MEMORANDUM

TO: Marine Fisheries Commission
   Finfish and Shellfish/Crustacean Advisory Committees

FROM: Lee Paramore, Biologist Supervisor, Fisheries Management Section
       Tina Moore, Southern District Manager, Fisheries Management Section
       Anne Deaton, Habitat Program Manager, Habitat and Enhancement Section

SUBJECT: Joint Meeting of the Marine Fisheries Commission’s Finfish and Shellfish/Crustacean Advisory Committees on June 16, 2021 for Recommendations on the Shrimp Fishery Management Plan Amendment 2

The Marine Fisheries Commission’s Finfish and Shellfish/Crustacean advisory committees held a joint meeting on June 16, 2021 via webinar.

The following advisory committee members were in attendance:

**Finfish** Advisors: Tom Roller, Sam Romano, Jeff Buckel, Brent Fulcher, Randy Proctor, Ken Siegler, Willam Tarplee, Scott Whitley, Sara Winslow (Absent: Thomas Brewer)

**Shellfish/Crustacean** Advisors: Sam Romano, James Kornegay, Martin Posey, Jim Hardin, Mike Marshall, Bruce Morris, Adam Tyler, Ted Wilgis, Tim Willis

Staff: Corrin Flora, Anne Deaton, Dana Gillkin, Chris Stewart, Hope Wade, Carter Witten, David Behringer, Debbie Manley, Anne Markwith, Tina Moore, Jason Rock, Lee Paramore, Kevin Brown, Dan Zapf, Tracey Bauer, Casey Knight, Lara Klibansky, Beth Govoni, Alan Bianchi, Trish Murphey, Lorena delagarza, Brandi Salmon, Kathy Rawls, Jennifer Lewis

Public: Mark Hooper, Rick Sasser, Glenn Skinner, Nathan King, Keith Totso, Angie Fearing, Mark Jones

Shellfish/Crustacean Chair Sam Romano called the meeting to order at 6:18 p.m.
Chair Romano provided some general guidance for order of meeting and noted the conflict of interest statement for Commissioners serving on the advisory committees.
Roll call for Shellfish/Crustacean Advisory Committee with attendance recorded. A quorum was present with all in attendance.

**APPROVAL OF AGENDA AND APPROVAL OF THE MINUTES**

Shellfish/Crustacean - Motion by Tim Willis to approve the meeting agenda. Second by Martin Posey. *Motion passed unanimously.*

Shellfish/Crustacean - Motion by Tim Willis to approve meeting minutes of the October 1, 2019 business meeting. Second by Adam Tyler. *Motion passed unanimously.*

Chair Tom Roller called the Finfish Advisory Committee to order and thanked those in attendance.

Roll call for Finfish Advisory Committee with attendance recorded. A quorum was present with one member absent.

Finfish - Motion by Ken Seigler to approve the meeting agenda. Second by Brent Fulcher. *Motion passed unanimously.*

Finfish - Motion by Brent Fulcher to approve meeting minutes from the June 3, 2019 business meeting. Second by Jeff Buckel. *Motion passes 7-0 with two abstentions.*

**REVIEW AMENDMENT 2 OF THE SHRIMP FISHERY MANAGEMENT PLAN**

Division staff Jason Rock provided a brief synopsis of the discussion points from the prior night’s meeting of the Northern and Southern Regional Advisory Committees. A presentation on Shrimp Fishery Management Plan Amendment 2 was then presented to both advisory committees by Division staff Chris Stewart, Dan Zapf, and Jason Rock. Staff provided an overview of the shrimp fishery in North Carolina, reviewed the goal and objectives of the plan, and reviewed the four issue papers included in the plan. The issue papers provide a range of management options to address the goal and objectives of the plan. The issues covered included:

- Management of shrimp trawling for protection of critical sea grass and shell bottom habitats
- Shrimp management in Special Secondary Nursery Areas
- Reducing shrimp trawl bycatch through area closures that increase connectivity between closed areas
- Managing effort and gear in the North Carolina shrimp fishery to reduce bycatch

This presentation can be found at: [https://deq.nc.gov/about/divisions/marine-fisheries/shrimp-amendment2#amendment-2-shrimp-fmp-advisory-committee-workshops-(march-2021)](https://deq.nc.gov/about/divisions/marine-fisheries/shrimp-amendment2#amendment-2-shrimp-fmp-advisory-committee-workshops-(march-2021))

Staff noted that any options the advisory committees choose need not be exclusive to one of the issue papers but rather the issues were presented in a manner that one set of recommendations could build on other options to address plan objectives and advise the Marine Fisheries Commission. The Marine Fisheries Commission is slated to select its preferred management options at their meeting in August.
The presentation was followed by a question period for committee members to gain clarifications from staff on the presentation and plan.

A question was asked about what other activities would be allowed in proposed no-trawl areas and whether other means (gears) used to capture shrimp would be allowed in closed areas. There was interest in knowing what the shrimp AC and other committees recommended. Staff summarized recommendations. It was also clarified that the FMP AC role (to assist DMF in development of the FMP) is different than the MFC ACs role to advise the Commission. Staff summarized discussions with the shrimp AC and provided specific input which informed the draft plan. Discussion continued on whether the Division had information or recommendations on where most critical habitats would be located. Staff said examples provided in the presentation gave known critical habitats, including known SAV and shell bottom. Further questions came up over socioeconomics and how those concerns would be addressed with impacts to communities and fisheries. Staff clarified that it was addressed some in the issue papers, but more data was needed to fully know how it will translate. Questions and concerns were raised over prior bycatch work and the reductions previously taken and whether those changes have been fully evaluated in terms of impact/benefit. Discussions continued on Special Secondary Nursery Areas, whether any had been opened in recent years, and whether SAV were present. Staff provided information on where openings occur and available habitat data. The advisors asked about increased shrimping effort in the ocean and whether catches had shifted. Staff noted annual variability and recent increases in white shrimp available in years like 2019, but that shrimp distribution returned to more normal in 2020. Committee members referenced the need for increased observer coverage in all areas including the ocean. Further comments were received on potential benefits of trawling and what studies were available. Staff noted studies of ecosystem benefits have been inconclusive and we know that trawls do damage some sensitive habitat such as SAV and shell bottom.

**PUBLIC COMMENT**

**Glenn Skinner**, commercial fisherman, addressed habitat protection and reductions already taken on bycatch. He believes there has been enough areas closed to trawling. NC has been leader in bycatch reduction. He wanted to know the benefits for what has already been done before any more action is taken. And he supports habitat protection but should address and evaluate what is working.

**Mark Hooper**, Core Sound, believes that the DMF online questionnaire is misleading. There is no way that all the areas currently open are all being trawled and effort is centered around channels. Need to give shrimpers a break.

**DISCUSSION AND VOTE ON RECOMMENDATIONS TO THE MARINE FISHERIES COMMISSION FOR AMENDMENT 2 OF THE SHRIMP FISHERY MANAGEMENT PLAN**

Chairman Romano then opened floor to general comments from committee. Concern by a member that FMP objectives should ensure the long-term viability and sustainability of a species or a fishery, as identified in statute and this plan does not accomplish that objective. Another
member noted that there needed to be flexibility with any seasonal closures due to weather. Some concern was expressed that the Division did not provide any specific recommendations and that the benefit of any prior reductions can’t be quantified. NC has a long history of actions to reduce bycatch back into the 1980’s and the impact has never been quantified. Most recent management action to achieve a 40% bycatch reduction was only recently implemented. There is a need to support studies to quantify these items and need to have better data on critical habitat to help with decisions.

**ISSUE:** Management of shrimp trawling for protection of critical sea grass and shell bottom habitats (using Table 2.1 to guide discussion)

Chairman Roller opened floor to the Finfish advisors to any motion on habitat issue. A brief discussion ensued with no members willing to bring motion forward.

Shellfish/Crustacean advisors commented on the need to move forward on SAV and shell bottom protection but unsure what areas to recommend.

**Shellfish/Crustacean Advisory Committee** - Motion by Mike Marshall that the Shellfish/Crustacean Advisory Committee support the modification of existing shrimp trawl closure lines as shown in this appendix. **Motion fails due to no second.**

The Shellfish/ Crustacean committee discussed their desire for more information on where SAVs or sensitive habitat may be in danger from trawling. A member noted that blue crabs are highly associated with SAV and SAV and shell bottom do need protection. The committee wanted DMF to come back to them with more details. Staff clarified that the MFC intent is to choose their preferred recommendations at their August business meeting and therefore it is not likely to come back to the AC. Staff also offered to open maps of known SAV and shell bottom that were provided in plan and presentation.

**Shellfish/Crustacean Advisory Committee** - Motion by Brian Shepard that the division identify SAV and Shell Bottom areas that are threatened by trawling and mechanical harvest. **Second by Tim Willis withdrawn, and ultimately full motion withdrawn.**

Shellfish/Crustacean – no motion passed on habitat issue. Moving on to next issue.

**ISSUE:** Shrimp management in special secondary nursery areas

Questions on impact to area above New River bridge and if shrimp landings would be reduced. Staff indicated that approximately half of shrimp landings in this waterbody would be impacted.

**Shellfish/Crustacean Advisory Committee** - Motion by Brian Shepard to keep all SSNA as they are. **Second by Adam Tyler. Motion fails 3-4-3.**

No further motions provided by Shellfish/Crustacean AC on this issue.
The Finfish advisors discussed northern Special Secondary Nursery Areas and when they had last opened. Some have never been opened (Kitty Hawk and Buzzards Bay) and the only other one, Shallowbag Bay, has been closed without opening in recent years. Some contain SAV, and are designated due to species diversity. From that respect keeping them closed would be beneficial. Staff noted changes would also impact where gill net attendance is required.

Finfish Advisory Committee had no recommendation on special secondary nursery areas.

**ISSUE:** Reducing shrimp trawl bycatch through area closures that increase connectivity between closed areas

The Finfish advisors began discussion on issue to increase connectivity between closed areas. Members expressed concern over not knowing how to address. Finfish did not put forth a recommendation on this issue.

**Shellfish/Crustacean Advisory Committee** - Motion by Tim Willis shellfish/crustacean AC does not agree with closing all internal waters. **Second by Brian Shepard. Motion passes 6-1-3.**

**Shellfish/Crustacean Advisory Committee** - Motion by Adam Tyler that the shellfish/crustacean AC does not agree with any additional seasonal closures in internal waters. Second by Brian Shepard. **Motion passes 4-3-3.**

**ISSUE:** Managing effort and gear in the North Carolina shrimp fishery to reduce bycatch

Discussion arose that industry would support more research to address many concerns. It was noted the potential availability of funds from Commercial Fishing Resource Fund. Some discussion occurred on where funds are generated and how they are used.

**Shellfish/Crustacean Advisory Committee** - Motion by Brian Shepard to continue to work toward bycatch reduction with gear modifications and devices with industry input taking the lead with the support of the division. Second by Bruce Morris. **Motion passes 8-0-2.**

**Finfish Advisory Committee** - Motion by Sara Winslow to continue to work toward bycatch reduction with gear modifications and devices with industry input taking the lead with the support of the division. **Second by Brent Fulcher. Motion passes 7-0-1**

**Finfish Advisory Committee** - Motion by Ken Seigler recommend consider the use of non-trawl gears in special secondary, secondary, and non-trawl areas to the taking of shrimp. Specifically seines to take shrimp. **Motion fails due to no second.**

Discussion continued on bycatch and issues with quantifying bycatch. Is it bycatch or lack of data that is the problem. Some comments were made that industry desires to be good stewards of the resource but need to quantify what impacts of bycatch are and what are acceptable levels. Can’t continue to regulate and ask the same questions with no answers, need good data. Discussion on how best to word motion to convey concerns.
Finfish Advisory Committee - Motion by Brent Fulcher to recommend strongly encouraging the Division of Marine Fisheries to enhance data collection to obtain the data to be able to better quantify bycatch in the shrimp trawl fishery, and its impacts on the populations of concern. Second by Bill Tarplee. **Motion passes 7-1-1**

Staff provided an update of recent and upcoming MFC topics to committees

Meeting was adjourned at 9:56 pm.