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Annual Fishery Management Plan Update Division of Marine Fisheries August 1, 2025

Authority and Process

The Fisheries Reform Act of 1997 and its amendments established the requirement to create fishery management plans (FMPs) for all of North Carolina's commercially and recreationally significant species or fisheries. Plan contents are specified, advisory committees are required, and oversight by the Department of Environmental Quality (DEQ) secretary, Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources (AgNER), and legislative Fiscal Research Division are mandated.

Annually, the Division of Marine Fisheries (division) reviews all State, Federal (Fishery Management Councils), and Atlantic States Marine Fisheries Commission (ASMFC) managed FMPs where North Carolina is directly involved. Stock conditions and management are monitored and reported through annual FMP updates. This information is used to determine if the State FMP Review Schedule remains appropriate or if it should be revised. The full 2024 FMP review and individual species FMP Annual Updates can be found at <http://deq.nc.gov/fishery-management-plans>.

Status of State FMPs

Out of 13 State FMPs, Southern flounder is under review and both red drum and kingfish begin review this year. A summary of State FMPs is provided below in order of the date of the last action. No schedule change is being requested at this time.

Southern Flounder (*under review*): Amendment 3 was adopted by the Marine Fisheries Commission (MFC) in May 2022. At the August 2024 MFC business meeting, the MFC passed a motion “to ask the DMF Director to ask the DEQ Secretary to modify the Annual FMP Review Schedule to amend the Southern Flounder FMP for the review of the plan to begin in 2024. The intent is to allow for more recreational access while maintaining the rebuilding requirements of the North Carolina Southern Flounder FMP Amendment 3”. The DEQ Secretary approved the schedule change in November 2024, which included development of Amendment 4 to give the MFC the opportunity to consider implementing the 50/50 sector allocation in 2025 instead of 2026 as prescribed in Amendment 3. Additionally, the Secretary approved concurrent development of Amendment 5 to comprehensively explore long-term solutions to the issue of recreational access while maintaining Amendment 3 rebuilding requirements. The MFC is scheduled to take final action on Amendment 4 at the August 2025 MFC business meeting. Development of Amendment 5 will continue regardless of whether Amendment 4 is adopted.

Kingfishes (*review begins 2025*): Management strategies continue to be maintained as outlined in the State Kingfishes FMP. The FMP prescribes that if two or more of the seven triggers are activated in two consecutive years then data will be evaluated further and the need for management changes will be considered. Two or more triggers have been activated for the last two years (2023 and 2024). However, the data used to inform the three triggers activated in 2024 were from the SEAMAP-SA Coastal Trawl Survey, which has undergone recent survey changes that likely affect calculation of kingfish indices of relative

abundance. The scheduled review of the plan will begin in 2025 and will include a comprehensive review of available data. Triggers will also be reevaluated as changes to the SEAMAP-SA Coastal Trawl Survey and the DMF's Program 195 Pamlico Sound Trawl Survey limit their suitability as triggers.

Red Drum (*review begins 2025*): Red drum in North Carolina are managed under Amendment 1 to the North Carolina Red Drum FMP and Amendment 2 to the Atlantic States Marine Fisheries Commission (ASMFC) Interstate FMP for Red Drum. A benchmark stock assessment was completed by ASMFC in 2024 with data through fishing year 2021. Results indicate the northern red drum stock (which includes North Carolina) is not overfished and overfishing is not occurring, though concerning trends are developing. In response to stock assessment results, the ASMFC Sciaenid's Management Board initiated development of Addendum II to Amendment 2 to the Interstate FMP for Red Drum, which is tentatively scheduled for adoption in October 2025. Any changes to the State FMP must consider compliance requirements of the ASMFC plan. Review of the State's Red Drum FMP was originally scheduled to begin in 2024, but in 2024 the DEQ Secretary approved the division's request to delay the review one year to provide time for completion of the ASMFC's red drum stock assessment and align with the ASMFC's tentative adoption of Addendum II.

Blue Crab (*review begins 2026*): Amendment 3 was adopted by the MFC in February 2020 to address the overfished status and end overfishing, indicated by the 2018 benchmark stock assessment. All available information suggests the blue crab stock has continued to decline since adoption of Amendment 3 and management changes are needed. As prescribed by the Amendment 3 adaptive management framework, the division developed and presented management options and initial recommendations to the MFC's Northern, Southern, and Shellfish/Crustacean advisory committees in March 2025. The MFC is tentatively scheduled to take final action on Amendment 3 adaptive management in November 2025. Any management changes will be implemented as a Revision to Amendment 3. In 2024, the DEQ Secretary approved the division request to delay the plan review one year to afford time to implement Amendment 3 adaptive management. As a result, the next scheduled review of this plan will begin in 2026.

Bay Scallop (*review begins 2026*): Management continues to be maintained as outlined in the State FMP. After many years of low abundance, the season was opened in specific regions in 2021, 2022, and 2023 at the lowest allowed harvest levels but was not opened in 2024. In 2024, the DEQ Secretary approved the division request to delay the plan review one year to reduce overlap in ongoing plan reviews and upon identification of no immediate need for management changes. As a result, the next scheduled review of this plan will begin in 2026.

Shrimp (*review begins 2027*): Amendment 2 was adopted by the MFC in February 2022 and management has been implemented through proclamations. The May 2024 Revision to the Shrimp FMP Amendment 2 documents the rationale of the MFC for not pursuing further action to address Submerged Aquatic Vegetation (SAV) protection under Amendment 2, but instead recommending the examination of issues and development of management actions related to the broader conservation of SAV habitat consistent with the Coastal Habitat Protection Plan (CHPP). Amendment 2 includes a motion by the MFC that they will seek additional methods and funding sources for a long-term shrimp observer program. The next scheduled review of the plan will begin in 2027.

River Herring (*review begins 2027*): River herring in North Carolina are currently managed under two separate North Carolina FMPs, Amendment 2 to the North Carolina River Herring FMP and the North Carolina FMP for Interjurisdictional Fisheries, as well as ASMFC's Amendment 2 to the Interstate FMP for Shad and River Herring. The 2024 ASMFC Atlantic coast-wide stock assessment update indicated that river herring remain depleted and at near historic lows on a coast-wide basis. All management strategies will be maintained as outlined in the two State FMPs and ASMFC FMP. The Division recommends transitioning management from the North Carolina River Herring FMP and maintaining their management

solely through the North Carolina FMP for Interjurisdictional Fisheries with the ASMFC. As outlined below, the North Carolina FMP for Interjurisdictional Fisheries adopts FMPs approved by the ASMFC or Councils by reference. This action will achieve efficiencies by addressing any redundancy in management between the ASMFC Interstate FMP and two separate North Carolina FMPs. The DMF will begin taking the appropriate steps to facilitate this transfer, whereby river herring management would be addressed solely through the North Carolina FMP for Interjurisdictional Fisheries.

Estuarine Striped Bass (*review begins 2027*): Amendment 2 was jointly developed with the N.C. Wildlife Resources Commission and adopted by the MFC in November 2022. The FMP includes four stocks: the Albemarle-Roanoke (A-R) stock, the Tar-Pamlico River stock, the Neuse River stock, and the Cape Fear River stock. The 2022 A-R stock assessment update indicated the stock has continued to decline since the previous assessment and remains overfished with overfishing occurring. Based on stock assessment results, the 2024 Revision to Amendment 2 implemented a harvest moratorium in the Albemarle Sound and Roanoke River Management Areas. No stock status is available for the other three stocks; however, a population model indicates the stocks are depressed to a level where sustainability is unlikely. As prescribed in Amendment 2, in 2025 the division began a review of striped bass data through 2024 for the Tar-Pamlico and Neuse rivers to determine if populations are self-sustaining, if sustainable harvest can be determined, and to assess performance of the ferry line gill net prohibition at increasing striped bass abundance. Results of the evaluation and recommendations will be presented to the MFC in August 2025. The next scheduled review of the plan will begin in 2027.

Interjurisdictional Fisheries (*review begins 2028*): The goal of the FMP for Interjurisdictional Fisheries is to adopt FMPs, consistent with N.C. law, approved by the ASMFC or Councils by reference and implement corresponding fishery regulations in North Carolina to provide compliance or compatibility with approved FMPs and amendments, now and in the future. In 2024, the DEQ Secretary approved the division request to delay the plan review one year to reduce overlap in ongoing plan reviews. As a result, the next scheduled review of the plan will begin in 2028.

Striped Mullet (*review begins 2029*): Amendment 2 was adopted by the MFC in May 2024. The MFC adopted regulations intended to reduce striped mullet harvest with a goal of ending overfishing and rebuilding the stock. The regulations included commercial day of week harvest closures and reduced recreational possession limits. Adaptive management allows for adjustment to season closures, day of week closures, trip limits, and gill net yardage and mesh size restrictions to ensure management targets are being met, based on results of stock assessment updates, concerning stock conditions, or fishery trends. While commercial landings increased in 2024, fishery-independent indices also increased suggesting increased landings are related to increased stock abundance. Adaptive management action is not recommended at this time, but stock and fishery trends will continue to be monitored. The next scheduled review of the plan will begin in 2029.

Spotted Seatrout (*review begins 2030*): Amendment 1 to the Spotted Seatrout FMP was adopted by the MFC in March 2025. The MFC adopted regulations that are intended to reduce spotted seatrout harvest and end overfishing of the stock. Adopted regulations include commercial day of week harvest closures (that mirror striped mullet closures), a recreational slot limit, and a lower recreational bag limit. Adaptive management allows for adjustment to season closures, day of week closures, size limits, trip, bag or vessel limits, and gear restrictions to ensure management targets are being met. Amendment 1 also changed the adaptive management framework for cold stun events. The next scheduled review of the plan will begin in 2030.

Eastern Oyster and Hard Clam (*review begins 2030*): Amendment 5 to the Eastern Oyster FMP and Amendment 3 to the Hard Clam FMP were adopted by the MFC in May 2025. With issues related to shellfish leases, aquaculture, and franchises now being addressed by the Shellfish Lease and Aquaculture

Program, the amendments only address wild harvest. Additionally, stock assessments have not been completed for these species due to data limitations; therefore, population size and rate of removals are unknown. Amendment 5 to the Eastern Oyster FMP balances the value of oysters as a fishery resource and essential habitat by implementing deep-water oyster recovery areas (DORAs), cultch supported harvest, and rotational harvest cultch sites. Amendment 3 to the Hard Clam FMP phases out the use of mechanical harvest methods by 2028. Both plans adopted a strategy for the division to further explore options to estimate recreational shellfish participation and landings, and to distribute Shellfish Sanitation and Recreational Water Quality health and safety information. The next scheduled review of the plans will begin in 2030.