



Overview of new ESA Section 10 Incidental Take Permit/ Update on the Observer Trip Scheduling System

Barbie Byrd | November 2024



New ESA Section 10 Incidental Take Permit (ITP)

- October 2, 2024: National Marine Fisheries Service (NMFS) issued new ITP (Number 27106) valid through August 31, 2034
- New single ITP covers sea turtles and sturgeon
- Estuarine gill nets activities exempt by the ITP:
 - Run-around, strike, or drop gill nets
 - Drift gill nets



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- Authorized takes are lower
 - Predicted takes lower using effort post Amendment 2 for Southern Flounder
 - Levels that NMFS would authorize
- State-wide rather than by Management Unit

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- State-wide authorized takes for more common species are in **2-year rolling totals**

Species*	Mesh-size Category	Disposition	Predicted or Observed Takes	Authorized 2-year rolling takes	Annual Take Targets
Atlantic sturgeon	Large & Small	Live	Predicted	436	218
	Large & Small	Dead	Observed	6	3
Green sea turtle	Large & Small	Live	Predicted	542	271
	Large & Small	Dead	Predicted	170	85
Kemp's ridley sea turtle	Large	Live	Observed	10	5
	Large	Dead	Observed	4	2
	Small	Live or Dead	Observed	4	2
Loggerhead sea turtle	Large & Small	Live or Dead	Observed	4	2

*Distinct Population Segments are listed for Atlantic sturgeon, green sea turtle, and loggerhead sea turtle

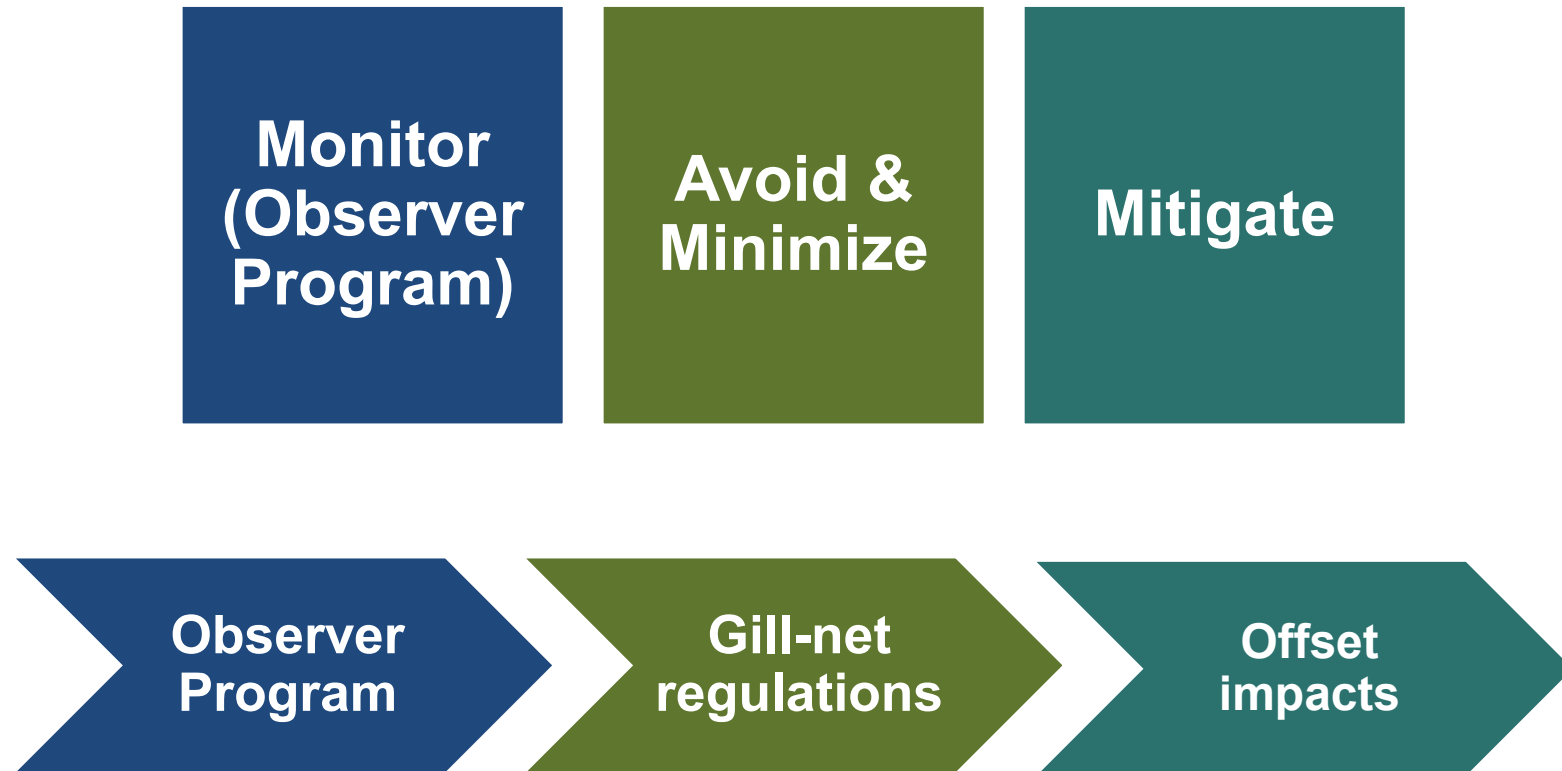
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- For rare species, authorized takes are in for the **duration of the permit**

Species	Mesh-size Category	Disposition	Predicted or Observed Takes	Authorized Total Take Over Permit Duration	Annual Take Targets
Shortnose Sturgeon	Large & Small	Live or Dead	Observed	4	n/a
Hawksbill sea turtle	Large & Small	Live or Dead	Observed	2	n/a
Leatherback sea turtle	Large & Small	Live or Dead	Observed	2	n/a

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ITP Conservation Plan:



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1. Monitor

- Requirements for observer coverage ($\frac{\text{number of observed trips}}{\text{number of fishing trips}} * 100$)
 - By four seasons: fall, winter, spring summer
 - By six Management Units: A, B, C, D1, D2, E
 - By mesh size category:
 - Large-mesh gill nets (≥ 5 inches): Minimum of 7% with a goal of 10% of estimated fishing trips.
 - Small-mesh gill nets (< 5 inches): Minimum of 1% with a goal of 2% of estimated fishing trips

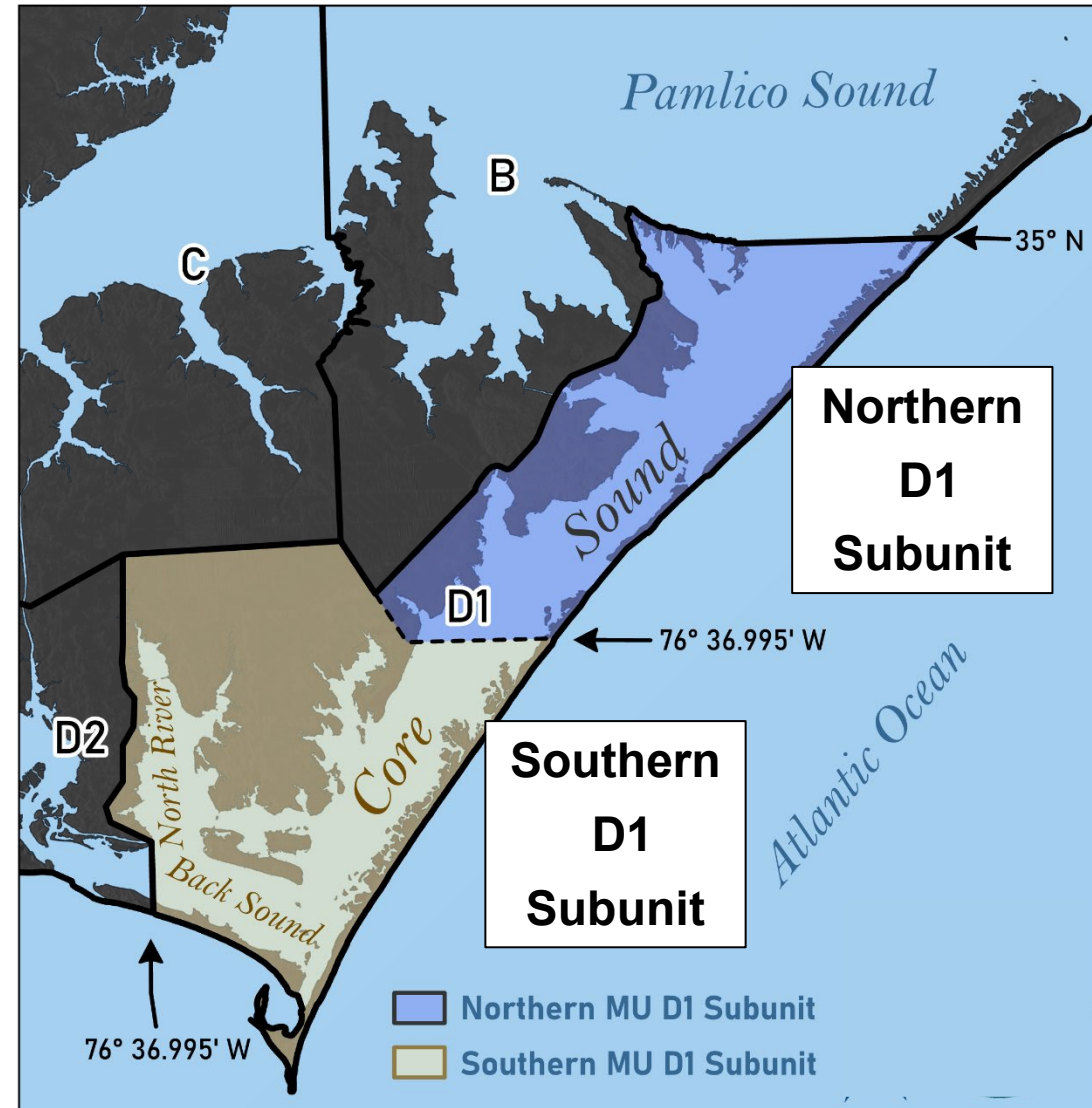
- Estuarine Gill Net Permit

- Observer Trip Scheduling System (OTSS)

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1. Monitor

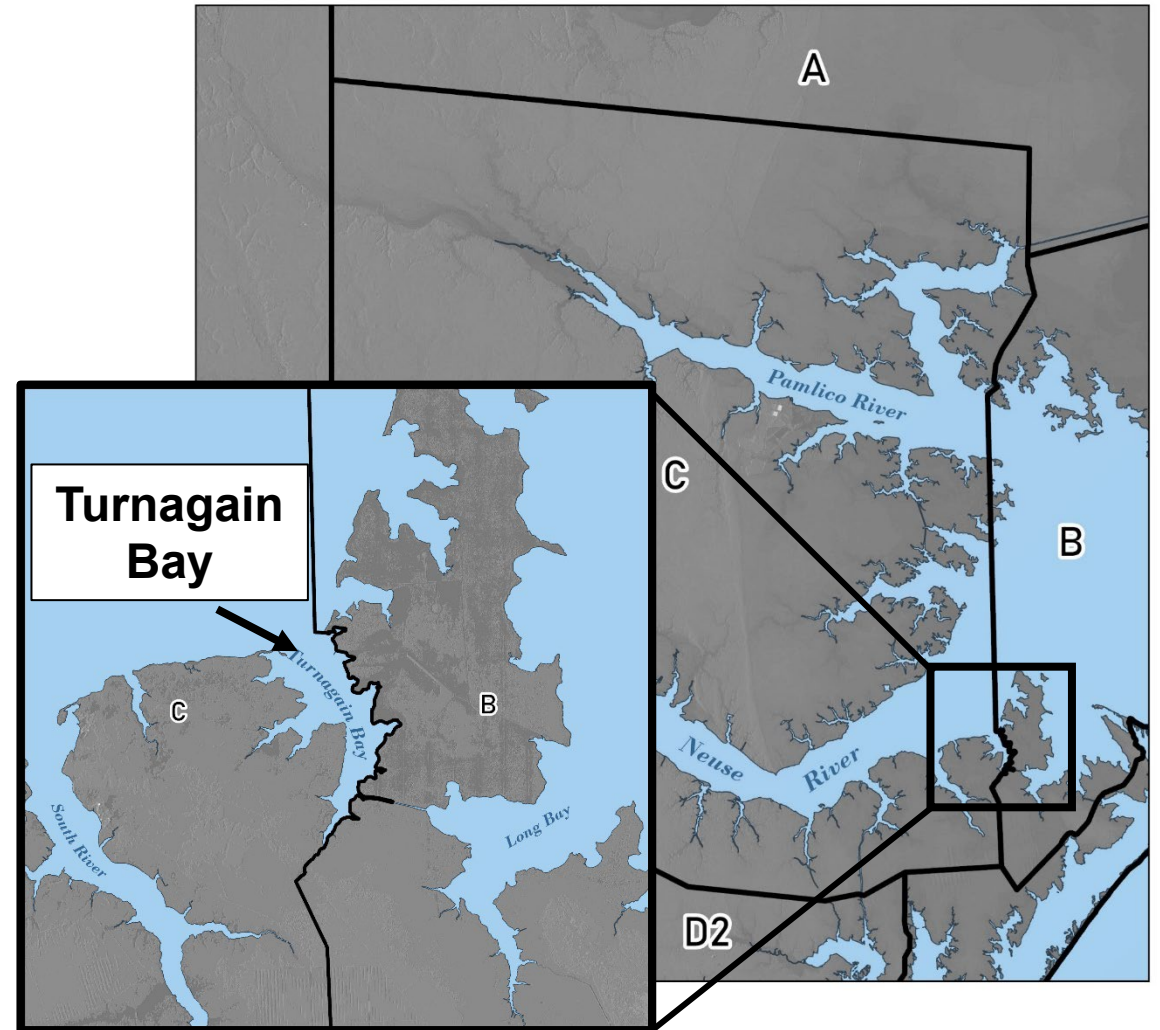
- Management Unit boundary changes:
 - B/D1 line moved north
 - D1 split into northern and southern subunits. Southern Subunit will be closed to gill nets ≥ 4 inches May 8-Oct 14



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1. Monitor

- Management Unit boundary changes:
 - B/D1 line moved north
 - D1 split into northern and southern subunits. Southern Subunit will be closed to gill nets ≥ 4 inches May 8-Oct 14
 - B/C line – Turnagain Bay completely contained in Management Unit C1.



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2. Avoid & Minimize

- Includes strategies from previous ITPs for gill nets \geq 4 inches set (soak time, net configurations, time/area closures)
- Includes continuation of attendance requirements of small-mesh gill nets
- Adds soak time restrictions (12 hours) for gill nets \geq 4 inches set in Management Units A and C for flounder
- Continues requirement for fishermen to report unobserved takes (do not count against authorized number) and follow safe handling practices.

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3. Mitigate

- Collection and dissemination of data on sea turtles and sturgeon (e.g., size, photos, location)
- Maintain acoustic telemetry array
- Help respond to sea turtle cold-stun events
- Cover expenses for PIT tags used for Atlantic sturgeon
- Cover expenses for genetic analysis of Atlantic sturgeon fin clips – Distinct Population Segment ID
- Provide funds to NC Aquarium for sea turtle rehabilitation

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Maintaining ITP compliance

- Takes in 2-year rolling intervals versus annual
- Statewide authorized takes versus by Management Unit
- Observer coverage requirements based on estimated fishing effort versus by final fishing effort that may be hard to predict.
- Observer Trip Scheduling System

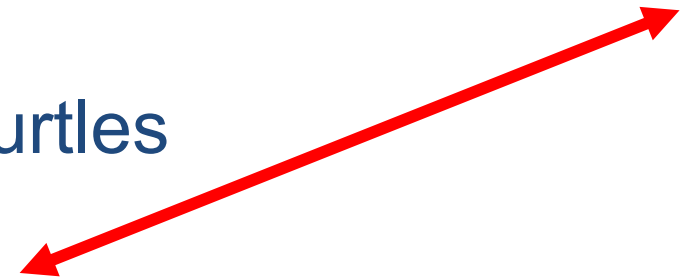
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➤ Authorized takes – dead green sea turtles

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➤ October 2-18, 6 observed dead green sea turtles

➤ Extrapolated = 76.5 dead green sea turtles



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Questions about the ITP?

Observer Trip Scheduling System (OTSS)

- Required by the ITP
- Borne out of the need to address observer coverage issues
- Beta testing occurred September 2024
- Timeline
 - Training meetings January 2025
 - Launch February 2025

Observer Trip Scheduling System (OTSS)

- Fisherman reports fishing activity for the upcoming week by phone call or online portal
- Monday 12:00 am till Wednesday 11:59pm - OTSS open to receive reports as follows:
 - Primary management unit
 - Small mesh, large mesh, both
 - Week portions: Mon-Tue, Wed-Thu, Fri-Sun
- Thursday: Selection notification for week portion by email, phone call, and/or text
 - Selected – assigned observer name and phone number
 - Not selected – provided a confirmation number
- Friday: Reminder to call observer by 4pm to begin contact for following week

Observer Trip Scheduling System (OTSS)

- Fishermen cannot lawfully fish estuarine gill nets covered by the ITP without an Observer or a Confirmation Number.
- If fisherman decides not to fish...
 - They must notify assigned observer.
- If observer has to cancel...
 - Observer Program and Marine Patrol coordination to allow fishermen to legally fish gill nets.

Observer Trip Scheduling System (OTSS)

- Mail out packets to Estuarine Gill Net Permit holders
- In-person trainings

January 16	January 21	January 22
<p>NCDMF Central District Office 5285 Hwy 70 West Morehead City 5:30 p.m. – 7:30 p.m.</p>	<p>Hatteras Civic Center 56658 NC-12 Hatteras 5:30 p.m. – 7:30 p.m.</p>	<p>Dare County Admin. Building 954 Marshall Collins Drive Manteo 5:30 p.m. – 7:30 p.m.</p>
January 23	January 28	January 30
<p>Pasquotank County Library 100 East Colonial Avenue Elizabeth City 5:30 p.m. – 7:30 p.m.</p>	<p>NCDMF Pamlico District Office 943 Washington Square Mall, Hwy 17 Washington 5:30 p.m. – 7:30 p.m.</p>	<p>Cape Fear Community College 411 North Front Street Wilmington 5:30 p.m. – 7:30 p.m.</p>

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Email:

Observer.Program@deq.nc.gov

Questions?