five members of the NC Marine Fisheries Commission committed one of the most heinous acts ever perpetrated on the commercial fishing industry by voting to close the Pamlico and Neuse Rivers upstream of the ferry docks to the use of all gill nets. This was done to protect natural/native striped bass that NC Wildlife Commission biologists said could not exist under the then-current recreational and commercial fishing practices. The closure is supposed to be in effect for two years. I am asking the MFC to amend this closure beginning with the start of the commercial southern flounder season in the Central district, Sept 15 through Oct 11, 2020. In order to continue the protection of striped bass during this 27 day opening, I suggest limiting nets to 1000 yards, total length, with 2 foot high tie-downs. The Division has data showing the effectiveness of 3 foot tie-downs in reducing striper by-catch in flounder nets; both Division gear testing and in the observer program. This data was ignored by the MFC on March 13, 2019. I ask for this opening to allow commercial fishermen that work these closed areas to have a chance to keep their heads above water, financially. With ALL gill net fishing prohibited, there is really nothing left except the crab pot fishery. These fishermen were shut out of the bonanza Mother Nature provided with the great speckled trout boom. If the use of drop nets had been allowed, as it should have been, the commercial fisherman could have benefited from this bounty also. You can build striper populations; but you can't stop a trout from freezing. With the 100% reduction in the striper fishery, the 100% reduction in the American shad fishery, the 72% reduction in the southern flounder fishery; what the heck! in these upper closed areas it's a 100% reduction in ALL fisheries!!! Commercial fishermen in these closed areas would like to see some action that would help them understand that it's not the NC Division of Recreational Fisheries. Thank you for the opportunity to be heard.
02/16/2020 - 11:12am	Larry Miller jr North Carolina	I think you need to stop net boats from being within 3 miles of shore like other states and leave recreational fishers alone. The net boats do way more harm than us.
02/16/2020 - 11:28am	Jonathan Kelly North Carolina	I really dont know where to start and even if will matter. I was raised up going floundering with my dad and I'm trying to continue the tradition with my kids. I think it has become a has been. Recreational guys and families like myself dont stand a chance. I've seen guys that claim to be commercial fishermen all over social media bragging and displaying pictures of the boats loaded with flounder. I know for a fact majority dont even pay taxes on their income from the sales. My other concern and opinion is to push all trawlers offshore..... There is none fact of the amount of bycatch that is killed in our estuaries. Limit them to a 3 mile range from the shore. North Carolina is the only state on the eastern US that allows the trawlers inside. I also think we need eliminate the gill nets that set and lefted unattended and kill so many unwanted targets.....turtles and alligators.....and so on. The state also needs to consider the money being lost by recreational consumers that come down to the coast and spend on vacations and other fishing trips. My personal opinion that state revenue ought to be considered because alot the these people are just go to different and adjacent states where they can fish for their targeted species. Thank you. Please consider my thoughts and opinions on this situation..RECREATIONAL FISHERMEN OUGHT TO HAVE A SAY SO!
02/16/2020 - 12:31pm	Blake alderman North Carolina	The Inshore commercial netting needs to have tighter regulations or Preferably banned. I fish for speckled trout and red drum on a regular from Sneads Ferry, Jacksonville, New Bern to Havelock and I see more trout and drum with gill net marks and lot of them are dead from being pulled from the nets and die. I go up in smaller creeks and smaller bodies of water and cannot get around or fish because hundreds of yards of nets being strung 20 yards +or- parallel to the banks. Us recreational fishermen get penalized by limits and slots but the netters can go out in the same areas and net thousands of fish everyday with no repercussions for the damage they put on the inshore fish populations. 4 trout and 1 drum and now no flounder is penalizing the recreational fisheries. I have fished other states where netting is banned and the fishing is extremely good with higher limits and better, bigger fish. Something needs to be done with NC inshore netting! Bottom line Netting has no benefit to our beautiful state of North Carolina!
02/16/2020 - 12:33pm	Bradley Smith North Carolina	Rid the water of all Gill Nets. Raise fines so when people get caught it's worth it and not just a slap on the wrist.
02/16/2020 - 1:24pm	Linda Johnson North Carolina	Please ban gill nets and shrimping and trawling in our sounds and estuaries. Let the hatchery return to the way Mother Nature intended for it to be. Other states don't allow it. Why does NC have to be backward.
02/16/2020 - 1:55pm	Tony McCullock North Carolina	Please consider changes to the netting in close and especially in our Estuaries. I'm not interested in the blame game but some of the things I see with my own eyes cannot be good for our fishery. Recreational fisherman have completely lost the ability to harvest Flounder while commercial fisherman can still remove large amounts of these fish. If the stocks are so dangerously low then why wasn't this fishery closed to everyone? We have experienced a tremendous Trout season this year but what I see from commercial netters concerns me. I routinely see 4-5 commercial net boats in the same day in very small creeks. Often the creeks are so small the nets completely block off the creek ensuring no recreational fisherman can even access these creeks. After December the 1st these commercial netters can leave these nets unattended. I have seen 4 nets set back to back to back in creeks just wide enough for two boats to pass each other, One creek had 13 nets that had to be navigated through like a maze. The 4 nets set back to back were in the back of North River. I watched the boat pull those nets and the two guys got 10 fish. They were in early that morning and set 4 nets. They pulled these nets about 2pm in the afternoon. They probably had a 2 lb average at \$1.50 a pound (the price had gone up). That's \$30 for several hours work that has to pay for expenses and split between two people. Now I am sure they had much better days in North River and I am equally sure they were the reason there were no more fish left in North River. I know this is a complex issue but I just cannot see how commercial gill netting helps in any way. Recreational limits on Speckled Trout are on the decline. Rec fisherman can keep 4 fish per day. Yet nets full of fish are pulled out daily until they are gone. And the nets do not discriminate. Whatever gets caught in that net dies.

02/16/2020 - 3:04pm Donald Beaver We need to get the nets out of the sounds, especially the trawlers.
North Carolina

02/16/2020 - 4:10pm David Sneed Coastal Conservation Association North Carolina
North Carolina MFC Comments – February 2020 Quarterly Meeting

Gill Nets Internal Coastal Waters

Background

Monofilament gill nets became popular in the early 1990's with the introduction of cheap Chinese made nets. At that time NC inshore stocks were thriving, and an argument could be made that gill nets were a "good gear". But with the increase of webbing came the decline of so many species, and now that time has passed. Hypothetically, one can regulate mesh sizes when targeting different species and control certain aspects of a gill net catch, such as size of fish taken and number of discards, by using mesh size selectivity. However, it is impossible to regulate the number of fish caught in gill nets, prevent the interaction of endangered species with gill nets and use mesh to regulate species. Moreover, mesh size is only partially successful in targeting fish based on size.

Regulation of Gill Nets

The myriad statutes and regulations covering gill nets have attempted, unsuccessfully, to mitigate against the issues described above.

Going through the gillnet proclamation information contained within the DMF website, one should be able to readily come away from that review knowing what was legal or illegal, where a fisherman could set or not set, instead it is confusing and complicated. What is there is a piecemeal approach to regulating gill net usage in internal coastal waters. It's a complicated mess and begs for some kind of reform. And, it reflects more of the same DMF "keep them fishing" philosophy despite the known damage and waste that is associated with this gear.

The lines and areas are drawn and established to stop turtle interactions and kills, and to reduce the waste that comes from harvesting fish that are either too small, too large, too many, undesirable, or out of season. This simply is not working for the resource as evidenced by the number of species that are in decline that can be directly attributed to gill nets.

Mother Nature was Good to Us.

We currently are having great trout fishing, especially in the Central Management Area. There also is a huge year class of small red drum that are just now growing into keeper size. There are striped bass about the size to spawn in such numbers that local anglers have rarely seen before. These three stocks in the Central region represent both a huge economic boom to the area, if they are protected. Already, lure manufacturers, such as MirrOlure, have seen a boost in sales in this area and have called local area tackle stores to ask what's up. Most importantly, the two classes of striped bass represent the future of this stock, but only if allowed to survive.

One cannot deny that this great recreational fishing success is a product of the upstream net free zones established on the Neuse and Pamlico Rivers. Several times this fall and winter while fishing and catching trout within a cast or two of 30 other boats also catching trout, one could easily envision that same area effectively, and legally, being cleaned up by a couple of commercial boats if the current net restrictions were not in place.

Although if allowed to be gill netted and harvested, the overall effect on speckled trout stocks would have been negligible, those \$1/pound trout would no longer be available for the over 100 recreational anglers fishing that day. This user conflict scenario is being replayed weekly in the downstream creeks where netting is allowed. Trout numbers build up enough for good recreational fishing, then the creek is cleaned up by the legal netting by a very few individuals leading to localized depletion of speckled trout. It does not take a socio-economist to recognize this is not the best use of the resource.

We have always believed that North Carolina's waters and fisheries were a public trust that belonged to all North Carolinians, not just those with boats and fishing poles. We continue to support the concept that there are some specific commercial fisheries that can be sustainable and provide this resource for those who do not fish. However, the upstream net free zones on the Neuse and Pamlico Rivers are equally convincing that there are some areas that need to be free of nets.

Small Mesh Gill Nets

The present state of our stocks has required so many restrictions on allowable catch that controlling gill net discards and waste is not possible. Every size limit, season, quota, trip limits, bycatch limit, annual cap or any other gill net management measure only results in more and more discards. We have reached a management calamity where the only way to control the impacts of gill nets is to remove the gear entirely. Even with gill net attendance there are still significant discards and associated mortality.

Thoughts on user conflicts in the speckled trout fishery:

- 1) Conflicts on gill nets usage in the creeks in Pamlico, Craven, and several other counties has been going on for as long as anyone can remember.
- 2) Gill nets cannot control the number of fish harvested. A set gill net or strike net will catch everything that swims into it and will not stop when the harvest limit has been reached. Those fish must be discarded, often as dead releases.
- 3) Gill net catches in these creeks has also included small red drum. They are everywhere. Currently they are 15-17 inches long. All too small to be sold so any killed are wasted. By late spring they will be caught in large mesh nets (discussed later).
- 4) When commercial fishermen cover the creeks with nets anglers are basically prevented from fishing those areas. When you think about it, it seems crazy for someone to be allowed to basically "block off" entire sections of smaller waterbodies with gill nets.
- 5) At some point someone needs to determine what's best for the state, the value of the commercial harvest generated by gill nets or the value generated from recreational fishing. This analysis must include the "hidden costs" of gill nets, of which there are many.

Sea Turtle Incidental Take Permit for the Statewide Gillnet Fishery

In its 2011 comments on the proposed statewide gillnet ITP, CCA NC questioned the appropriateness of having the North Carolina Fisheries Director as the permittee for two federal permits that allows the prosecution of a fully private commercial activity wherein selected individuals may profit from possession of a public resource. That criticism was ignored.

Compliance with both the Beasley lawsuit settlement provisions and the requirements of the federal ITP are accomplished via an “observer program,” whereby the DMF monitors at significant public expense a small, but hopefully representative portion of, fishing activities of commercial gillnet fishermen to ensure compliance with the ESA and the settlement agreement. From an objective standpoint, the observer program has been an abysmal failure on many levels, including cost, coverage, representativeness and efficacy. It has been very clear from the outset of its approval that commercial fishermen do not comply with the terms of the statewide gillnet ITP.

The Southern flounder gillnet fishery is the primary source of both sea turtle mortality and sea turtle “takes” in North Carolina, with all species of sea turtles protected under the ESA and state law, as well as the source of substantial bycatch mortality for non-targeted finfish species. Additionally, there is a public monies “resource” issue created by the fact that DMF continues to expend significant public monies annually for observers in the Southern flounder gillnet fishery—a fishery worth less than \$4 million annually—to allow prosecution of the fishery under DMF’s statewide gillnet permit and the provisions of the ESA lawsuit settlement against the state.

The elimination of the large mesh gill net fishery would also eliminate the need for a state-maintained sea turtle ITP.

Large Mesh Gill Nets

The gill net free zones established upstream in the Pamlico and Neuse have saved, for the most part, the two good year classes of stripers that are present in these systems. From what we are seeing, these fish have remained in the systems and are currently in place ready to move up the rivers this spring to spawn.

Mild winters and ideal environmental conditions for successful spawns have resulted in a trifacta boom in three species: speckled trout, red drum and striped bass. The upstream net free zones are not responsible for this boom, but these large protected areas resulting from the net restrictions have provided a sanctuary, making the fish more accessible for an economically booming recreational fishery and easier for enforcement to protect.

The reduced bag limits and increased size limit on speckled trout imposed on recreational anglers have also played a huge role in the rebound in those stocks. Again, combined with the mild winters and ideal environmental conditions, the large, spawning size speckled trout are now allowed a chance to escape harvest and grow another season, resulting in an abundant stock now targeted by both recreational and commercial fishermen.

The Commission needs to recognize the extraordinary gift we have been given by Mother Nature and do everything in its power to protect these abundant stocks for future generations. The public trust interest in these natural resources should be protected for the majority and not allowed to be exploited by the few. The reason for the gill net free zones was to protect several good year classes of striped bass. They are still out there. The need to protect these fish is just as great as it was when the closures were first established. If anything, the need to maintain the gill net free zones or sanctuaries is greater than before and consideration should be given to expanding this “gill net sanctuary” to the mouths of the Pamlico, Neuse and Bay rivers or simply use the current “tie-down” lines.

We ask the Commission to take immediate action to establish a permanent, year-round, Gill Net Free Sanctuary on all upstream waters of the Bay, Neuse and Pamlico Rivers above the current “tie down lines”, and all waters inland of the main shoreline of the Bay, Neuse and Pamlico Rivers (all the creeks). These closed areas will also serve to meet the needed additional reductions in Southern flounder catch in 2020 and will also protect the exceptional year class of red drum that are currently 15-17 inches.

Thank you for your consideration.

02/16/2020 - 9:17pm Capt. Chris Medlin North Carolina

Dear MFC,

I own East Coast Sports and Topsail Charter fishing. East Coast is now in its 68th year of business. My father inherited it from his father and now I have inherited it from him. We also used to own Barnacle Bills ocean fishing pier. As a kid I worked at the two businesses as well as or fish house and charter boats as well as commercial fishing boats. I ain't no "dingbatter". My living now is made 100% from recreational anglers. As a family we have seen the decline of the fishery throughout the years.

The division of marine fisheries has a terrible track record of mismanaging our fishery in favor of the commercial fisherman. One only needs to look back through the stock status reports throughout the years. We do however have one agency in NC that has a great track record of keeping their fishery healthy. The NC wildlife has managed to keep the fisheries they manage sustainable and robust. It seems extremely wasteful of taxpayer dollars to pay for two agencies with one having a terrible track record and the other sterling. I'd suggest the legislature dissolve the MFC and let the competent managers make the decisions. I hear since the MFC can't even manage spot and croaker you plan on removing them from the stock status reports altogether thus sticking our heads further in the sand and keeping this sad fact from the people of NC.

How in the world with a straight face can the MFC ask recreational fishermen to mash barbs and use circles while fishing but at the same time allow trawlers to kill 4 pounds of baby fish for every pound of shrimp caught? It's like making sure your chicken feed is organic while a pit bull is killing the entire flock. Are you just wanting us to keep them alive long enough for them to hit the mesh?

1 red drum, 0 Flounder and 4 speckled trout is our recreational bag limit which is well below ANY other state it's pitiful and further evidence of the incompetency of the MFC.

I make my living off of recreational fishermen and I do not see the MFC being concerned with my livelihood at all. The recreational industry employs many more people and brings in millions more than the commercial industry. I see plenty of back bending, back room deals, good old boy meetings and status quo for the commercial community but not so much for the angling public of NC.

The MFC has forgotten who the fish belong to. The fish belong to people of NC not only the commercial fisherman.

Capt Chris Medlin

02/17/2020 - 10:23am Jake Eubanks North Carolina

Recreational anglers bring dollars to the state in the form of license purchases, vacation rentals, gas, and fishing equipment to name a few. All purchases due to fishing benefit the state, local economies, and most contribute to the Dingell-Johnson Act. This will no doubt be affected by a declining fishery.

With the reduction of limits on Red drum, speckled trout, blue fish and the outright ban of keeping flounder I question why the practice of gill netting not been stopped in NC and why has the commercial fishing not been affected?

We have watched the overfishing practice continue for years; all while other states have banned the use of gillnets, reduced the impact of commercial harvest only to see the fishery rebound. The local and visiting fisherman out flounder giggering or hook and line fishing with his/her family is not the problem! They are not the one with thousands of pounds of by-catch. Yes! I understand that people live off the water. Yes! I like going to my local diner and having fried flounder but I am willing to give that up to have a fishery. You hear in public comments that my dad was a fisherman, I'm a fisherman, and my son will be a fisherman. I love the heritage but if we do not change how we view this resource and make real changes then there will be no resource for our sons or daughters.

A proposal and possible solution would be to increase the size/slot limits, review and keep the reduced keeper limits if needed until the fisher rebounds and stop the commercial gill netting practice. Also increase the cost of in- state and out of state fishing license for both recreational and commercial fisherman. Use these funds to increase our fishery support and studies.

Changes hurt but if we do nothing then the flounder, red drum and speckled trout will be the same as Rainbow Smelt, Atlantic Tomcod, and Winter Flounder..Gone

02/17/2020 - 2:12pm
 Jamie Winslow
 North Carolina

Dear NC Marine Fisheries Commissioners, Thank you for the opportunity to submit a written comment before you consider any actions regarding further small mesh gill net restrictions and/or continuing or expanding on the current gill net ban in the Neuse River to the Ferry Lines. I have participated in commercial fishing in NC for over a decade and currently hold a SCFL. Over that period of time I have seen a tremendous increase in regulations in the commercial sector including severe reductions in the number of days we are able to work in a given management unit (to the point that now portions of the Albemarle Sound are only open 42 days per year to large mesh nets), more tie-down related proclamations, more attendance requirements, less yardage allowed per operation, etc. to the point where it is extremely difficult to make a living as a commercial fisherman in North Carolina, hence the reason that there is a steady decline in the number of participants in the commercial industry.

For example, as shown in the graphic below (Figure A), in 2019 there were 4,545 SCFL's issued as compared to 6,990 in 2000. Further, the number of participants in 2019 was listed at 2,509 while in 2000 there were 4,764 participants. Couple the increased regulations with nearly half the number of active participants and the commercial fishing industry has done more than its share to reduce the number/pounds landed for every species, including Striped Bass where there is already a rule in place limiting the TAL to 25,000 pounds since 1994. Figure A. # of Participants in NC Commercial Fishing from 2000 to 2019. Data taken from the 2019 License Statistics Annual Report published by North Carolina Marine Fisheries. Meanwhile, the recreational fishing sector has grown drastically over the last twenty years and at least since 2015 has over 400,000 participants per year. In Figure B, the number of Coastal Recreational Fishing Licenses (CRFL) distributed in 2019 is shown. This of course excludes information from blanket licenses and the like. This data, like that from Figure A was taken from the 2019 License-Statistics Annual Report which also state that 34% of CRFL license holders were from out of state. Meaning that potentially over 1/3 of our fish stock is being used on non-North Carolinians. Further it shows that 428,930 licenses were issued last year and with that high number of fishermen comes a great deal of pressure on our fisheries, especially the types of fish targeted by recreational fisherman (i.e. the favorites such as striped bass, speckled trout, red drum, southern flounder, etc.). For instance, in 2018 the estimated effort for recreational fishing in the affected management unit (C) was 97,014 trips, where 16,394 were mainly to target Striped Bass. Of those trips it is estimated that 3,371 fish (striped bass) were harvested, while 49,121 were thrown back because the individual was catch and release fishing, the fish was over/under-sized or out of the slot limit, or the licensee was over their creel limit. Factor in the previously discussed average mortality rating of a fish returned to the water after being hooked and approximately 5,000 fish were wasted. Combining the number of harvested fish and those that will ultimately die, and you have nearly 8,300 Stripers removed from the area by means of recreational fishing. This of course is just an estimate because the recreation industry, unlike the commercial industry, is not required to have a trip ticket for their catch, therefore data is not nearly as accurate.

Since the same time period only has 155 observed striped bass and 289 documented harvested fish, it is highly likely that these numbers are much, much higher, because when applying the Horvitz-Thompson estimator and returning PSE (present standard error) values of up to 44% in 2018 estimates, the n value was relatively low or the variance of the samples extremely high (see Equation 1), and this is echoed in Supplement A to Amendment 1 to the NC Estuarine Striped Bass Fishery Management Plan (March 26, 2019) where on page 4, under Stock Concerns, the DMF notes, "as stated in the CSMA 2010 stock assessment the large confidence intervals and lack of precision in the catch curves Z estimates make them unsuitable for making a stock status determination". Further, during the months of May through October of 2018, the Striped Bass fishery was closed, yet the effort to target and catch these fish still continued, which is likely also true of the 2019 effort data, which I was unable to obtain from the website. In fact, recreational fishing across the Eastern United States reflects what is happening in North Carolina, so much so that an article based on the Atlantic States Marine Fisheries Commission report suggests that "given the current SSB numbers (spawning stock biomass), the recreational fishery has significantly contributed to the dwindling Striper population." Figure B. # of CRFL sold in 2018 divided by category. Note 34% of these licenses are to Non-Residents.

Equation 1. (Taken from Chapter IV: Central and Southern Management Area Recreational Fishery Statistics) Catch estimate calculated by Horvitz-Thompson estimator for non-uniform probability sampling where n is the number of units taken in a sample, pi is the probability of the ith unit being in the sample.

$$C = \sum_{i=1}^n \frac{c_i}{p_i}$$

Further the percent standard error calculation was as follows: $SE = \sqrt{\frac{N^2}{n} (s^2/n)}$ where s2 is the variance in observations, n is the # of days sampled, and N is the number of days of that type available for sampling. While I understand that in all industries some degree of regulation is needed, and that NC has a duty to protect fisheries resources for future generations, but the Commission has taken this to the extreme. At the last minute meeting last Spring where a hasty decision was made to shut down the Neuse to the Ferry Lines based on an arbitrary line that excluded those of us Commercially Fishing not only from keeping Striped Bass, which was imposed equally on both sectors in all of Management Unit C, but also unfairly prevented us from having ANY kind of gill nets in the water at any time, even for the purposes of the Shad fishery and Jack fishing, of which I have participated in for years in the now closed area. Now, special interest groups want to expand this line to the existing "tie-down" lines, essentially shutting out commercial fishermen from a greater proportion of NC waters and saving this public trust resources for themselves.

While I respect that it is important to protect the “outstanding” class stocks for the two-year period and I do not want to interfere with their chance to thrive, I do not see how shutting the area down to gill nets (i.e. commercial fishing) which are selective, but not hooks (i.e. recreational fishing) is helpful. At the time of the closure, Marine Fisheries stated on its website that they recommended a catch and release fishery for Striped Bass in the no possession areas using non-offset circle hooks and limiting the handling of a caught fish. Catch and release is a great fisheries management tool when used properly. However, targeting fish, especially in warm weather, when there is a no possession limit is the opposite of conservationism. Yet, in spite of this, a “conservationist” group who pushed for this “gill net sanctuary” policy for Rock in the CSMA and set the lines at the Ferry, hosted tournaments, including a week-long “Inside/Out Fishing Tournament” from July 13-20th of last year with fish targets of Red Drum, Speckled Trout, Spanish Mackerel, and of course Striped Bass. Now, someone who truly cares about the populations of these fish in NC would encourage no one to target them when they would be at their most vulnerable, if released (i.e. warm water). In this case all Stripers caught in Management C would be required to be released. However, instead of catching the fish and immediately returning to the water, this tournament required the fish to be laid onto the ruler, have the picture captured and subsequently submitted to the iAngler App. How many of these fish do you think feasibly survived this additional trauma after a fight by rod and reel to make it to the boat and having the hook extracted? In normal circumstances about 9-10% of fish returned to the water after being hooked ultimately die. In the summer this percentage only increases (according to an article from www.fishingbooker.com written in November 2019 titled “The 2019 Striped Bass Fishing Season Closures: Explained”). Could there be a worse planned tournament scheduling-wise if you want to have a chance for these fish to survive and “Let Them Spawn”?

In conclusion, I believe commercial fishermen (specifically gill netters) have unfairly taken on the bulk of the restrictions and regulations over the years, and in the past few years especially the number and extent of the rulings has been out of control. The amount of days of season closures, yardage restrictions, etc. has become untenable. I am not against recreational fishing by any means and I want all fishermen to get outside, enjoy the beauty of the North Carolina Coast, and have the opportunity to responsibly catch fish, but when extreme measures are put in place such as the closure of the area around the Highway 70 bridge it should either be to both parties or neither. More to the point, I believe before any more amendments are made or adjusted that North Carolinians should finally take action and demand change occur in our water quality standards or it will not matter if you ban every person on the water from setting a net, trap, pot, or hook and line, there will not be a fish to be caught anywhere. The fish stocks come up our sounds and rivers from the ocean to spawn only if the conditions are favorable, but if we continue to use our waterways as dumping grounds for raw sewage, prescription drug disposal, fertilizer run off, etc. no species will be interested in North Carolina. Please vote against any measures to further restrict gill net usage or expand the “gill net free” zones established last spring for a two-year limited time frame, including any additional measures destroying the fledging small mesh gill net fisheries that are still in place.

Thank you.

Sincerely,

Jamie Winslow

*With this format my diagrams did not transfer, so I will email this to the commissioners as well.

02/17/2020 - 4:48pm Jonathan Edwards North Carolina Can we please adopt the same practices as other states on the east coast and ban inshore gill-netting? There is too much unnecessary by-catch that is wasted. Can we move all shrimp trawlers to the ocean? Just like the gill nets, there is too much by-catch that is wasted and the Pamlico Sound is a vital nursery for many juvenile species such as spot, croaker, southern flounder, and gray trout.

Stuart Creighton

MFC COMMENTS – FEBRUARY 2020

Director Murphey, Chairman Bizzell, MFC Commissioners:

While this will not be an unusual request from me, it is one that bears repeating. **IT IS TIME TO REMOVE GILL NETS FROM OUR INSHORE WATERS!!**
In previous comments, I have given numerous reasons for doing so, and will add more that are even more compelling.

First, and most importantly, you have a living laboratory in two major river systems right now and they are clearly showing the difference in and the importance of having net free areas in these rivers. When the nets were ordered out of the Neuse and Pamlico Rivers above the ferry lines this spring, the stage was set. Then, a relatively dry year with lots of NE wind brought favorable conditions to those areas with lots of salty water and plentiful bait. As the summer moved into fall and winter, the fish moved into these protected areas. To put it simply, the bite has been epic!! Hundreds of boats have filled these river systems constantly and have had a part in a trout bite that has been consistently fantastic. I am close friends with several of the guides in the area and many of them have described the fishing as the best they have ever seen. Several of them have been on the water for more than 30 years, and that makes their comments all the more impressive. Personally, I have caught trout farther up river than I ever have, and the number of puppy drum in those areas is the best I have seen in over 20 years. Three minutes is not enough time to get into the population dynamics of a healthy fishery, but these anecdotal comments are an example of how a stable population will occupy primary and secondary habitat stations and remain there when they aren't seined out constantly. Although you can't keep any, the striper bite has also been great. What's more, the fishing has remained consistently good, with plenty of large trout remaining, supplemented by fat stripers and gorgeous pups. I'm even more excited that this was only the first year of the gill net restrictions and they were only put in place for part of 2019. With another year ahead, the recovery in 2020 will be even more impressive. The dramatic success during this first season is clear evidence that not only should the net ban be continued in these areas, but it should be expanded to include all the rivers and creeks of NC.

A conservative, simple estimate of the economic impact of this fishery on strictly the Neuse and Bay Rivers from Thanksgiving to New Year's Day totaled near \$800,000 benefitting both Craven and Pamlico counties.

Furthermore, earlier this fall, from mid-October until early November, strike netting in the creeks downriver on the Neuse, Bay, and Pamlico Rivers was so heavy that the price of trout crashed to less than \$1 per pound. As an example, in a 6 day period in mid October on ONE SMALL CREEK that I frequently fish, it was hit at least 6 times with strike nets and twice with flounder sets. Those are the ones I witnessed, more likely occurred at night. Eight net hits, or more, in six days IS EXCESSIVE.

On the Bay River, netters are allowed to soak their nets 24/7 starting on December 1st. As I have witnessed constantly for two seasons in a row, ONE person completely

blocks off the back of a productive creek of the Bay River setting nets across a narrow section, and for months at a time, an allowed practice that is wholly unfair!

LARGE MESH:

With the pending 72% harvest reduction scheduled for 2020, and a coming decade of deep cuts to the flounder harvest, it is time to remove large mesh gill nets, both commercial and recreational, from that fishery. The reduced, pending quota can certainly be met through the use of pound nets and gigging. An allowance for a commercial hook and line component could certainly be made in lieu of the large mesh nets.

Also, removing the nets, both large and small mesh, means that the state no longer has to operate under an ITP, saving the division significant money, and freeing up enforcement staff to better monitor other aspects of our fishery.

If the flounder fishery is to recover, and a sustainable harvest is to be achieved, gear removals **MUST** be incorporated with the quotas, seasons, inlet corridors, and other management measures you are considering.

SHRIMP TRAWLING:

The division recently completed a scoping period for shrimp in which it listed several possible management options that were surprisingly resource friendly. They included a reduced number of days, shorter headrope requirements, sanctuary areas, inlet corridors, reduced towing times, and more. I fully support every single one of these measures, but would like to point out that they all become unnecessary if you will do the one thing you must, but seem to be unwilling to do. **REMOVE THE TRAWLERS FROM PAMLICO SOUND!!!**

It is very obvious that the amount of bycatch produced by the trawl fleet continues to be unacceptable. While the new BRDs may reduce the bycatch from individual tows by the targeted 40%, hundreds (or thousands) of subsequent tows across the same area diminish any positive results from the BRDs. With the ASMFC considering action on spot and croaker, with southern flounder continuing to be a large portion of the bycatch from inside trawling, it is clearly time to remove this destructive gear.

Studies have shown that southern flounder from NC to FL are one single population that migrates north and south throughout the region. Only one part of that region has a large inshore nursery area, Pamlico Sound in NC. Only one state allows inshore trawling...NC. There can be no doubt that the flounder bycatch we allow from shrimp trawling in NC is a significant factor in the demise of this population. Yet the pending management options for flounder do not specifically address trawling in the sound as they should.

NEW OPTIONS:

It is time for the Division of Marine Fisheries to lead the way into the future of commercial fishing in North Carolina. With the rapidly declining inshore and nearshore marine fisheries that have forced seasons, quotas, closures, sanctuary areas, and more; it is obvious that traditional methods of harvest will have to give way to means that are cleaner and sustainable. They are already in use, economically and profitably, in other states. North Carolina MUST catch up and bring skimmer trawls, large cast nets, hook and line fishing, small scale aquaculture, and more to the forefront so that our hard working commercial watermen can have a viable opportunity for the future and not give up the life they love.



L & S Bait Company, Inc.



January 17, 2020

Chairman Rob Bizzell
NC Marine Fisheries Commission
3441 Arendell Street
Morehead City, NC 28557

Dear Chairman Bizzell,

My name is Eric Bachnik, owner of L&S Bait Company, maker of the world-famous MirrOlure fishing lure. Our company has been making inshore and nearshore fishing lures for over 80 years.

I write this letter to commend you for removing the use of entanglement nets on the Neuse and Tar-Pamlico rivers in 2019. These actions have proven beneficial for our company, allowing for increased sales and profits for us and our partner stores in those areas. By tracking sales of products in our retail stores, such as Neuse River Bait & Tackle in Bayboro, EZ Bait & Tackle in Goldsboro, Greenville Marine in Greenville, and Custom Marine in New Bern, it is clear that the removal of nets from these rivers provided positive results in increased fish catches and contributed to a noticeable economic impact for businesses in the region.

Please consider phasing out the use of all gill nets in the inshore waters of North Carolina to help your fish stocks continue to grow. The recreational fishing industry will also continue to prosper and help fuel the economy in your coastal communities.

Sincerely,

Eric Bachnik

Makers of **ORIGINAL MirrOlure®** the record setters

Dear NC Marine Fisheries Commissioners,

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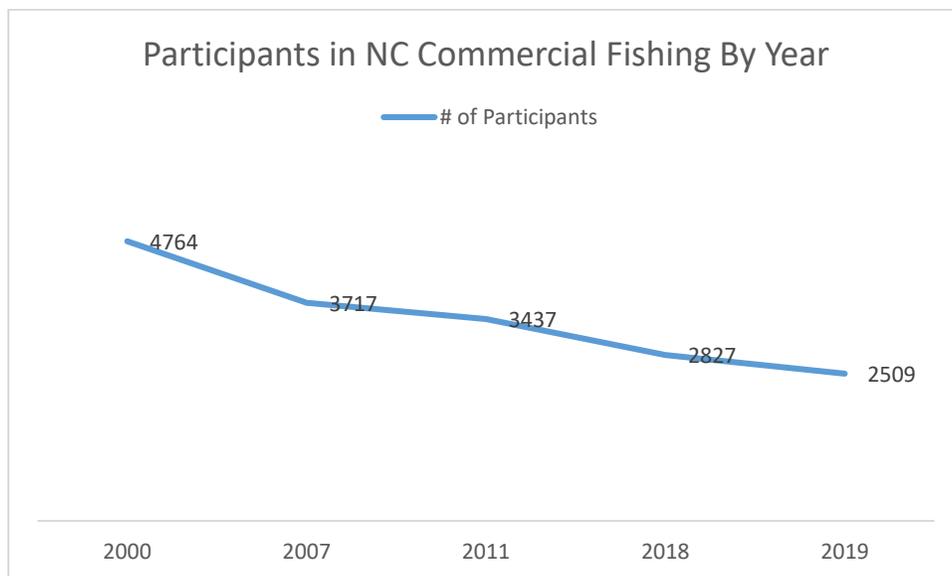


Figure A. # of Participants in NC Commercial Fishing from 2000 to 2019. Data taken from the 2019 License Statistics Annual Report published by North Carolina Marine Fisheries.

Meanwhile, the recreational fishing sector has grown drastically over the last twenty years and at least since 2015 has over 400,000 participants per year. In **Figure B**, the number of Coastal Recreational Fishing Licenses (CRFL) distributed in 2019 is shown. This of course excludes information from blanket licenses and the like. This data, like that from Figure A was taken from the 2019 License-Statistics Annual Report which also state that 34% of CRFL license holders were from out of state. Meaning that potentially over 1/3 of our fish stock is being used on non-North Carolinians. Further it shows that 428,930 licenses were issued last year and with that high number of fishermen comes a great deal of pressure on our fisheries, especially the types of fish targeted by recreational fisherman (i.e. the

favorites such as striped bass, speckled trout, red drum, southern flounder, etc.). For instance, in 2018 the estimated effort for recreational fishing in the affected management unit (C) was 97,014 trips, where 16,394 were mainly to target Striped Bass. Of those trips it is estimated that 3,371 fish (striped bass) were harvested, while 49,121 were thrown back because the individual was catch and release fishing, the fish was over/under-sized or out of the slot limit, or the licensee was over their creel limit. Factor in the previously discussed average mortality rating of a fish returned to the water after being hooked and approximately 5,000 fish were wasted. Combining the number of harvested fish and those that will ultimately die, and you have nearly 8,300 Stripers removed from the area by means of recreational fishing. This of course is just an estimate because the recreation industry, unlike the commercial industry, is not required to have a trip ticket for their catch, therefore data is not nearly as accurate. Since the same time period only has 155 observed striped bass and 289 documented harvested fish, it is highly likely that these numbers are much, much higher, because when applying the Horvitz-Thompson estimator and returning PSE (present standard error) values of up to 44% in 2018 estimates, the n value was relatively low or the variance of the samples extremely high (see Equation 1), and this is echoed in Supplement A to Amendment 1 to the NC Estuarine Striped Bass Fishery Management Plan (March 26, 2019) where on page 4, under Stock Concerns, the DMF notes, “as stated in the CSMA 2010 stock assessment the large confidence intervals and lack of precision in the catch curves Z estimates make them unsuitable for making a stock status determination”. Further, during the months of May through October of 2018, the Striped Bass fishery was closed, yet the effort to target and catch these fish still continued, which is likely also true of the 2019 effort data, which I was unable to obtain from the website. In fact, recreational fishing across the Eastern United States reflects what is happening in North Carolina, so much so that an article based on the Atlantic States Marine Fisheries Commission report suggests that “given the current SSB numbers (spawning stock biomass), the recreational fishery has significantly contributed to the dwindling Striper population.”



Figure B. # of CRFL sold in 2018 divided by category. Note 34% of these licenses are to Non-Residents.

Equation 1. (Taken from **Chapter IV: Central and Southern Management Area Recreational Fishery Statistics**) Catch estimate calculated by Horvitz-Thompson estimator for non-uniform probability sampling where n is the number of units taken in a sample, p_i is the probability of the i^{th} unit being in the sample.

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Further the percent standard error calculation was as follows: $SE = \sqrt{N^2 \left(\frac{s^2}{n} \right)}$ where s^2 is the variance in observations, n is the # of days sampled, and N is the number of days of that type available for sampling.

While I understand that in all industries *some* degree of regulation is needed, and that NC has a duty to protect fisheries resources for future generations, but the Commission has taken this to the extreme. At the last minute meeting last Spring where a hasty decision was made to shut down the Neuse to the Ferry Lines based on an arbitrary line that excluded those of us Commercially Fishing not only from keeping Striped Bass, which was imposed equally on both sectors in all of Management Unit C, but also unfairly prevented us from having ANY kind of gill nets in the water at any time, even for the purposes of the Shad fishery and Jack fishing, of which I have participated in for years in the now closed area. Now, special interest groups want to expand this line to the existing “tie-down” lines, essentially shutting out commercial fishermen from a greater proportion of NC waters and saving this public trust resources for themselves.

While I respect that it is important to protect the “outstanding” class stocks for the two-year period and I do not want to interfere with their chance to thrive, I do not see how shutting the area down to gill nets (i.e. commercial fishing) which are selective, but **not** hooks (i.e. recreational fishing) is helpful. At the time of the closure, Marine Fisheries stated on its website that they recommended a catch and release fishery for Striped Bass in the no possession areas using non-offset circle hooks and limiting the handling of a caught fish. Catch and release is a great fisheries management tool when used properly. However, targeting fish, especially in warm weather, when there is a no possession limit is the opposite of conservationism. Yet, in spite of this, a “conservationist” group who pushed for this “gill net sanctuary” policy for Rock in the CSMA and set the lines at the Ferry, hosted tournaments, including a week-long “Inside/Out Fishing Tournament” from July 13-20th of last year with fish targets of Red Drum, Speckled Trout, Spanish Mackerel, and of course Striped Bass. Now, someone who truly cares about the populations of these fish in NC would encourage no one to target them when they would be at their most vulnerable, if released (i.e. warm water). In this case all Stripers caught in Management C would be required to be released. However, instead of catching the fish and immediately returning to the water, this tournament required the fish to be laid onto the ruler, have the picture captured and subsequently submitted to the iAngler App. How many of these fish do you think feasibly survived this additional trauma after a fight by rod and reel to make it to the boat and having the hook extracted? In normal circumstances about 9-10% of fish returned to the water after being hooked ultimately die. In the summer this percentage only increases (according to an article from www.fishingbooker.com)

written in November 2019 titled “The 2019 Striped Bass Fishing Season Closures: Explained”). Could there be a worse planned tournament scheduling-wise if you want to have a chance for these fish to survive and “Let Them Spawn”?

In conclusion, I believe commercial fishermen (specifically gill netters) have unfairly taken on the bulk of the restrictions and regulations over the years, and in the past few years especially the number and extent of the rulings has been out of control. The amount of days of season closures, yardage restrictions, etc. has become untenable. I am not against recreational fishing by any means and I want all fishermen to get outside, enjoy the beauty of the North Carolina Coast, and have the opportunity to responsibly catch fish, but when extreme measures are put in place such as the closure of the area around the Highway 70 bridge it should either be to both parties or neither. More to the point, I believe before any more amendments are made or adjusted that North Carolinians should finally take action and demand change occur in our water quality standards or it will not matter if you ban every person on the water from setting a net, trap, pot, or hook and line, there will not be a fish to be caught anywhere. The fish stocks come up our sounds and rivers from the ocean to spawn only if the conditions are favorable, but if we continue to use our waterways as dumping grounds for raw sewage, prescription drug disposal, fertilizer run off, etc. no species will be interested in North Carolina.

Please vote **against** any measures to further restrict gill net usage or expand the “gill net free” zones established last spring for a two-year limited time frame, including any additional measures destroying the fledging small mesh gill net fisheries that are still in place.

Thank you.

Sincerely,

Jamie Winslow