SUPPLEMENTAL MATERIALS

- MFC Work Plan
- 2021 CHPP Implementation Flyer
- CHPP Process Framework
- MAFMC East Coast Climate Change Scenario Planning Brochure
- Southern Flounder FMP Amendment 3 Overview
### Marine Fisheries Commission 2021-2024 WORKPLAN

#### Incorporating Activity Underway and Upcoming Assessments

<table>
<thead>
<tr>
<th>General Timelines and Abbreviations</th>
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<tbody>
<tr>
<td><strong>Fishery Management Plans</strong></td>
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<tr>
<td>Stock Assessment In Progress</td>
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<tr>
<td>Stock Assessment Report Presented to MFC</td>
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<tr>
<td>Vote to Approve Goal and Objectives</td>
</tr>
<tr>
<td>Initial Plan Development by DMF/FMP AC</td>
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<tr>
<td>Advisory Committee and Public Review</td>
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<td>Select Preferred Management Options</td>
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<td>Vote on Final Approval</td>
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<thead>
<tr>
<th>Non-FMP Issue Development</th>
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<tr>
<td>Request Issue Development</td>
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<tr>
<td>Information Paper</td>
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<tr>
<td>Decision to pursue rulemaking</td>
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<tr>
<td>Issue paper with rule language options</td>
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<table>
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<tr>
<td>Fiscal Analysis</td>
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<tr>
<td>Approve Notice of Text</td>
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<tr>
<td>Publish in NC Register/Hold Public Hearing &amp; Comment Period</td>
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<tr>
<td>MFC Review Public Comment &amp; Vote on Approval</td>
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<tbody>
<tr>
<td>APR</td>
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<tr>
<td>Meeting confirmed and scheduled</td>
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<tr>
<td>JUL</td>
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<tr>
<td>Meeting anticipated</td>
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#### Quarterly Business Meeting

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<tr>
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<tr>
<td>Active Management Plans</td>
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<tr>
<td>Estuarine Striped Bass FMP Amendment 2</td>
<td>Godwin/Mathes/Hancock/Facendola</td>
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<td>Striped Mullet FMP Amendment 2</td>
<td>Zapf/Dobbs</td>
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<td>Spotted Seatrout FMP Amendment 1</td>
<td>Behringer/Pensinger</td>
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<td>Hard Clam/Oyster</td>
<td>Dobbs/Facendola</td>
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<td>Blue Crab Stock Assessment Update</td>
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<tr>
<td>Periodic Review and Expiration of Existing Rules, per G.S. 150B-21.3A</td>
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<td>Subchapter 18A - Shellfish Sanitation (about 1 rules)</td>
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<tr>
<td>Subchapter 18A - Shellfish Sanitation (about 79 rules)</td>
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| Other MFC Rulemaking                    |                                                                                  |
|-----------------------------------------|                                                                                  |
| Multigated Finfish Rule Amendment       |                                                                                  |

| MFC Committee Activity                  |                                                                                  |
|-----------------------------------------|                                                                                  |
| AC Meeting (Meeting month(s) in cell)   |                                                                                  |
| Northern Regional Advisory              | Behringer/Paramore                                                               |
| Southern Regional Advisory              | Moore/Stewart                                                                    |
| Finfish Standing Advisory               | Paramore/Knight                                                                  |
| Habitat and Water Quality Standing Advisory | Deaton/Knight                                                                  |
| Nominating                              |                                                                                  |

### END
The foundation of North Carolina’s coastal economy is based on the abundance of healthy habitats in its 2.9 million acres of coastal waters. Fishing, outdoor recreation, and tourism all depend on a healthy ecosystem. With over 20,000 acres of shell bottom, 191,000 acres of submerged aquatic vegetation (SAV) historically, and 4.5 million acres of wetlands, prioritizing where to focus efforts was essential to making effective progress. Increasing stressors from a variety of land use activities, coupled with climate change, threaten the health and sustainability of the coastal ecosystem. This plan recognizes that clean water is critical for all habitats. The plan also recognizes protecting and improving coastal habitats is key to strengthening coastal community and ecosystem resilience to climate change. Additionally, developing stronger public-private partnerships is needed to successfully address priority issues on the coast today. There are five priority issues in the 2021 CHPP Amendment with themes of improving water quality, increasing coastal resilience through increased use of nature-based solutions, and building public-private partnerships. Progress made to one issue will benefit others. For example, by restoring wetlands and using nature based methods for wetland protection, water quality will improve, benefiting SAV.

**Priority Issues and Key Actions**

**Protection and Restoration of Submerged Aquatic Vegetation (SAV) through Water Quality Improvements**

- Commit to restoring 191,000 a of SAV
- Establish a water quality standard for light penetration adequate for SAV
- Evaluate/revise the chlorophyll $a$ and nutrient standards adequate for SAV
- Form an interagency workgroup to increase best management practices (BMPs) related to water quality within SAV waterbodies, which may include seeking additional funding sources
- Determine loading and sources of nutrients and sediments into SAV waterbodies, and evaluate the link between that, water quality, and SAV
- Investigate impacts of agricultural practices and land use change on water quality in SAV waterbodies to determine BMPs needed
Implementing the Coastal Habitat Protection Plan 2021 Amendment

Priority Issues and Key Actions

**Wetland Protection and Restoration through Nature-based Solutions**
- Increase conservation of critical wetland properties and marsh migration corridors by collaborating with researchers, NGOs, and agencies, including participation in South Atlantic Salt Marsh Initiative and increased use of state conservation trust funds
- Partner with other organizations to facilitate coastwide completion or enhancement of coastal vulnerability assessment tools, such as living shoreline suitability siting, marsh migration corridor identification, and wetland restoration prioritization
- Incorporate coastal wetlands into NC’s Greenhouse Gas (GHG) Inventory
- Assess trends in salt marsh elevation, inundation, and distribution to prioritize areas for wetland restoration.
- Increase education, outreach, and training to consultants, local government, and landowners for nature-based stormwater and watershed management strategies

**Environmental Rule Compliance to Protect Coastal Habitats**
- Increase compliance staff in DWR and DEMLR by a minimum of two staff in the Washington and Wilmington offices
- Establish a public portal on DEQ’s website that provides compliance information, allows the public to submit complaints, and potentially highlights a list of repeat violators
- Expand outreach to stormwater permit holders on rules and required maintenance of stormwater control measures

**Wastewater Infrastructure Solutions for Water Quality Improvement**
- Request that funding programs under the purview of the State Water Infrastructure Authority give additional priority for projects with a direct benefit to sensitive estuarine waters, including fish nursery areas, and impaired waters
- Partner with NCORR, NCRCCP, and coastal counties to develop strategies regarding flood-proofing wastewater infrastructure; siting new and relocating existing infrastructure away from sensitive estuarine waters and floodplains; and upgrading sewer infrastructure
- Modify EMC rules related to collection line cleaning and certified operators for deemed permitted collection systems

**Coastal Habitat Mapping and Monitoring to Assess Status and Trends**
- Form interagency workgroups of DEQ agency staff, academics, and subject matter experts for each coastal habitat to identify indicator metrics, data gaps and monitoring needs for the ability to determine long-term status and trends of coastal habitats and the estuarine ecosystem
- Implement or enhance assessment programs for each habitat to evaluate change in distribution and condition over time
- Develop a document to communicate the ecosystem conditions of NC to the public

Home Is Where the Habitat Is

For more information on the CHPP and recommended actions: [https://deq.nc.gov/about/divisions/marine-fisheries/habitat-information/coastal-habitat-protection-plan](https://deq.nc.gov/about/divisions/marine-fisheries/habitat-information/coastal-habitat-protection-plan)
PURPOSE
This Process Framework provides internal guidelines for staff from the Department of Environmental Quality (DEQ) divisions who comprise the Coastal Habitat Protection Plan (CHPP) Team who participate in the development and implementation of the CHPP.

BACKGROUND
The NC Division of Marine Fisheries (DMF) and the Albemarle-Pamlico National Estuarine Partnership (APNEP – hosted by DEQ) co-lead CHPP efforts including coordination of the CHPP Team which also includes staff from other DEQ divisions and other agencies. To implement recommendations of the CHPP, the CHPP Team develops specific implementation actions and recommendations for the CHPP Steering Committee (CSC).

GUIDELINES

CHPP Team
The purpose of the CHPP Team is to provide staff representation and input from DEQ divisions to develop and update the CHPP. Representation by all participating agencies is essential for fully understanding complex and often inter-jurisdictional issues that contribute to habitat and water quality degradation and identifying viable solutions to further protect and restore coastal fish habitats. There are two distinct roles for the CHPP Team 1) plan development and updates, and 2) facilitate implementation of recommended actions following plan approval.

Formation and Structure
The CHPP Team includes two or more members from each of the core DEQ agencies:
- Albemarle-Pamlico National Estuarine Partnership (APNEP)
- Division of Marine Fisheries (DMF)
- Division of Coastal Management (DCM)
- Division of Water Resources (DWR)
- Division of Energy, Minerals, and Land Resources (DEMLR)
- Division of Mitigation Services (DMS)

Additionally, it has been beneficial for other agencies, some of which were formerly located under DEQ, to voluntarily participate, including Division of Soil and Water Conservation (DSWC) and Forest Service (FS), within the Department of Agriculture and Consumer Services (DACS), and the Wildlife Resources Commission (WRC).

The APNEP and DMF co-lead CHPP efforts. The APNEP Habitat Coordinator and the DMF CHPP Program Lead serve as the CHPP Team co-chairs who are responsible for planning meetings, preparing agendas, coordinating with the CSC, and seek team membership from all relevant agencies. Also, the co-chairs actively engage in building partnerships and support at local, state, and private levels for actions that benefit coastal habitat and water quality, and consequently CHPP goals and recommended actions. The APNEP co-chair communicates with members of the CSC between meetings to foster support for CHPP initiatives and cooperation.
across commissions. Other responsibilities include drafting minutes of CSC meetings. The DMF co-chair drafts minutes of CHPP Team meetings and takes the lead for tracking implementation actions over time.

Roles and Responsibilities
During CHPP revisions, the CHPP Team members assist with planning and drafting sections of the CHPP. Following approval of CHPP revisions, CHPP Team members focus shifts to facilitating and communicating implementation progress. Responsibilities include:

- Attending CHPP Teams and CSC meetings and actively participate in discussions on habitat and water quality issues and plan revisions
- Providing agency specific information needed for plan updates on habitat and water quality issues, which may require reaching out to others in their division
- Assisting with drafting, reviewing, and editing sections of the plan and other documents
- Communicating progress on CHPP plan updates and implementation to their respective agency staff and commissioners
- Following up on CHPP recommended actions related to their agency to determine status and ensure continuing progress

CHPP Steering Committee
The CSC was initially called the Intercommission Review Committee (IRC). From 2002-2005, the purpose of the IRC was to review drafts of the first CHPP and approve the plan and recommendations. After the first CHPP was approved in 2005, the name was changed to the CSC to reflect their additional and continuing role in providing input and oversight on implementation of CHPP recommendations, as well as continuing to improve communication across commissions on cross-cutting issues and potential strategic actions.

Formation and Structure
The CSC selects a chair by consensus and includes two members of three environmental commissions: Marine Fisheries Commission, Environmental Management Commission, Coastal Resources Commission

Roles and Responsibilities
The CSC maintain and strengthen communication among the commissions, establish priorities for implementation, and discuss difficult issues so that they don’t just get dropped when controversies arise. The CSC serve as liaisons back to their respective regulatory commissions on habitat and water quality concerns and actions of the CSC. Other responsibilities include review of CHPP five-year update material, receive updates on CHPP implementation progress, discuss cross-cutting habitat and water quality issues and solutions, discuss habitat and water quality recommendations in DMF Fishery Management Plans and incorporation of those into CHPP implementation by other commissions, and facilitate communication, prioritization, and cooperation of efforts among agencies and commissions responsible for CHPP implementation.
Fishing communities and managers have always faced a world of uncertainty. Ocean conditions change frequently and often unpredictably. Adapting to fierce storms, fish showing up in new places or disappearing from accustomed ones, unusually warm (or cold) water, and other changes have always been a part of life for those on or around the ocean.

The coming decades promise to be more challenging than the past. Climate change is a growing threat to marine fisheries worldwide. On the East Coast of the United States, some species have already experienced climate-related shifts in distribution, abundance, and productivity. A continuation – or acceleration – of these changes has the potential to strain existing fisheries management and governance systems.

In an era of climate change, we cannot be exactly sure of the conditions we might face in 20 years’ time. But one thing is certain: all those involved in fisheries need to prepare for different, unexpected futures.
To help stakeholders and fishery managers prepare for an era of climate change, we are conducting a scenario planning project. Scenarios are different stories about how the world might turn out tomorrow. Instead of trying to predict the future, scenario planning encourages us to think about all the factors that could shape the world of East Coast fishing by 2040.

Through research and conversations, project participants then settle on a few key factors to form a scenario framework. By imagining what 2040 looks like in each of these quadrants, we can identify smart management actions: changes we need to make to be better prepared for challenges and opportunities ahead. For example, this might mean modifying regional governance structures, or reconsidering how we incorporate climate considerations in management plans.

What could shape East Coast fishing by 2040?

What other factors would you include?
Project Focus

The specific focus of this scenario project is twofold:

1. **Assess how climate change might affect stock distribution, availability and other aspects of East Coast marine fisheries over the next 20 years**

2. **Identify what this means for effective future governance and fisheries management**

The scenario process will discuss a broader set of questions relevant for all participants. How will climate change affect your activities in the decades ahead, and what should you do now to prepare for the future?

Expected Outcomes

At the end of this initiative, currently projected by early 2023, we expect to have:

- **A set of scenarios**
  a few stories that describe, in qualitative terms, different ways in which a changing climate might affect the future of East Coast fisheries

- **A better understanding**
  of the challenges and opportunities facing fishery management in the future

- **A set of near-term and long-term management priorities**
  that help achieve fishery management objectives under a range of different future conditions

- **Policy recommendations** for broader governance changes that improve our ability to adapt to future scenarios

- **A list of** data gaps, research priorities, and monitoring needs for changing conditions

- **A framework** for ongoing conversation and idea generation for all stakeholders to use

This work is not designed to create quantitative predictions about changing climate and ocean conditions. Instead, it provides a strategic tool for us to consider different future conditions and adaptation options. Similarly, it will not lead to immediate regulatory changes. Any policy recommendations emerging from this work will require further consideration and action.
Who Will Be Involved?

Steps in this Multi-Year Initiative

**Orientation:** establish draft objectives, expected outcomes and project focus

**Scoping:** reach out to stakeholders to gather input on forces of change that could affect fisheries over the next 20 years

**Exploration:** analyze forces driving change in greater detail

**Creation:** conduct workshop sessions to construct and discuss scenarios

**Application:** use scenarios to identify actions and recommendations

**Monitoring:** identify key indicators to monitor change and outline next steps

How Can You Get Involved?

Scenario work is most effective when it includes a large number of stakeholders who bring a diverse set of ideas and expertise into the discussions and are willing to learn from each other.

**Attend a kick-off webinar**, scheduled for:
- **Monday, August 30**, 4-5:30pm ET
- **Wednesday, September 1**, 6-7:30pm ET
- **Thursday, September 2**, 10-11:30am ET

**Complete a questionnaire** about the ways you think climate change will affect fisheries, and your work, in the future. This online questionnaire will be available at the link below in early September 2021.

**Keep informed** on developments and further opportunities to engage. Full details found at: [https://www.mafmc.org/climate-change-scenario-planning](https://www.mafmc.org/climate-change-scenario-planning)
Southern Flounder Fishery Management Plan Amendment 3

MFC ADOPTS PLAN

The North Carolina Marine Fisheries Commission (MFC) adopted the Southern Flounder Fishery Management Plan Amendment 3 at its May 2022 meeting. The 2019 coast-wide stock assessment determined southern flounder was overfished and overfishing was occurring. Therefore, the goal of Amendment 3 is to manage the southern flounder fishery to achieve a self-sustaining population that provides sustainable harvest using science-based decision-making processes. To ensure this goal is met, the MFC adopted a 72% reduction for the fishery. This reduction is more conservative than the NC Fishery Reform Act requires to achieve the plan goal.

Amendment 3 management effects both commercial and recreational fishing. Which includes a shift in allocation to reach 50/50 parity in 2026. Management strategies also include sustainable harvest, separating flounder species in management, and adaptive management.

2022 SOUTHERN FLOUNDER SEASONS

The North Carolina recreational southern flounder season will be September 1 - 30. This includes recreational hook-and-line and gig.

The commercial southern flounder fisheries will open as follows:

Mobile Gear:
- Statewide: September 15

Pound Net:
- Northern Area: September 15
- Central Area: October 1
- Southern Area: October 1

A commercial gear-area combination will close when the total allowable landing (TAL) is approached.
SOUTHERN FLOUNDER STOCK

In the Atlantic Ocean, southern flounder range from North Carolina to Cape Canaveral, Florida. Genetic and tagging studies provide evidence a single Atlantic Ocean stock.

The 2019 coast-wide stock assessment included data from the full range of waters in North Carolina, South Carolina, Georgia, and the east coast of Florida from 1989 to 2017.

In considering long-term viability, the stock assessment estimates the population based on mature female fish and measures the rate fish are removed from the population. Based on these factors, 2017 estimates indicate the stock is overfished and overfishing is occurring.

Overfished means there are not enough mature females to produce enough young. Overfishing means that fish are being removed faster than they can be replaced.

Reducing the number of fish removed annually is needed to increase the southern flounder stock to sustainable levels. Amendment 3 was implemented in North Carolina to reach sustainability by 2028.

What is an ocellated spot?
Ocellated means having an eye-like mark as shown on the left, where the spot has a ring. This ring is lacking in non-ocellated species, like the southern flounder, as shown on the right.

SIZE LIMITS

Size limit changes including increasing the minimum, decreasing the minimum, and slot limits are often used to limit harvest.

Life history information must be considered when looking at size limit changes for southern flounder. Males are smaller than females so size limit changes could shift sex ratios of harvest.

Slot limits may be appropriate for healthy stocks. But the current size classes of southern flounder are limited. A slot limit may be considered when the stock rebuilds.

RECREATIONAL FISHERY

- Single recreational southern flounder season for gig and hook-and-line gears set annually based on TAL
- Ocellated flounder season March 1—April 15 for hook-and-line in the ocean
- One-fish bag limit per person per day
- Recreational Commercial Gear License gear prohibited for harvest of southern flounder
- 15-inch total length minimum size limit

RECREATIONAL ALLOCATIONS

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<tr>
<td>2023</td>
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<td>2026</td>
<td>266,176</td>
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*TAL may change due to previous year’s overages
**COMMERCIAL ALLOCATIONS**

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<td>186,458</td>
</tr>
<tr>
<td>2023</td>
<td>372,646</td>
<td>186,188</td>
<td>186,458</td>
</tr>
<tr>
<td>2024</td>
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* TAL may change due to previous year’s overages

**COMMERCIAL FISHERY**

- Commercial southern flounder season set annually based on TAL
- Allocation divided between mobile gears and pound nets
- Mobile gears divided into two areas based on ITP B-D line
- Pound nets divided into three areas, consistent with Amendment 2
- If quota remains after closure threshold is met, a trip limit for pound nets and gigs may allow limited harvest below TAL
- 15-inch total length minimum size limit
- Minimum mesh size of 6.0-ISM for anchored large-mesh gill nets used in the taking of flounder
- Minimum mesh size of 5.75-ISM for pound net escape panels
- Single, overnight gill net soaks set no sooner than one hour before sunset and retrieved no later than one hour after sunrise.
- Anchored large-mesh gill nets maintain a maximum of 1,500-yards in Management Units A, B, and C and a maximum of 750-yards in Management Units D and E unless more restrictive yardage is specified through adaptive management or through the sea turtle or sturgeon ITPs

**Dealer Permit Required**

Starting in 2022, dealers must purchase an Estuarine Flounder Dealer Permit to possess, purchase, or sell estuarine flounder. This permit is free and requires flounder landings to be reported daily.
OCEAN OCELLATED SEASON

In North Carolina, the recreational flounder fishery is managed as left-eyed flounder, consisting of three main species of flounder. Limiting southern flounder harvest due to the stock status means harvest of the other two species will also be limited. The Division is working on verifying recreational fishers can properly ID the three species to expand harvest opportunities.

The Division is promoting angler education for species ID. The Coastal Angling Program has a smartphone app, Catch-U-Later, to verify fish identification. The app is being used by volunteer anglers who send in their fish ID with a picture to be reviewed.

Since southern flounder are the only species of the three left-eyed flounder in North Carolina without ocellated spots, a season for ocellated flounder would increase recreational access beyond the southern flounder season.

Amendment 3 has implemented an ocellated flounder season from March 1—April 15. This season is only for ocean waters and hook-and-line gear. A 1-fish bag limit and 15-inch total length minimum size limit will be in place.

Southern flounder catch during the ocellated season will be considered when setting the fall flounder season in all waters of North Carolina. If anglers are not properly identifying flounder species the fall season will need to be shortened to account for landings.

WHAT IF WE CATCH TOO MANY FISH?

When fisheries are managed through a quota there must be a way to account for sectors going over their limit. Accountability measures provide a means for regulating overages.

In the flounder fishery, each sector allocations must account for Total Allowable Catch (TAC) which includes landings and discards.

For the commercial fishery, if the TAC for a gear and area is not exceeded at the end of the fishing year, no paybacks are needed. If they do exceed the TAC, the responsible gear and area combination will have overages subtracted from the following year allocation. The payback will be assessed pound for pound.

For the recreational fishery, TAC will be evaluated by combining landings from the MRIP, the gig survey, and dead discards. If the estimate exceeds the recreational TAC, overages will be subtracted from the next year. If overages are greater than the annual TAC, overages will be subtracted across multiple years the poundage is replaced. The payback will be assessed pound for pound.
**RESEARCH**

Research is a critical aspect of successful fisheries management. There are still aspects of the life history of southern flounder that are uncertain. The Research Recommendations identified through Amendment 3 have been prioritized by need and category. Researchers recognize the need to further their understanding and share findings. In March 2022, the Gulf States Marine Fisheries Commission held a regional symposium on the status of flounder in the Gulf of Mexico, South, and Mid Atlantic. You can watch presentations on the Gulf States Marine Fisheries Commission [YouTube Channel](https://www.youtube.com).

The Division, in partnership with universities and other states, is participating in several projects. One project is attaching satellite tags to female fish during the spawning season. Biologists are interested in information on migration patterns and spawning habitats. Research findings will improve the understanding of life history and be useful for future assessments and management.

**STOCK ASSESSMENT**

The 2019 Stock Assessment of Southern Flounder in the South Atlantic indicated the South Atlantic Southern Flounder stock is overfished and overfishing is occurring. Data were included for southern flounder from North Carolina, South Carolina, Georgia, and the east coast of Florida. At minimum a 31% reduction of total removals is needed to end overfishing and a 52% reduction of total removals is needed to be sustainable. The Marine Fisheries Commission has decided to be more cautious, with management aiming for a 72% reduction. The Division is currently working with the other South Atlantic states on updating the stock assessment with data through 2022.

**INLET CORRIDORS**

Inlets are natural entry ways between the ocean and estuary. The barrier islands of the North Carolina coast create many inlets across the state. These narrow corridors funnel migrating species between habitats.

Fish travel to and from the ocean for many reasons. Some fish, like southern flounder, quickly move through inlets. Other species, like blue crabs, remain in the inlet for an extended time.

Different life stages of fish have distinct needs and require special habitats. The habitats provide important roles in avoiding predators, feeding, and water quality needs.
OTHER STATE REGULATIONS

South Carolina
New regulations press release
https://www.dnr.sc.gov/marine/species/southernflounder.html

Georgia
https://coastalgadnr.org/CommercialFishing
https://www.eregulations.com/georgia/fishing/

Florida
New regulations press release
https://myfwc.com/fishing/saltwater/recreational/flounder/

All Southern Flounder Fishery Management Plan documents are available on the Division’s Fishery Management Plan Website

Questions?
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