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February 2, 2024

MEMORANDUM

TO: Marine Fisheries Commission
Northern Regional Advisory Committee

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

SUBJECT: Meeting of the Marine Fisheries Commission's Northern Regional Advisory Committee to provide recommendations for management options for Marine Fisheries Commission Consideration on draft Amendment 2 to the Striped Mullet Fishery Management Plan

The Marine Fisheries Commission's (MFC) Northern Regional Advisory Committee (AC) held a hybrid meeting on Jan. 18, 2024, at the Dare County Administration Building in Manteo. The meeting was also live streamed on YouTube. Advisory Committee members could attend in person or on WebEx and could communicate with other committee members.

The following AC members were in attendance in person: Melissa Clark, Herman Dunbar, Carl Hacker, Thomas Newman, Jonathan Worthington. The following AC members were in attendance on WebEx: Everett Blake, Roger Rulifson. The following AC members were absent: Keith Bruno, Jamie Lane, Allan Martin, Sara Winslow.

The following Division of Marine Fisheries (DMF) staff were in attendance: Kathy Rawls, Carter Witten, Edward Mann, Chris Lee, Steve Poland, Lee Paramore, Charlton Godwin, Corrin Flora, Hope Wade, Debbie Manley, Dan Zapf, Jeff Dobbs, Willow Patten, Rick Crawshaw, Haley Clinton.

Public: Twenty-seven members of the public attended in person and 17 viewers watched on YouTube. Nine members of the public provided public comment.

The Northern Regional AC had seven members in attendance and a quorum was met.

Northern Regional AC Vice-Chair Everette Blake called the meeting to order at 6:01 p.m.

APPROVAL OF THE AGENDA AND APPROVAL OF APRIL 12, 2023 MEETING MINUTES

A motion was made by Thomas Newman to approve the agenda for the meeting with a change in order of business to have Public Comment moved to after the staff presentation and before the AC deliberation and vote on Management Options. Second by Melissa Clark. The motion passed by unanimous consent.

A motion was made by Jonathan Worthington to approve the minutes from the Northern Regional AC meeting held on April 12, 2023, with the correction that Carl Hacker attended virtually only. Second by Thomas Newman. The motion passed by unanimous consent.

MARINE FISHERIES COMMISSION UPDATE

A memo was provided in the AC's briefing materials updating them on the actions taken during the MFC's November 2023 business meeting.

REVIEW STRIPED MULLET FMP DRAFT AMENDMENT 2 AND AC DISCUSSION

Division staff Jeff Dobbs and Willow Patten provided a review of the Striped Mullet Decision Document. The Decision Document outlines the Goals and Objectives of the FMP and lays out the Sustainable Harvest Options for the commercial fishery that will end overfishing and rebuild the striped mullet spawning stock biomass to a sustainable level. The data used to quantify harvest reductions are collected from commercial fishermen through the trip ticket and the Division's fish house sampling programs. Because they are quantifiable, commercial harvest reductions are used to meet the legal requirements of the Fisheries Reform Act to address overfishing and rebuild overfished stocks. Because harvest reductions from the recreational fishery are not quantifiable, sustainable harvest options are specific to the commercial fishery, where most striped mullet harvest occurs. A 21.3 to 35.4% reduction in commercial harvest relative to commercial landings in 2019 is needed to rebuild the striped mullet spawning stock biomass to a sustainable level.

Commercial Fishery Options

The management options to meet reductions in the commercial fishery relative to landings in 2019 included: Option 1: Size Limit Options; Option 2: Season Closure Options; Option 3: Trip Limits; Option 4: Day of Week Closures; Option 5: Combinations of Season and Day of Week Closures; Option 6: Stop Net Fishery Management; Option 7: Seasonal Catch Limits; Option 8: Area Closures; Option 9: Limited Entry; and Option 10: Adaptive Management.

Recreational Fishery Options

The intent of these management options is to allow traditional use of striped mullet in the recreational fishery while supporting sustainability objectives. Due to recreational fishery data collection methods and recreational fishery practices, it is not possible to calculate harvest reductions from the proposed management options. While recreational harvest currently accounts for only a small percentage of the striped mullet harvest, there is concern that the reduced availability of commercially harvested bait could lead to a significant shift in directed recreational harvest. The proposed options will reduce the potential for that type of shift and therefore support meeting the sustainability objectives successfully.

The Management Options for the recreational fishery included: Option 1: Recreational Bag Limit; and Option 2: For Hire Vessel and Bag Limit.

AC Discussion

AC member Jon Worthington asked if there had been any more sampling for mullet north of Harkers Island? In Albemarle Sound? Staff indicated yes. Jon asked if there was an economic analysis completed on the recreational use of mullet and the impact of closures and reductions? Staff indicated the data was not sufficient to complete an economic analysis on just the recreational harvest and use as bait. Staff explained the data gaps associated with estimates of recreational use either from bait landed commercially or from recreational cast net harvest. Staff indicated the recreational use of mullet for bait was a very small percentage of total mullet landings.

PUBLIC COMMENT

Nine members of the public spoke.

Steve House-Dare County Commissioner. Commented that the economic impact presented in the FMP is inadequate and does not meet the requirements of the Fisheries Reform Act. We have had several done for the county and each one has a final number of the actual impacts to income and also how many people are impacted. Also, the stock assessment the final year is 2019. There is no way we can work off data that is four years old. You need to have more recent data than that.

Chris Greene-Wanted to know how many recreational anglers received citations that were issued for illegal possession during the recreational closure? He feels the way the regulation was rolled out didn't inform the public about the changes. Thinks the Division could have done better at informing the public of the change. We should not have been writing citations for this regulation change.

Tracy Shisler-I don't understand how you get recreational fisherman's data. Fish houses have to turn in a trip ticket weekly, so I don't understand how we don't have the data we need from this sector. Staff indicated that we presume that bait shops that buy mullet directly from commercial fishermen are using all of those mullet for bait. Staff responded that the fish houses are the ones that may not fill out the trip ticket to indicate if the landings were used as bait or otherwise. That is where the data gap is. Tracy asked about the habitat discussions in the FMP. Asked if we were working with other agencies about the destruction of critical habitat, such as rampant building on the coast that may degrade spawning habitat and nursery habitat. Staff indicated this is where the FMPs link up with our Coastal Habitat Protection Plan and in that plan we outline how we work with other agencies to try and protect and restore critical habitat. Tracy asked if we could determine the exact level that habitat destruction impacts the mullet stock relative to fishing? Staff indicated we do not have data to determine what that level.

Mike Langowski-Frisco mullet fishing for 60 years. Third rodeo and recalled 1986 and 1991. In 1986 this was started to the tackle shop owners for years I sold to tackle shops. Yes, they must have trip tickets filled out. This isn't being done? Staff indicated that yes, we get that data but that is only a segment of the commercial harvest that may go for recreational fishing. You are shutting down my fishery for bait to the tackle shops. I've gone back and looked back at data to 1917 and 1945. Needed food to feed the troops in Europe. After all was said and done, they did a study that indicated no harm was done with all that harvest. In all my years of fishing since 1966 until the 1980s there was more mullet caught in Dare County and Harkers Island. I would go down at Christmas to Wilmington and haul seine off the beach and catch more mullet in a week than you say we can have now. Taken red drum away and talking about taking away speckled trout. More mullet now than there has been in 50 years.

Tami Gray-I'm trying to get an idea of where your data comes from too? Raise your hand if any of you guys go out on boats to fish for mullet? And where do you guys at DMF go? Staff indicated we have staff go out all over the state to collect our data. We have crews in all coastal counties that go out four days a week. Tami asked about how many yards of net we set and how we set nets. Staff indicated that specifics are available on all our studies and we can discuss that separately but it will take more than three minutes. Staff indicated this information is also available in our annual FMP updates. Staff indicated we would be glad to discuss all of our independent sampling. Staff indicated we would also be glad to actually take people out to see our sampling if they would like. We have actually taken out commission members to see our sampling.

David Warren-I mullet fished since mid 1990s. Not only fished NC but also fished Florida. What's interesting is in Florida with all the fishermen there they did away with the weekend closures and the 10-day closure they had in the wintertime. But there is more mullet now than it was in 1990s. It was harder to

catch mullet then than now. There are less fishermen, the market is taking care of it. The Asian roe market had declined. If you're using 2019 data, you're using the wrong data. Because the market is not as lucrative as it used to be, I don't go mullet fishing as much anymore. Here to support my friends.

Reese Stecher-Can I ask a few quick questions before my three minutes starts, used to be five minutes. Have the surrounding states, Virginia and South Carolina, closed their mullet fishery? Staff responded no, not that they were aware. Next question is it true that there was a record catch this year for poundage for a single set down south? Staff asked if he is talking about the stop net fishery? Yes, there was a single catch of 76,000 pounds, but not sure if it is a record. Reese thanked the commercial fisherman that supply recreational fishery with mullet. We have only two or three fish left that are not overfished. All others are overfished. We need to see how much grant money you guys get for having fish on the overfished list. I know once you put a fish on the overfished list there has to be a group set up to recover the fish and have a time period for recovery. Is there is Federal Grant money coming to N.C. for overfished species? Staff corrected that statement; the Division does get Federal Grant money to help manage fisheries, but that money has nothing to do with whether the fish is listed as overfished or not. Reese-you guys are putting these folks out of business. There's more mullet out there than I've ever seen. It's so frustrating.

John Machie-In 2019 landings were down, people were doing other things. Still uses 2019 data on a fish that matures in two years. Got your foot in the door and are trying to take mullet from us. Never give us anything back. Staff explained there was a lack of sampling during Covid and there are data streams missing in 2020 and 2021.

Cara Eakes-I own a tackle shop, lot of these fishermen are my friends. They are making bills, house payments, plans for the future. If I don't have fresh bait, I don't sell anything else in the shop. I think reasonability has gone out the window. Need to look at how this economy is treating every one of us.

6:43 public comment was closed as no one else wished to speak.

VOTE TO RECOMMEND MANAGEMENT OPTIONS FOR MFC CONSIDERATION

Staff started presenting the commercial options from the Sustainable Harvest Issue Paper. Staff noted the DMF recommendation was 5.n, the Southern AC's recommendation was 5.n, and the Finfish AC's recommendation was 5.a. Staff pointed out these selections for this are also tied to the stop net portion. Staff also noted the Adaptive Management Framework at the end needed to be reviewed. Both the Southern and Finfish ACs supported the Adaptive Management framework in Option 10. Thomas Newman noted that he was on the Striped Mullet FMP AC Workshop, and pointed out the stop net reduction was only discussed if there was a commercial quota. They were not looking at a quota for the stop net fishery only.

Sustainable Harvest Commercial Fishery

Thomas Newman made a motion to support 5.a and 6.a. Motion seconded by Wayne Dunbar.

Everette Blake asked for clarification from a tackle shop owner on how long fresh mullet would last. Would it last through a weekend closure? Just wanted to make sure about that question before voting. There was no more discussion. A tackle owner stated mullet would last over a weekend closure.

Motion passes 6-1.

The Vice-Chair asked the AC members if they wanted to discuss the Adaptive Management. There was no discussion so the AC moved to discussing the recreational fishery management measures. The AC did not make a recommendation for Adaptive management.

Recreational Fishery Management Options

After hearing no recommendations from the AC, the Vice-Chair asked if since we are not hearing a request for any specific management offer would we simply default to status quo which would be Option 1 or take this as a no vote for any option. After hearing no discussion, the Northern AC did not make a recommendation for the recreational fishery options for the Striped Mullet FMP. The Vice-Chair recognized the Northern AC is not taking a vote for the recreational management Options. Jon Worthington added to state ‘as presented’.

AC member Jon Worthington stated that he feels they cannot vote due to the process not being followed. There was no economic analysis. We have heard a lot of concern from tackle shop owners. We are using data from 2019 and it’s not our fault that we could not sample in 2020 and 2021 and have no data. They have given us a statute that Marine Patrol cannot enforce.

The Vice-Chair clarified that the Northern AC chooses not to support any of the recreational recommendations and will not be voting on this particular issue. The Vice-Chair noted that they were close to concluding their work for this meeting and asked if there is anything else members wanted to talk about relative to coastal habitat or future scientific studies regarding the FMP that could be addressed before closing out discussion?

The Director was recognized and asked that the Vice-Chair may want to further consider the Adaptive management Framework with the AC to make sure they are aware of what is contained in the Adaptive Management as proposed. Staff explained that Adaptive Management simply allows the Division to react more quickly to new information that may come about relative to mullet stock status. If we do not have the Adaptive Management framework, once we get a stock assessment update for example, we would have to reopen the plan, rather than acting more quickly using Adaptive Management if it were passed as part of the plan. The stock assessment is scheduled to be updated at least once between amendments. It is possible the upcoming assessment will have a terminal year of 2024 with the assessment completed in 2025. Whatever the outcome of the assessment, whether the stock has improved or declined, if Adaptive Management were adopted, the Division could react more quickly to the assessment update without having to reopen the plan which would take much longer.

Everette Blake asked looking at the way this is written, I would almost prefer to see some different targets laid out. I’m a sales guy and get asked every day if I go from 500 to 400 or 500 to 600 employees what do you charge me then. I would like to see this because I see mullet everywhere. How quickly could we see one or two years of a recovering fishery and then take the Saturday-Sunday closure away? What would that take for us to see? Staff indicated that would require a stock assessment update. Staff also added that all the projections indicated the stock could recover very quickly. That is why we want the Adaptive Management in place so if we do see the stock recover, we could convene the industry workgroup and have discussions to relax regulations. We want to be able to have those conversations with the industry on how to manage a recovered stock. Staff indicated if they must reopen the plan to change management it takes around two years instead of much more quickly through Adaptive Management.

Thomas Newman stated that Adaptive Management is a good thing, but we are not using it now. We have lots of evidence from the Division data and landings that the stock has increased since 2019, and yet the DMF is still recommending that we take the most severe reduction. We are not using that information now, so why would we expect the Division to use it in the future.

Jon Worthington stated that we need to take some of these CRFL funds and funnel them off to some of our universities to help with studies for mullet. There were additional discussions about using 2019 data and not having more recent data. We have to do something to promote the public to believe what you are saying. We need more transparency between the Division and the public. Staff did mention that the stock assessment was peer reviewed by an outside panel of experts in stock assessment modeling and biology and life history of striped mullet in a public forum. The reviewers were from other agencies and universities outside the Division. They thoroughly reviewed and asked questions about all the data that goes into the model. The experts at the peer review workshop also worked with Division staff to come up with the best model to represent the mullet stock in North Carolina. All those workshops were open to the public and we got very little participation from the public. Staff also mentioned we would be glad to take people out on the water with us when we conduct our sampling, so every step is transparent throughout the process.

No additional motion or discussion was provided from the AC.

Updates from DMF Staff

Lee Paramore pointed out that in the AC's packet they were given a written update on the MFC November business meeting and what was going on with all the FMPs. It was highlighted that coming up in March we are having a flounder symposium. This is the first one of these we've done. University researchers and agency staff will be there to provide an update on studies being conducted in North Carolina on southern flounder. We will be providing the public more information as it gets closer. The symposium will be in New Bern on March 20. The next Northern AC meeting is in April and the agenda will be determined based on what the MFC does at its February business meeting. The Vice-Chair asked if there was a location for the April AC meeting yet? Staff indicated that we were thinking it would be between Manteo or Washington. The location of the meeting may be informed by the agenda for the meeting.

ISSUES FROM AC MEMBERS

Thomas Newman pointed out that we need to have the MFC resume having meetings in Dare County. We have not had an MFC meeting here in years. Dare county is the powerhouse for both commercial and recreational fisheries. I don't know who sets the meeting locations, but I think it may be the chair. We would have a lot of public come to these meetings if they were closer to the northern part of the state. I want to put it on public record that we need to resume having meetings in Dare County. Staff indicated we would make a point of this in the minutes.

Thomas Newman proceeded to make a motion that the Marine Fisheries Commission start having meetings in Dare County again. Second by Jon Worthington. The motion passed by unanimous consent.

APPROVAL TO ADJOURN

The meeting was adjourned at 7:21.