

N.C. Marine Fisheries Commission
August 2025 Quarterly Business Meeting
Written Public Comment

Name	State	Please type your comments in the box below.
Frank Boyce	North Carolina	Let us have some damn flounder!
Rus Thompson	North Carolina	<p>For 2026, I would like to see the southern flounder size increased to 16” min , one per day and a longer season. Also, would like gigging season banned altogether.</p> <p>With regards to commercial licenses, the numbers on licenses have increased annually and so I would ask the lottery be reduced to 100.</p>
Dan Milejczak	North Carolina	<p>I am a weekly year around recreational fishermen on the Cape Fear down to Southport and Carolina Beach. I support a true 50/50 split with commercial for flounder in Cape Fear with the ability for recreational fishermen to harvest flounder more than 2 weeks. Also I catch a lot of striped bass year around in the river and believe we have a put and take fishery as proved over the years. It should be treated like any other reservoir in the state with a season and limit. I also am for the ending of commercial shrimping with ocean trollers in our estuary which is obviously killing more marine life and destroying bottom. There are other more selective ways to capture shrimp without the bycatch. Thank you</p>
William Potts	Virginia	<p>Hello, my comment is in reference to the flounder fishery and the creel size limit. Currently NC allows for a 15 inch flounder to be harvested. As an avid summer flounder fisherman, it seems quite obvious that a fish that size is typically not worth the effort to cull and clean as there is barely enough meat to provide for even a full single portion. I am writing to suggest that the size limit for harvesting be raised to 18.5 inches to allow the smaller younger breeding fish to produce more young, allowing for a stronger comeback of the flounder fishery. At 15 inches, those fish are just beginning to breed and by allowing essentially "all breeding" flounder to be culled offers zero room for conservation. If you really want to give them a chance to make a comeback. Institute "slot" size limits with a minimum & maximum size limit, similar to what is in place for red drum, striped bass & speckled trout. For example: limit harvesting to fish between 18.5 inches and 22 inches would leave room for both young mature breeders as well as the larger massive breeders to thrive, thereby</p>

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		helping conserve at least some of the breeding population. At the current size limit, we are essentially culling every possible breeding fish from the population. Thank you
Richard Bucksar	North Carolina	<p>I/we have been fishing South Core Bank since the 80's. Not with a truck and camper, but by paddling over and setting camp on the ocean side for a 10 to 12 day stay. We fished the water in front of us and usually caught dinner. For the past 15 years I have tried to convince my wife that we were/are not crazy. Not by setting up camp on Core Back, but by renting a house on or near the beach, buying the pull along beach cart and equipping it with rods, reels, and all the other stuff. And \$ And \$ And \$. Each of these annual trips cost at least \$1 to \$2K. Not anymore. I have a grand nephew that "likes" fishing. I would like to invite him along on a fishing trip, and for North Carolina to be the place where he catches his first significant fish. Instead.... I have told him sorry Gabriel, the waters along the NC beaches are pretty much sterile.</p> <p>R.W. Bucksar – Ayden, NC</p>
George Arndt	North Carolina	<p>Subject: Public Comment – Recreational Southern Flounder Management (Amendment 4 & Beyond)</p> <p>To: Rulemaking Coordinator, N.C. Division of Marine Fisheries</p> <p>Cc: N.C. Marine Fisheries Commission</p> <p>Dear Commissioners,</p> <p>I write as a concerned recreational angler and resident of Southport, Brunswick County, NC to share my views on Southern Flounder management in North Carolina.</p> <p>1. Introduce a Limited Recreational Harvest Option</p> <p>While I fully support conservation measures, the limit on a recreational season in 2025 underscores the severity of the situation—triggered by recreational overages under Amendment 3's payback provisions. A modest allowance—such as one flounder per person per week over 18 inches—would responsibly balance environmental protection with recreational access.</p> <p>2. Advance the Recreation/Commercial Quota Adjustment I applaud the Marine Fisheries Commission's decision to accelerate the sector quota allocation—reaching a 50/50 split in 2025, one year earlier than originally planned. This</p>

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		<p>adjustment offers much-needed equity to recreational anglers and should help ensure a reliable future recreational season.</p> <p>3. End Inshore Gigging and Commercial Netting in Sensitive Habitats. Gigging and commercial netting in estuarine and creek ecosystems contribute to bycatch and juvenile flounder mortality. Removing these practices in nursery areas would significantly aid flounder recovery, promote ecosystem resilience, and support long-term sustainability.</p> <p>4. Enhance Catch-and-Release Survival Recreational catch-and-release mortality (“dead discards”) counts against annual quotas. Promoting gear and handling best practices—for example, using circle hooks, minimizing handling time, and avoiding deep hooking—could reduce post-release mortality and enhance quota efficiency.</p> <p>Conclusion A well-crafted combination of limited harvest, quota reallocation, and habitat protection can sustain both the Southern Flounder population and our beloved recreational tradition. I urge the Commission to prioritize these actions, grounded in science and equitable stakeholder access.</p> <p>Thank you for your leadership and consideration.</p> <p>Respectfully, George Arndt Southport, Brunswick County, NC</p>
Tim Hergenrader	North Carolina	<p>The Commission will consider opening the Neuse, Pamlico and Tar rivers to net fishing and possession by recreational anglers. Why? The rivers were put under a no take moratorium and netting was not allowed in response to a WRC study that placed the cryptic mortality of striped bass on netting in the rivers.</p> <p>It was hoped the moratorium would result in more and bigger fish, especially females. The bigger females would</p>

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		<p>improve fertility and healthier egg production. Over time the success would hopefully bolster wild populations of striped bass in the rivers systems.</p> <p>The verdict is still out, although reports indicate there are more bigger females traveling to their spawning grounds.</p> <p>Perhaps the striped bass will not recover, but to once again allow netting will ensure they will not recover.</p> <p>In addition to the striped bass, striped mullet are abundant in the Neuse and will be harmed by opening the rivers to nets. Huge schools of finger mullets can be found throughout the Neuse. Also the big 18"mullet are providing a great food source for old drum and tarpon, which are very abundant this year preying on the big mullet.</p> <p>The MFC striped mullet plan has proven to be an abysmal failure. Opening the rivers to netting once again will put additional pressure on the struggling mullet populations. Net fishermen will travel far and wide to take part in the slaughter.</p> <p>Many of us predicted the mullet plan would fail and it has. Now you are thinking about compounding the failure with more netting. Brilliant management!</p> <p>Leave the moratorium in place. Since it was instituted, recreational fishing has improved dramatically providing even more revenue for the state. You folks have an aversion to money?</p> <p>With the failure of the mullet plan, it is in my opinion, soon to be followed by the failure of the spotted sea trout plan. The specs have had a refuge from netting in the rivers. The commercial harvest of specs will doom your ill conceived plan.</p> <p>The flounder remain mired in controversy and that plan is also doomed to failure. A long strange trip for southern flounder caused by the commercial fishing industry and the willing cooperation , for more than 20 years, of state fisheries managers.</p>

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		<p>Congrats on never coming to grips with netting and the turmoil caused by both large and small mesh nets. And now you are contemplating increasing net mortality in the Neuse, Tar and Pamlico Rivers. Your stupendous mismanagement is truly a wonder to behold.</p>
Winfred Chapmon	North Carolina	<p>As a concerned citizen, I am very disappointed that HB442 was not passed regarding outlawing shrimp trawling in our estuaries. It is my understanding that Virginia and South Carolina do not allow shrimp trawling in the estuaries, with limited exceptions. Their creel limit for hook and line fishing is also much more liberal, allowing the keeping of flounder 4-5/day per person all year. There has been talk on fishing forums, like "Salt Strong", about North Carolina being so different on the regulations regarding flounder. It is common knowledge and common sense how the trawling is killing the ecosystem in the estuaries. It is also well known that many fish, called "by-catch", are caught and discarded as dead by the trawlers in the estuaries. One report I recently received was that 10 lbs. of fish are killed for every 1 lb of shrimp caught. Now we have a closed flounder season all year but a few weeks exception, a closed Striped Bass season, only 1 Red Drum per day within a slotted size limit, a closed Trout season for several months and then only one Gray Trout and 3 Speckled Trout per day, a slot size for black drum, and only 3 Bluefish per day. The fish that are caught, are commonly immature fish. When is enough, enough? All of the citizens of North Carolina are being withheld from our Natural Resources that provides food for our families, by a select few who are allowed to exploit these resources for profit, when it is not in the best interest of our environment nor the majority of our citizens. I understand that we are looking at a 50/50 harvest rate for commercial and recreational fishing. This doesn't look like a legitimate or sincere plan. If you only have a two week season, and only one fish per person is allowed, there is no way the recreational fishermen would ever come close to the allowable poundage quota, nor is it worth their time to fish, for one a day unless they live at the water. It is more economically sound to go to another state to fish if you are hoping to catch food. Can we look at the other states and adopt similar plans that make sense for all of North Carolina? Can we look for ways to decrease the "by-catch" and pass stricter laws, stronger enforcement, and higher penalties for those who damage these resources? All of the hard work that our Marine Fisheries and Wildlife Resource Commission puts into our fisheries is greatly appreciated and I believe is greatly jeopardized by how we handle these decisions. I ask you to strongly consider these comments and act accordingly! Thank you for your time!</p>

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Chris McCaffity	North Carolina	Please make fishing fun again by focusing more on enhancement than enforcement. Please ask the Governor to sign an Executive Order suspending rebuilding management deadlines and directing fishery managers to shift dead discard quota allocations for flounder to harvestable quota for all fishermen. Please consider options for regionally stocking a wide variety of native seafood hatchlings to live wild and free as Natural Selection ensures survival of the fittest so there is always plenty of sustainable seafood available for all citizens and visitors. I am happy to answer any questions and/or provide more details. Thank you!
Jim Ingraham	North Carolina	I am not in favor of any modifications to the net ban on the Neuse above the ferry line. If anything I would like to see this expanded to other parts of our state. There is no way that having these nets out of the Neuse is hurting the striped bass recovery, just as there is no way that putting these nets back in the water will not hurt the striped bass recovery.
Jefferson Rives	North Carolina	<p>Dear Commissioners,</p> <p>As both a Charlotte, NC resident and a Pine Knoll Shores fisherman, I am deeply concerned by the findings in your own August 2025 Briefing Book and 2025 Fisheries Management Plan Update. Across every major habitat and stock indicator, the trajectory is downward — in some cases dramatically — despite decades of effort. This is a public trust resource, and these declines represent a failure to replenish at the rate needed to sustain the fisheries for future generations.</p> <p>Below are five urgent, specific and implementable recommendations that directly address your own reported data. Each includes a timeline, estimated cost, funding pathways, and projected benefits.</p> <p>1. Oyster Reef Restoration at Scale</p> <p>Finding: Oyster habitat has declined by over 50% from historic levels, with acreage still far below ecological needs (2025 FMP Update, p. 142).</p> <p>Action: Build 100 acres/year of new oyster reefs in strategic locations prioritized by DMF habitat maps.</p>

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		<p>Implementation:</p> <ul style="list-style-type: none"> • Partner with NC Coastal Federation, local watermen, and contractors for barge deployment of cultch material. • Use GIS mapping from DMF to select high-survivorship sites. <p>Cost Estimate: \$40,000–\$50,000 per acre = ~\$4–\$5M/year.</p> <p>Funding Sources:</p> <ul style="list-style-type: none"> • NOAA Community-Based Restoration Program. • NC Coastal Habitat Protection Fund. • National Fish & Wildlife Foundation Shellfish Recovery grants. <p>Timeline: First deployments within 6 months, full 100-acre buildout annually.</p> <p>Expected Result: Increase oyster filtration capacity by >2 billion gallons/day within 5 years, improving water quality and juvenile fish habitat.</p> <p>2. Salt Marsh Expansion and Shoreline Protection</p> <p>Finding: Loss of 200–400 acres/year of salt marsh due to erosion, bulkheads, and sea level rise (2025 FMP Update, p. 87).</p> <p>Action: Restore/expand 50 acres/year of fringing marsh using living shoreline techniques.</p> <p>Implementation:</p> <ul style="list-style-type: none"> • Target sites with >5% annual erosion rates identified in DMF shoreline change data. • Partner with NC Division of Coastal Management for permitting fast-track. <p>Cost Estimate: ~\$150,000/mile of living shoreline; ~\$1.5M/year for priority reaches.</p>

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		<p>Funding Sources:</p> <ul style="list-style-type: none"> • NOAA Coastal Resilience Grants. • NC Land and Water Fund. • FEMA Hazard Mitigation Program. <p>Timeline: Begin pilot projects in 9 months, scale to full target in year two.</p> <p>Expected Result: Reduction of shoreline erosion rates by 60%, creation of essential habitat for shrimp, red drum, and flounder.</p> <p>3. Strengthened Water Quality Regulations in Priority Nursery Areas</p> <p>Finding: Declining water quality in multiple estuarine creeks and sounds, with 30% of sampled areas showing impaired status (2025 FMP Update, p. 102).</p> <p>Action: Require stormwater retrofits and nutrient management in all watersheds draining to Primary Nursery Areas (PNAs).</p> <p>Implementation:</p> <ul style="list-style-type: none"> • Mandate riparian buffer restoration for new and redeveloped properties. • Incentivize green infrastructure via tax credits. <p>Cost Estimate: \$20–\$30M statewide for retrofits over 5 years.</p> <p>Funding Sources:</p> <ul style="list-style-type: none"> • NC Clean Water Management Trust Fund. • EPA Section 319 Nonpoint Source Management grants. • State revolving loan funds.

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		<p>Timeline: Legislative session adoption within 1 year; 5-year implementation window.</p> <p>Expected Result: 20–30% reduction in nutrient loads to PNAs within 5 years, improving survival rates for juvenile finfish.</p> <p>4. Bycatch Reduction and Fish Stock Recovery Through Enhanced Data Tracking and Incentives</p> <p>Finding: Multiple stocks — southern flounder, weakfish, spot, croaker — remain overfished or at historic lows despite management measures (2025 FMP Update, pp. 47–52). Bycatch mortality is a contributing factor.</p> <p>Action: Implement electronic monitoring (EM) pilot programs for both commercial and recreational sectors to better track catch and bycatch, paired with an incentive program to encourage commercial fishermen participation.</p> <p>Implementation:</p> <ul style="list-style-type: none"> • Equip 50 volunteer vessels (mixed gear types) with EM systems and onboard observers for validation. • Provide annual stipends of \$5,000–\$7,500 per commercial vessel that fully participates, covers data upload requirements, and attends annual review workshops. • Analyze data quarterly to inform adaptive management measures. <p>Cost Estimate:</p> <ul style="list-style-type: none"> • Equipment & monitoring: ~\$8,000 per vessel/year = \$400,000 annually. • Incentives: ~\$300,000/year for 50 commercial vessels. • Total Annual Cost: ~\$700,000. <p>Funding Sources:</p> <ul style="list-style-type: none"> • NOAA Fisheries Bycatch Reduction Engineering Program. • Atlantic States Marine Fisheries Commission cooperative research funds. • NC Commercial Fishing Resource Fund. • Potential matching grants from National Fish & Wildlife Foundation for sustainable fisheries projects.

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		<p>Timeline: Launch within 12 months; review participation and data quality after year one; scale in year two.</p> <p>Expected Result:</p> <ul style="list-style-type: none"> • More accurate discard mortality estimates. • Increased buy-in from commercial sector due to financial incentive. • Targeted seasonal/gear adjustments that rebuild stocks without unnecessarily restricting fishing opportunity. <p>5. Integrated Habitat & Fisheries Replenishment Plan</p> <p>Finding: The current approach treats habitat, water quality, and stock management in silos, slowing recovery (August 2025 MFC Briefing Book, Executive Summary).</p> <p>Action: Establish a cross-division “Inshore Recovery Task Force” to integrate habitat restoration, water quality improvements, and fishery regulations into a single replenishment plan.</p> <p>Implementation:</p> <ul style="list-style-type: none"> • Quarterly joint DMF/DCM/DEQ meetings with stakeholder advisory group. • Annual public reporting on metrics: acres restored, water quality improvements, stock status changes. <p>Cost Estimate: \$250,000/year for coordination, reporting, and outreach.</p> <p>Funding Sources:</p> <ul style="list-style-type: none"> • NC General Assembly appropriations. • NOAA Cooperative Institute partnerships. <p>Timeline: Establish in 6 months; first annual integrated report by end of year one.</p> <p>Expected Result: Synergistic recovery effects — restored habitats supporting higher fish survival, improved water</p>

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		<p>quality enhancing nursery productivity, better-managed stocks rebuilding faster.</p> <p>Conclusion:</p> <p>The data in your own reports confirm what fishermen see on the water: our inshore systems are in broad decline. Reversing this trend requires immediate, measurable action that is funded, implemented, and tracked for results. These five recommendations — oyster reef restoration, marsh expansion, water quality enforcement, bycatch reduction via better data and incentives, and integrated recovery planning — can be initiated within a year and begin producing measurable gains within 3–5 years.</p> <p>Jefferson Rives Charlotte, NC & Pine Knoll Shores, NC Concerned Recreational Fisherman</p>
Ralph Haddock	North Carolina	<p>I have experienced the increase of landings of specked trout, puppy drum and croakers in the Pamlico and Neuse since the closure to netting upstream of the Aurora and Havelock ferries. So, so much positive can be learned from this period if studied.</p> <p>I concluded that the net closure above the ferries should continue.</p>
THOMAS S COLTRAIN	North Carolina	<p>I know this will fall on deaf ears as usual. There is no need to open striped bass season for ANYONE. Many are killed every year during hot weather by Guides and Recreational fishermen who don't care that they are killing these fish during summer months. Should be a LAW if you target stripped bass with a closed season take their fishing license for a year. I know without a doubt if you open the season you will open it for commercial as well. For one time think about the resource inside of a DOLLAR. Try and let one fish in NC recover and leave the season CLOSED until they do recover. But with Marine Fisheries track record the hand writing is on the wall in the form of a dollar bill.</p>
Steven T Brewster	North Carolina	<p>If gillnets are to be allowed back above the ferry lines, could we mandate that no set nets are allowed up there? Strike nets get the job done just fine and generate less waste so this change could benefit everyone. Most of the guys I know that set net have regular jobs and only comm fish on the side. This change will not destroy ANY livelihoods.</p>

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		<p>The issue of flounder bycatch in the shrimp trawl fishery absolutely must be addressed. The Kevin Brown shrimp trawl characterization shows us that HUNDREDS OF THOUSANDS of flounder are lost in the bycatch each year. I've often heard that the study was not intended to estimate bycatch and therefore cannot be used. Surely there is a way to calculate the margin of error possible from the results of that study and then we can remove the error margin in such a way that max benefit of doubt is given to the trawl fishery but at least SOME accountability is achieved here. A tiny group of people cannot be allowed to cause so much waste when as many as 1 million+ anglers are forced to take little or nothing at all. Thank you for your consideration.</p>
Greyson Gwaltney	North Carolina	Please keep the gill nets below the ferry lines and allow recreational more flounder allocation.
Thomas	North Carolina	<p>With the eminent threat of a major Category 4 hurricane coming to the North Carolina coast are y'all willing to extend the flounder season for both recreational and commercial fisherman as the entire proposed season is during a major hurricane event. Also would y'all consider disbanding as you as an agency have failed to represent “we the people” of the State of North Carolina, you weren't elected and are constantly taking away the state constitutional given rights of the people in this state to harvest our state resources and have been a complete and utter failure at managing our states resources through equitable, ethical, and fair management practices which would preserve our resources for all not just those that can make it to Raleigh to protest your actions. I urge all fishermen in this state to sign my petition to disband NCDMF and completely reform fisheries management in this state with NCWRC in control of our natural resources with new reform including a director and board members actually elected by “we the people” of the State of North Carolina who have the constitutional right to our state's natural resources.</p> <p>#makeflounderfishinggreatagain #makefishinggreatagainnnc #itspasttimeforfisheriesreforminnc https://chnng.it/rz6wdyf5m4</p>
Julian Kos	North Carolina	As a North Carolina Resident and Lifetime Recreational License holder, I strongly encourage changes to inshore regulations that increase the opportunities for recreational fisherman to successfully harvest NC seafood. This resource belongs to all people of North Carolina and clearly can't support the exploitation by the commercial sector

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		under current conditions. Until conditions improve, there should be no expansion of commercial fishing in NC waters and a reduction in methods such as gill nets and trawling.
John Wiggs	North Carolina	Flounder are in a recovery period because this state is captured by the special interests of the <200 commercial fisherman mafia. This govt agency ignores the interests of the NC recreational fisherman and continues to act in ways contrary to its own findings. Ban gill netting estuary trawling of game fish. Let our fishery recover and support the interests of the majority rather than bowing to the tyranny of the minority.
Luke Ford	North Carolina	Please start to count the trawl bycatch as part of the dead discard for the commercial sector. Millions of dead juvenile fish not counted against their quota is incredibly unfair. Or better yet ban inshore trawling. Also summer flounder should have an open season for rec. With a simple education campaign rec fisherman can tell the difference between summer and southern flounder. Thank you.
GREGORY JUDY	North Carolina	In March 2019, the Marine Fisheries Commission committed one of the most egregious acts of "fisheries management" in NC's recent history. Closing the Pamlico and Neuse Rivers to the use of gillnets above the ferry crossings near Aurora and Minnesott Beach. It was an "emergency meeting". I guess one of the commissioners got the wheel of their trolling motor tangled in a flounder sink net. How horrifying it must have been! For an emergency meeting, things sure did move quickly and smoothly. There was no need to have public comment, that would just slow things down. When you already have a plan, it's best to move quickly. Dissent by commissioners opposed to the closure was brushed aside and the vote to close the rivers passed. The purpose of the closure was to protect striped bass in an effort to rebuild the population. That was the official reason. The commissioners somehow forgot to address the recreational hook and line impact of catch and release dead discards and blatant poaching. So here we are, 6+ years later and it appears that the closure has accomplished nothing except making life harder on commercial fishermen. The DMF Director at that time tried to convince the commissioners that their plan (the one to protect stripers and rebuild the population) wouldn't work. But maybe that wasn't the real plan, maybe the REAL PLAN was to further cripple the commercial fisherman and give their fishing buddies a private, exclusive area to fish. The MFCs actions were not well received in the State capitol. Gov. Cooper and Sec. Regan, both chastised the Commission for their action; but failed to take any measure to nullify the closures. No doubt, due to the fact that they are politicians, and fairness doesn't count...only votes count. If the MFC was so all-fired set on saving the stripers, wouldn't they have closed the areas to recreational fishermen also? Some entities would say that the

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		<p>closed areas have had a profound effect on the increased populations of speckled trout, black drum, and red drum. This is a misleading statement. Speckled trout have increased due to successive unusually warm winters, no winter kills. Black drum have thrived due to the relatively new size and bag limits. Red drum have been in great shape for years, thanks in part to gill net restrictions that were already in place before the "emergency closure" and will be in place again after the rivers are reopened. These areas already had some of the most restrictive rules for gill nets in the state. It is time to reopen the areas in Pamlico and Neuse Rivers to the use of gill nets as they were before the closures. The upper river commercial fishermen have suffered enough! It is time for the current Marine Fisheries Commission to rectify the mistake of closing the Pamlico and Neuse Rivers to the use of gill nets upstream of the ferry crossings. Thank you.</p>
Steve Haynes	North Carolina	<p>Gill nets kill all fish indiscriminately. Most states have figured this out. Trawling in shallow inshore waters is not nor has ever been a good idea. It has always been a bad idea. Flounder in southern North Carolina coastal waters are plentiful. North Carolina should allow their residents to harvest this plentiful resource. Recreational fishermen are not the enemy . Bad science and bad politicians are the enemy and they seem to have control of this state. One flounder a day for 2 weeks is presented as a victory for recreational fisherman. We don't see this a victory but it is a little better than last year's governmental debacle.</p>
Ben Daniel	North Carolina	<p>To whom it may concern, I humbly request you to please give a striped bass season. I would like to ask if you would also, please consider one in the Roanoke system. I would also like to request a herring season. there is no way you will ever convince me there is not enough herring. Just to poke the dog, if NC would do away with gill nets and trawling on the inside, these conversations would not be necessary. Also please help with the flounder season. Finally, please do away with this stupid slot on speckled trout and let us keep 4 fish. I am raising grand children because both of their parents died from heroin and fentanyl. I got mouths to feed. I feel they should have a right to eat fresh wild caught NC seafood that they and their grandfather caught together. Do you know how hard it is to keep a kids interest up when they have to put back everything they catch. Do you even want the citizens of NC to be able to hand down generations of fishing heritage, Or do you feel that only a few commercial guys have that privilege. I have just as much right to the water and its fruits as they do. Sometimes it feels our leaders are more communist than anything. Do as I say, not as I do. Thats what starts trouble, when government gets so crooked that the people can't stand it anymore. The flounder season you guys gave helped smooth things over some, but its</p>

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		comparable to putting a small bandage on a gunshot wound. It's something but it's not enough. It is painfully evident that the criteria used by the NC fisheries is biased and inaccurate to say the least. it's been that way since 2010 or 2011. Pulling into a parking lot full of trucks that have boat trailers behind them and assuming everyone got their limit is just lazy and stupid. You people need to do better. I expect better from you. I realize commercial fishermen and their jobs and all that. I also expect that when cars were becoming popular that black smiths and horse farriers felt the same way that the commercial guys do now. It's time to move on. it's been a good run, but all good things must come to an end. thank you for your time, Ben Daniel
William (Bill) C Meadows	North Carolina	Please do not allow Gill Nets above the Ferry Lines. Once they were removed we saw a tremendous increase in stripper in the Nuese and Pamlico. Thank You
Gary Smith	North Carolina	Hi N.C. Marine Fisheries Commission, I have lived in North Carolina my whole life. During that time, I have enjoyed fishing with my family on our beautiful coast. However, recently I have noticed that there seems to be more and more restrictions put on fishing in this state for unnecessary or misappropriated reasons. The first thing I would like to comment on is these Flounder restrictions.... personally, I think whoever is in charge of this project, research or regulations should be terminated immediately. There are no shortages of Flounder in our coastal waters first and foremost and if there is any data being used to dispute this then it is completely false, I know firsthand as we went with a guide last year to spot in the sound near oak island and my nephew caught 7 flounder within an hour without any fishing experience at all. I have seen several founders caught off the piers daily, beautiful but yet they can't be kept. Again, this is a disgrace to our wildlife resources commission to not allow those fish to be kept. These individuals are not abusers, but rather nice NC Citizens who just happen to be taking family vacation and incorporating some fishing time to maybe catch dinner and make lifelong memories of fishing with family members. But yet for some reason the NCWRC thinks there is only a few flounders left in the WHOLE ocean and need to be protected.... Ironically Virginia or South Carolina let their residents keep their flounders and I would bet many of the flounder they caught were actually from NC but migrated there due to currents, temperature or food. So, protecting them here did no good in those situations.... I agree that there are times when restricting some species maybe required but never more than one year..... and also there are so many other things that can be done. The first thing should be the restriction of the commercial fishing in NC; there is absolutely too much of it going on and the fact they are allowed to keep so called junk fish (any and all fish that are NOT what they are trying to catch) is absolutely

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		<p>absurd. Laws and penalties should be amended and strongly enforced to prevent the abuse of commercial fishing. Some will argue it is a livelihood, or it will put me out of business, by which I say GOOD, because if you can't share in this states resources appropriately then you should not be allowed to harvest anything. I can remember fishing a few years ago and seeing a boat with huge nets trawling 100 yards off the end of a pier while each individual who was trying to catch some fish during the annual spot run, which were biting but stopped biting completely once the trawler came by. I also come from a NCWRC law enforcement family, my cousin is married to who was once the NO 1 man in the NCWRC law enforcement division, which I am extremely proud of and will refrain from using his name as to protect his identity. With all this said I would like to recommend a couple of things that I think speak for the thousands of NC anglers who love NC. First, please remove the Flounder restrictions for the individual fishermen, if a 1 or 2 fish per day limit needs to be made then fine but don't have any more closed seasons on the one fish that is over abundant in our states waters regardless of what your research data or false information shows... (if you have to increase beach, sound, pier law enforcement then do so as honest people will obey the laws and the law breakers can pay heavy fines) Also restrict the commercial fisherman and the areas they can harvest fish in.... for example: pass a law that ALL commercial fishing boats (not guide boats) must stay off shore 1 mile from the beach and no sound or intercostal trawling allowed for fish (shrimp trawling is ok in the sound provided all fish are returned to the water ASAP, and I would have law enforcement checking these boats hard to make sure they do that) Also, pass laws that they cannot harvest fish in flounder bed areas (this is something I came up with - it would be a designated areas marked and monitored by NCWRC law enforcement that would allow flounder to mate and restock the waters naturally like a preserve). Also, I would pass law decreasing the size of the fishing nets that commercial vessels can use in NC waters, I don't care what size they use in other states but in our state they would be smaller. Also, the number of commercial licenses for commercial fishing should be limited, not just anyone should be allowed to buy a boat and start fishing our waters for commercial reasons, again primarily focusing on trawlers. Again, people will say who will supply the restaurants if you cut out the commercial fishermen, by which we say there are more than enough of commercial boats to supply the restaurants what they need now and if not, then people will just have to eat something other than seafood on Friday night. Also, with that said, the commercial fishermen in NC should only be regulated to sell their harvest to NC restaurants anyway... not shipped all over the country, and if they don't like it then good, they don't have to fish here. I can think of many reasons this would be beneficial to NC but that is a different topic. As for the individual fishermen fishing with rod and reel, they would have no restrictions except for size limit and quantity with none of this if you catch one north of I95 it has to be this</p>

Name	State	Please type your comments in the box below.
		<p>size or south of US64 it has to be this size mess. With stronger restrictions on the commercial fishermen, less restrictions on the individuals (with law enforcement of course) and more focus on protective areas for specific fish on the decline to allow them to recover I know NC fishing would once again be restored to its former glory and allow all NC residences to once again enjoy GOING FISHING. Thank You for your understanding in this matter and I pray you will take me serious enough to read or distribute this letter during any future decisions the state may hold on this matter as I know I speak for thousands of fishermen in NC who feel the same way. God Bless and Take Care...</p> <p>Mr. Gary Smith</p>
William Burton	North Carolina	No gill nets.
William Burton	North Carolina	Stop inshore trawling.
James Holloway	North Carolina	<p>Allowing netters back into the upper Neuse River would jeopardize the fragile aquatic ecosystem and undermine conservation efforts. Gill nets, often used by netters, indiscriminately kill fish, including endangered species like the Atlantic sturgeon, disrupting population recovery. Additionally, netting can damage critical habitats, such as spawning grounds, and increase bycatch of non-target species, further stressing the river's biodiversity. Reintroducing netting risks reversing progress made through regulated fishing and restoration initiatives. Sustainable management prioritizes long-term ecological health over short-term economic gains, so keeping the ban on netting is essential for the upper Neuse River's recovery.</p>
Wilbur Vitols	North Carolina	<p>1) No to gill nets being brought back in area above Minnesott Beach. The sensible ban has resulted in a marked increase in trout in the area in the Neuse River and its creeks all the way up to New Bern. Allowing nets back into this area will be a step backwards for not only trout but other gamefish species.</p> <p>2) Striped Bass. Just as it has been shown in the Cape Fear River, a total closure is not going to bring the striper population back to a self sustaining population. That river along with the Tar, Pamlico and Neuse Rivers is being regularly stocked - and one must ask "To what end". These efforts are publicly funded by fisherman and others yet access is denied. It is obvious that these rivers should be a "stock and take" area with sensible slots and limits - not</p>

Name	State	Please type your comments in the box below.
		<p>total restriction which did not work in the Cape Fear.</p> <p>3) Flounder - the real issue here is the total disregard for the impact of trawling and its bycatch. Until the commission stops sticking their heads in the sand to take real meaning action, and address this there will be nothing more than bandage rules that really affect that species, and is completely unfair to the recreational sector.</p> <p>Thank you</p>
Stuart Creighton	North Carolina	<p>Good morning,</p> <p>Several important topics for this upcoming meeting are outlined below:</p> <p>Southern Flounder</p> <p>Please see the final vote on Amendment 4 through. The allocation switch to 50/50 a year early is certainly necessary to increase recreational access to this key fishery. We were given an unfairly low quota allocation at the beginning of the restrictions, and this move makes up for that shortsightedness.</p> <p>Blue Crab</p> <p>The current restrictions aren't working, and as a result, DMF is recommending changing the reduction to 20%. Because the latest stock assessment update used improved data, the reference points shifted noticeably, resulting in a failed peer review. Nonetheless, current trend analysis remains concerning; enough so to prompt the recommendation in spite of the failed peer review. If the data verifies, and it likely will, crabbers will be faced with probable reductions of around 50%. Is it really unreasonable to take a 20% cut now to avoid a crippling cut later?? Have we not learned our lesson from the current difficulties associated with southern flounder measurement?? This certainly has potential to play out the same way.</p> <p>Striped Bass</p> <p>According to DMF results, the striped bass population in the CSMA rivers has not recovered. That counters all of my observations on both the Neuse and Tar-Pamlico rivers.</p> <p>For the study: when, where, and how often were samplings done?</p>

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		<p>Why an April season when most of the fish are moving upriver on spawning runs?</p> <p>The Division was charged with studying the impact of the net bans on other species. Was that done??</p> <p>Was a study done in these specific areas as requested?</p> <p>I can get behind a put-grow-take fishery. Using stocking funds from federal monies specifically requires recreational access, NOT commercial access.</p> <p>Commercial fishermen are having no trouble harvesting trout and mullet, their two primary targets upriver. Both species have seen much higher levels of harvest since the net bans went into place. To those ends, there is NO NEED to return the nets upriver.</p> <p>The gill net restrictions should remain in place regardless of whether these areas are opened to harvest of striped bass.</p> <p>Sincerely, Stuart Creighton</p>
Jerry James	North Carolina	<p>You told us 5 years ago only 2 year closure on strippers. Jody like always once you take we never get back. ie flounder ,striper ,trout,blues.get trout. What is next pinkish? You keep on all you will have to do is draw a check every 2 weeks. This is getting ridiculous</p>
Darryl Mitchell	North Carolina	<p>It's a shame that we have the most water resources but we have the poorest management practices of any other state! Im my opinion and I have been fishing the Pamlico for over 30 years, the DMF's only objective is to protect the commercial fisherman and due to that always being the case our fisheries are in ruins! It won't get any better until either the DMF changes objectives or they are replaced!</p>
Kevin Haltigan	North Carolina	<p>I fish year round on the Pamlico River system from Washington to Pamlico Point. Stripers are a bycatch for me when targeting Trout and Redfish. %95 of the Stripers I catch are above the ferry landing. If the idea for the gill net closure above the ferry landing was to help the stripers, please do not allow those nets back in these waters (where most of the Stripers are located). Furthermore, gill nets above the ferry landing would have a massive impact on speckled trout. Following the cold stun, closure, and limit reduction, It makes absolutely no sense to allow gill nets up river to hammer winter trout when they are in a state of recovery. I am against gill nets past the ferry landings. Thank you</p>

Name	State	Please type your comments in the box below.
Timothy D Birthisel	North Carolina	<p>I hope to attend in person weather permitting, meanwhile here is a brief summary of my idea to benefit NC fisheries. I plan to bring handouts.</p> <p>How to populate the sand bottom offshore in NC with an economical tripod module:</p> <p>After over 30 years of development history, we present a durable biology-promoting module for installation on a sand/sediment seafloor. We call it the Terra Sub Aqua Tripod (TSAT).</p> <p>The TSAT is comprised of rebar legs to retain stacks of porous mineral substrate such as drilled and porous shell rock like widely available coquina shell rock. Each tripod leg is a no.5 steel rebar about 3m long, half buried in deep sand. These are installed vertically with spacing of about 75 cm in a pattern of an equilateral triangle on the seafloor. These then form a tripod by a stainless-steel closure at the apex of the rock stacks, which are assembled on the seafloor.</p> <p>The coquina shell rock, porosity roughly 30%, supports a robust microbiome that feeds anaerobic bacteria internally and algae, larvae, juvenile fish, and invertebrates near and on the rock surface.</p> <p>Over a few years, the submerged rebar sections form a coating of CaCO₃ scale about 1-2 cm thick. Chemically speaking, reducing sub-seafloor chemistry is connected to the oxidizing seawater above by the rebar to create a natural galvanic battery. The electrons flowing from the seawater to the submerged rebar sections serve to grow a foundation "footer" that prevents easy removal or lateral movement in the sand.</p> <p>This substrate setup survives hurricanes, and a diverse reef structure develops as plankton settle and form a microbiome within and on the rock's porous surfaces during the first few months. This serves as a food chain base for a complete marine biome which develops over several years by fish egg laying, larval settlement, and protective cover, resulting in a complete marine biome. As the biology develops, pelagic fish schools expand from their habitat, and larger species needing cleaner stations, cover, and food are attracted early on.</p> <p>https://1drv.ms/w/c/a95162eb1b8585ed/EV6XExFbHPNkt7qAE6La028BdclgMmo6NV0T3LLulcd0RA?e=JTPbD5</p>
Chris Wagner	North Carolina	<p>There is no shortage of flounder and no shortage of greed involved in this whole thing. You make up the numbers for recreational fisherman because you have no way of actually knowing what is caught, released, or harvested! Facts!!! We have a place at Sunset Beach and there are Flounder everywhere including a few miles down the ICW</p>

Name	State	Please type your comments in the box below.
		into SC where they have reasonable creel and size limits for the entire year! Same body of water! You and your organization are ignorantly and crooked!
Walter McNamee, III	North Carolina	<p>Something that has been bothering me for a long time is the policy and law makers involvement in a 501(c)(3) Non-Profit Group. Namely the CCA. Their involvement in ANY form of Government is Illegal under Federal Law. So, is it Tax-Evasion or other Illegal Practices they are conducting? I guess that will have to be decided by Pam Bondi and the IRS where my next messages are being sent. I was able to pull up documentation to prove what I am saying. Below is a sample.</p> <p>https://projects.propublica.org/nonprofits/organizations/741984482/202432869349300808/full</p> <p>I am sick and tired of "Special Interest Groups" embedding themselves in things that effect us all. It is time for it to stop. Have a nice day and know I will be digging for info on individuals next.</p> <p>Regards, A Pissed Off Fisherman and Citizen, Walt</p>
Tim White	North Carolina	I'm not sure that increasing recreational quota at the expense of commercial quota is the best solution for the resource. Recreational catch is currently an educated guess. The trip ticket program allows an accurate recording of the commercial catch. Rewarding overfishing of the resource by recreational just doesn't seem right. This also severely limits access to the tourist and citizens who are not able to catch their own flounder. Please vote to keep the commercial quota at it's current level since commercial has followed the rules and not broken or ignored them.

Dear MFC Commissioners, Director Rawls and interested parties –

Please accept our comments for your consideration. The comments focus on the current management limitations as they relate to the NC Southern Flounder FMP's capacity to meet the goal for obtaining sustainable harvest, where sustainable harvest currently requires rebuilding of a coastwide (multi-state) stock through a state specific FMP. We have also provided a detailed update on expectations for achieving this stock rebuilding target, considering regional and state by state fishery performance of southern flounder to date. Suggestions are provided on how this management strategy can be modified moving forward to align the southern flounder FMP sustainable harvest goal so that it is consistent with what is achievable within NC's authority to regulate and within the mandates of the FRA. This is being provided for the DMF and MFCs consideration to hopefully help add clarity in making the best decision to better serve both the fish stock and NC citizens.

There are several questions for your consideration throughout the document that are key to understanding where we are and where we need to be. Some of those key questions are included below for reference. We include these for reference because they are key to determining the path forward, but we request that you review the entire document to ensure that context is not lost or our intent confused. Questions for Southern flounder management consideration:

- Do we have a 50% probability of a stock rebuild in NC if the current rate of coastwide removals remains?
- Under the assumptions of current management regarding stock structure, does NC control at least most of its own destiny regarding southern flounder?
- Does the biology and life history of southern flounder, one that requires a coastwide stock assessment and coastwide management, allow NC to meet the requirements of the FRA if we don't have cooperation and reductions from other states?
- How does the biology of southern flounder, that is defined as a South Atlantic unit stock, allow NC to meet rebuilding targets without the aid of regional management?
- Why are we not discussing the biology of southern flounder as it relates to the existing guidance of the FRA?
- Do we continue with management goals that are dependent on regional management for success, or do we move towards state management goals that are in our control and/or serve our citizens' best interest?

We understand very well the immense responsibility you have as public servants and stewards of our state's natural resources. These comments are provided to add clarity on options at your disposal to navigate a very difficult situation. Our hope is to provide the state and MFC with suggestions for a path forward that provides protection through sustainable harvest for Southern flounder while also prioritizing greater access to NC citizens that use our marine resources.

Sincerely,

Lee Paramore and Steve Poland

The NCMFC passed Amendment 2 and Amendment 3 under the guidance of the FRA to end overfishing and rebuild from the overfished status within the 10-yr timeframe to meet the target biomass. This FMP is somewhat unique in that NC, while a major player, does not control its own destiny in stock rebuilding given the coastwide stock. Several years have passed and now the overall performance of the coastwide fishery relative to the rebuilding schedule can be evaluated and that information needs to be disseminated to the MFC and public.

More details will be provided below, but by all accounts, **even with NC meeting 60-70% annual reductions in removals, and even with no recreational season last year, the overall coastwide reductions necessary to rebuild southern flounder have not happened and likely will not happen until other states take further action.** NC will have to change course on how they assess and manage southern flounder, or NC will have to convince the ASMFC to enter into an interjurisdictional management plan with other states to solve this issue.

Regional management, that requires multiple states cooperation to be successful, is certainly best handled under the umbrella of a regional entity like ASMFC and that is precisely why ASMFC exists. If rebuilding a coastwide SSB is the goal, as currently specified in the state FMP, then ASMFC is likely the only viable option. We now have hindsight based on the lack of coordinated regional management to meet reductions and the resulting low likelihood for success in rebuilding. As a state, we should adjust based on what is known now that we are at year seven in this rebuild. Question to consider - ***Do we continue with management goals that are dependent on regional management for success, or do we move towards state management goals that are in our control to achieve and better serve our citizens' best interests? Do we insist that ASMFC step up to remedy this situation with a multi-state cooperative plan?***

Under the current scenario, NC citizens from both sectors will likely get no meaningful Return on Investment (ROI) for the sacrifice of taking the full reductions that NC has implemented under the stated requirements of the FRA. The MFC needs all information available to fulfill its role, which is to weigh impacts to fish stocks against providing NC citizens with access to the resource. The latter in balance with the first is one of the primary mandates of the FRA.

Removals since the passage of Amendment 3, when considered as a unit stock (coastwide removals), do not satisfy the requirement to end overfishing (except likely in 2024 when NC had no recreational harvest). Ending overfishing is equal to a 31% reduction and not the full measure of 72% needed for coastwide rebuilding to target biomass, the current goal of the state FMP. Restated, **coastwide reductions for all states (NC, SC, GA and FL) have not been sufficient since the passing of Amendment 3 to end overfishing.** This is not opinion but is simply based on summing annual removals against the required reductions from the stock assessment and then comparing them to the expected stock response taken straight from the coastwide stock projections, the same projections used to set NCs current quotas under a 72% reduction. If the state holds to the assessment and projections as the best available science, and that is the current basis for the annual quotas as set in the plan, then no other conclusion can be drawn. The only valid conclusion in keeping with current management is that the stock is not going to meet rebuilding requirements. So essentially, NC has boxed itself in by going at this alone under the current strategy. **The NC FMP, as passed by the MFC, requires reductions specific to NC that meet a 72% reduction over 10 years. However, the plan does not state that meeting this requirement will satisfy NC's part in rebuilding. After all, what would be the reward to NC citizens if all**

we did was take reductions and still had an overfished stock? The plan states that “A sustainable harvest is attained when the stock is no longer overfished (G.S. 113-129).” **So, the NC FMP has a disconnect. The tool for rebuilding under this FMP is limited to NC, but the stated metric to determine meeting the FRA requirements is defined as rebuilding the coastwide southern flounder stock in 10- yrs with at least a 50% probability of success.** We are currently in year seven of the rebuild and we already know the answer to whether this goal is attainable. **If for no other reason, the FMP needs to be reopened to address the goals and align what is required with what is obtainable at the state level.**

Questions the public and MFC need to hear answered so they can evaluate and consider the best scenarios for Southern flounder management moving forward:

- It is stated that we must maintain reductions to meet the 50% probability of rebuilding as required by the FRA. **Do we have a 50% probability of a stock rebuild in NC if the current rate of coastwide removals remains?** The current management strategy is to achieve/maintain reductions and to meet the rebuilding plan of Amendment 3 with a calculated 50% probability of success as required by the FRA. However, the only probability ever calculated was based on a coastwide reduction. NC can only do its’ part and hope that other states participate in reducing exploitation rates to aid in rebuilding. The stock assessment and projections as configured have no way to discern regional management differences. It is one stock from NC to the east coast of FL. The fact that rebuilding is dependent on coastwide removals when it comes to the success of meeting the NC FRA mandated rebuilding schedule is most often stated implicitly and rarely explicitly because it is presented as the only option currently available.
- Under the assumptions of current management regarding stock structure, **does NC control at least most of its own destiny regarding southern flounder? Consider that if NC were to just go “all in” and give up everything left (complete moratorium), then the coastwide removals would still not meet a coastwide 72% reduction and probably would not meet a 52% reduction of the threshold biomass for rebuilding.** This is not overstated. While NC was the major player in 2017 and in years past, other states harvest has increased, while NC has taken reductions. Additionally, releases have increased coastwide. Projections and probability for rebuilding in this case do not depend mostly on what NC does under the FRA. You may recall it was NC’s large share of the removals that was an original justification provided in debate when this management was adopted. However, fishery dynamics have changed, now more than ever, success moving forward is reliant on SC, GA and FL. It is often stated in meetings and in Amendments to the plan that we must maintain the 10-yr rebuild and meet the 50% probability. As stated before, nowhere does the FMP provide a provision that this goal will be accomplished if NC simply meets its portion of reductions regardless of whether the stock rebuilds due to lack of participation from other management entities (states).
- A picture is worth a thousand words. Figures below show total removals (across sectors) by year for the South Atlantic (Figure 1) and total removals for each state (Figure 2). The horizontal lines show the reductions needed to meet the overfishing (31% reduction), overfished threshold (52% reduction) and overfished target (72% reduction). In the first figure, for coastwide removals, none of the reduction goals have been met except during 2024 where reductions were sufficient to meet the definition to end overfishing. **Not once has the rebuilding biomass threshold or target been met at the coastwide level.** That is not to say there is no benefit or rebuilding to the stock, because rebuilding is projected under a set of assumptions regarding things like fishery selectivity and future juvenile recruitment. However, **based on this result, there should be no reasonable expectation for**

rebuilding and certainly not a 50% chance that it is happening. For the individual state graphs, the % reductions needed (horizontal lines) are relative to that individual state's total removals in 2017. The target reduction has only been met once and that was for NC in 2024. NC has been below or near the threshold biomass level for four of the last five years. Despite NC's significant reductions, the other states have maintained landings (i.e. Florida) or increased landings (i.e. SC and GA) to the point that overall removals have not significantly decreased. SC removals have increased more than 2-times the 2017 levels in both 2023 and 2024. **Given the continued rate of actual removals from the population, there is no projection scenario that would predict a rebuilt stock by 2028 or beyond.**

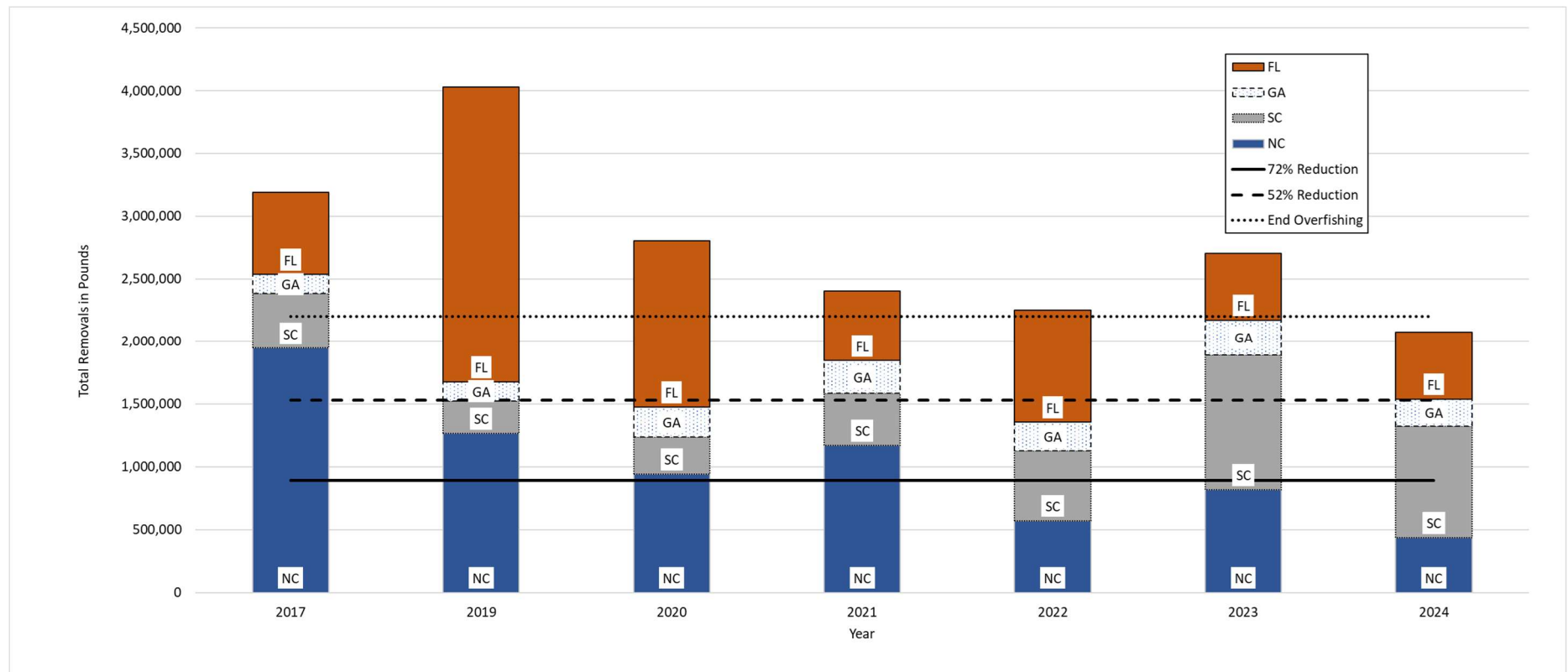


Figure 1. The figure provides coastwide removals relative to the reductions needed to meet the overfishing and the biomass rebuilding reference points (represented by the horizontal lines). Projections first determined the coastwide annual reductions needed to end overfishing (31% reduction) immediately and then provided scenarios where the threshold biomass (52% reduction) and target biomass (72% reduction) could be rebuilt over 10-years. Projections that rebuilt the stock in 10-years assumed reductions began in 2019 and were assumed to be maintained through 2028. When the bar graph is above a line, this goal is not being met for that year.

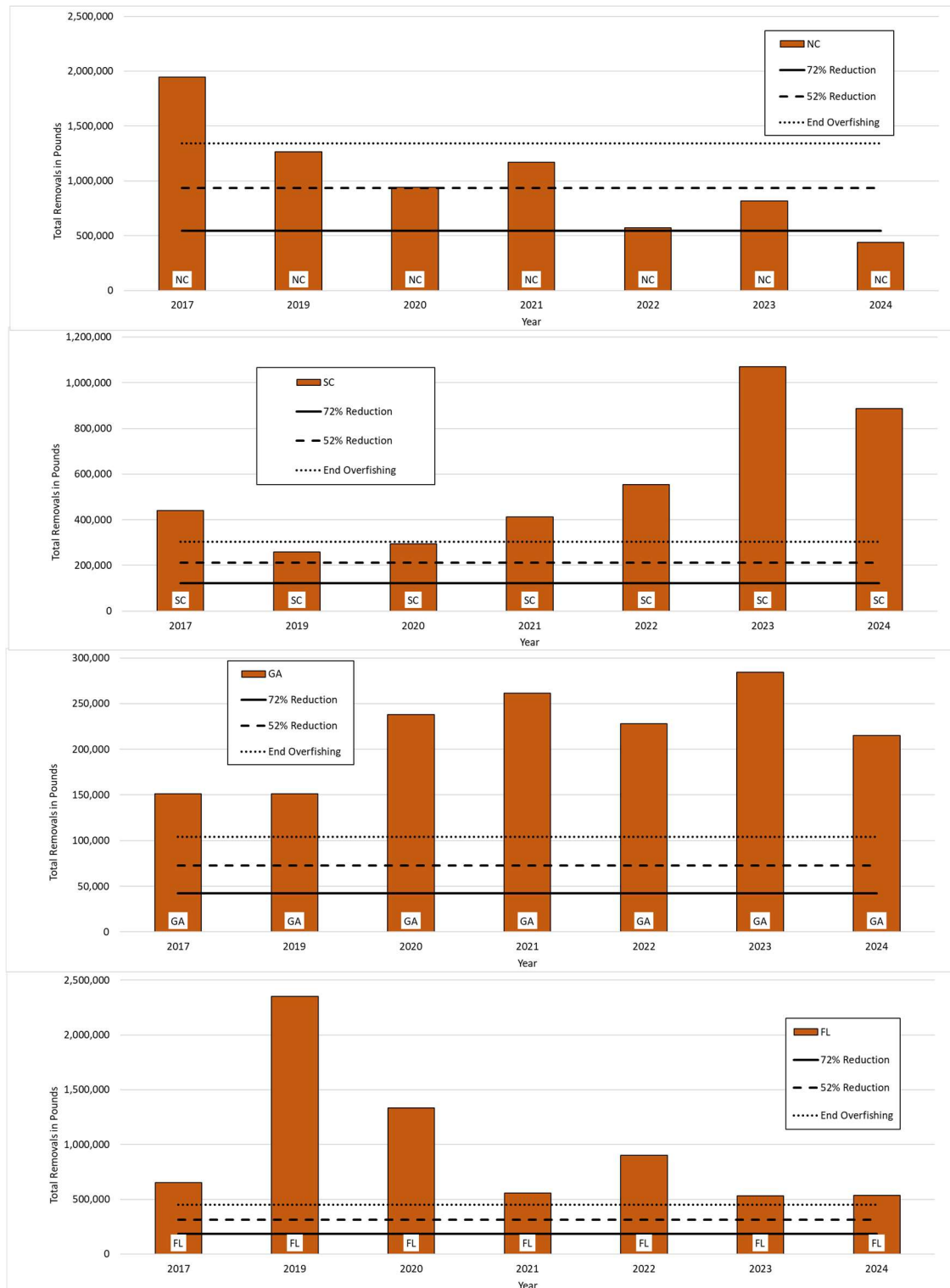


Figure 2. The figure provides individual state removals relative to the reductions needed to meet the overfishing and the biomass rebuilding reference points (represented by the horizontal lines) relative to that state's removals in 2017.

- Many NC citizens expect that they are sacrificing harvest now as an investment for future benefit, but don't realize that there is likely no ROI under the current management regime. **Now consider if this was truly the intention of the FRA? The legislature passed the FRA with the requirement for rebuilding, but they had the forethought to allow for some discretion in unique situations. Yes, the FRA has language that addresses unique situations where the biology of the fish prevents NC from meeting the traditional definition of sustainable harvest with a state FMP. Has there ever been a more unique situation than southern flounder?**
- **Does the biology and life history of southern flounder, one that requires a coastwide stock assessment and coastwide management, allow NC to meet the requirements of the FRA if we don't have cooperation and reductions from other states?** If we can't rebuild southern flounder alone, and other states aren't willing to take further reductions, why treat the 10-year rebuild of a coastal stock as if it is the only option the FRA allows? **Is our goal simply to meet a strict interpretation of the statute even if it fails both the fish stock and the citizens?** So, to ask the question directly. **How does the biology of southern flounder, that is defined as a South Atlantic unit stock, allow NC to meet rebuilding targets without the aid of regional management? Why are we not discussing the biology of southern flounder as it relates to the existing guidance of the FRA?** Why are we content to continue with status quo instead of developing more innovative ways to address this issue? For those who were involved was this endeavor to rebuild a coastwide stock not portrayed as a cooperative effort among the states to the MFC? Yes, it was. Now the DMF needs to say to the MFC: "There has been enough time, and the cooperation is not there. The other states' rule-making bodies are not interested in further measures and are not required to do anything further on their own. We are largely in this alone, and you, as the MFC, need to consider shifting course." **There is currently, as the FMP is written, no offramp under current NC flounder management that results in any additional meaningful harvest moving forward for NC.** Even still, there is only a very low probability that current management will be successful in meeting the minimal requirements as defined in the FMP. The current predicament is a direct result of the FMP being framed in the manner that it was, using a hard quota specific to NC tied to a goal of rebuilding a coastwide stock. It has been stated that other states have no interest in an assessment update until 2028. For what reason would the other states be interested in updating the stock assessment for at least a few more years? They have increased harvest while we have increased escapement from our waters. How do we proceed? The path you are currently on moves forward with development of Amendment 5 under the same limitations of a regional stock assessment and a 72% reduction, constrained by a list of what management options that will not be considered and then follow that up down the road with a new stock assessment in 2028.
- Assume we stay course as the current plan requires as approved. It's now 2029 and we have a new stock assessment and new projections. How would you propose we meet the next round of reductions when every source of information we currently have says we will still be overfished? Do we honestly say because of the FRA requirements we have to go solo again? There will be no juice left to squeeze from NC. At that point we will be facing a complete moratorium and will have no option but to return to ASMFC and ask them to step up which would still require, again, additional time to implement.

- **MFC, please request an answer on the FRA requirements given the special conditions outlined here.** It certainly appears based on the wording of the FRA and also on the precedent of how other fisheries are managed under the FRA that there are alternatives that have not been discussed or considered as legal and viable alternatives. Species like red drum have not met a 10-yr rebuild because biomass for this species has never been determined and it too is a multi-state species. Kingfish are managed differently due to migration patterns and life history. These species and others that have limitations are managed by different definitions of “sustainable harvest.” The statute plainly and clearly states that discretion lies solely with the Director to make a determination if the biology or lack of data for the fish makes implementation of the MFCs management strategy untenable. If you ask the question and the Director interprets that we must do all that we can do to rebuild flounder under a strict 10-yr requirement of the FRA and that the biology of the fish, in the discretion of the director, does not impede NC from meeting the coastwide rebuild goal, then what we are doing is what the statute requires. But fortunately, the FRA does clearly provide discretion to the Director in these matters related to the biology of the fish and for other reasons ([G.S. 113-182.1](#)).
- **There is no way the General Assembly, when they approved the FRA, envisioned a scenario that would so disadvantage the very citizens they are serving, all while the same FRA fails in the rebuilding of the southern flounder stock because it is a regional, multi-state stock. At the moment that a state specific stock assessment failed, it would have been wise to change the rules of engagement for how we attack the issue of flounder management. Hindsight is 20/20, and the intention is not to dwell on the past, but rather to learn from it and move forward based on what is currently known. Now that we have clarity, we must forge a new path.** In the present situation, an alternative strategy would at least consider giving the NC citizens more access to the resource while still providing conservation for the species that is consistent with the FRA.

There is no silver bullet but here are some possible suggestions for consideration.

- The MFC should strongly consider the advice of their Northern Advisory Committee. At their most recent meeting, they passed a motion on Amendment 4. The idea would be to reopen the plan and vote to override the DMF advice for managing to the target coastwide biomass (reasons stated above on life history and lack regional multi-state support for reductions, and the disconnect between the ultimate goal of the FMP and the tools available specifically to NC to meet that goal would be justification) and then manage still conservatively to the 52% threshold (this meets FRA rebuilding requirements as currently defined in Amendment 3). There is no guarantee we meet the reduction at a coastwide level, but that is clearly already the case. We would still be doing our part to sustain the coastwide stock, but we would not be overcompensating for the lack of support from the other states. This at least puts you in a position to give something to the public.
- In the meantime, the DMF for their part, should come up with alternative management strategies and develop new stock status criteria that match what is obtainable with what is in our control under the FRA. If that is NC specific management then it just needs to be defined as such. Once established, that would provide new management reference points. Again, these are to be defined by what the data and jurisdiction of a state FMP allow. This is already done for other species where similar

limitations occur. It should just be accepted that we cannot manage to SSB for the entire Atlantic coast without full cooperation of an interjurisdictional FMP that includes coastwide management and state compliance requirements.

- The DMF should immediately develop state specific management options to guide short-term goals and longer-term the DMF and MFC should decide if interjurisdictional management through ASMFC is something that is desired/needed. If so, there should be a full effort to have other states and the ASMFC ISFMP Board take this up. Just for perspective, consider that a 52% reduction coastwide under a cooperative multi-state plan would greatly surpass the reduction achieved if NC meets its state specific self-imposed 72% reduction. To the resource there is far greater benefit in the less restrictive coastwide reduction. Likewise, the lower reduction greatly benefits NC Citizen's access to the resourc.

As for tools the DMF could use to accomplish state specific management, suggestions would be:

- Focus on harvest controls in NC that lower F to an acceptable level. Take a more pragmatic approach that aligns regulations with the life history of southern flounder to balance harvest with sustainability. Non-quantifiable measures that are meaningful should not be discounted simply because they are not quantifiable in terms of % harvest reduction. Options should be considered if they provide a biological benefit to sustainable harvest.
- Redefine sustainable harvest to something that can realistically be attained based on tools that are available to NC. That may require action now and then measuring changes in fishing mortality after the fact and then adjusting as needed. Regardless, the measures and goals should be within NCs control and should be achievable.
- Even without being able to produce biomass specific to North Carolina due to the coastwide nature of the stock, there are responsible conservation minded tools to set harvest limits. Ideas could be to develop new measures of exploitation – use of relative abundance indices or tagging data that was funded and implemented with this stated purpose. Manage using measurements of fishing mortality, escapement, SPR or other innovative approaches. The practices are commonly used for other species, some of which are currently managed under the NC FRA.

Simply waiting for a stock assessment in 2028, given the shortcomings in achieving current management goals, is ignoring other reasonable management approaches that can provide a measure of stock condition and guide conservative and realistic harvest control rules. A key mandate of the FRA is to *"Include conservation and management measures that will provide the greatest overall benefit to the State, particularly with respect to food production, recreational opportunities, and the protection of marine ecosystems, and that will produce a sustainable harvest."* The framers of this legislation intentionally left flexibility for defining and determining how sustainable harvest will be achieved in special situations. In this case specifically, the biology of southern flounder makes implementing coastwide reductions through a state specific FMP impossible to achieve. It also makes rebuilding a coastwide stock through actions required only by North Carolina impossible to achieve. The rebuilding plan and goal of the FMP is certainly incompatible with the professional standards of fisheries

management as implemented. Under the specific conditions as outlined in the FRA, discretion, once established by the Director, belongs to the DMF and MFC as the vested experts in the science and management process to set goals for sustainable harvest that are clearly defined and achievable within the authority of the FRA as implemented through the FMP process. **In the face of an unachievable and failing management scenario, wouldn't the state want to explore and implement other more viable alternatives that meet this charge?**

A quantitative stock assessment may be a path forward but should likely be pursued in conjunction with a regional management plan through ASMFC. Delaying any changes now until you might have another assessment, given what we know to be true, severely handicaps NC's access to the resource in the interim. Modeling the different management strategies currently employed by each state with a new benchmark model will take some time and will present some challenges. There is always a chance the next assessment may not be useful for management as we have seen examples of in the past and most recently with the failed update to the most recent southern flounder model. Many of the concerns with the attempted model update are a result of the inability to fully account for differences in regional management employed by the states both across time and space.

There must be a balance and a shared responsibility of all involved when the goal is bigger than NC. It is wrong to put the burden of meeting coastwide rebuilding targets squarely on the backs of NC citizens in this instance. Only maintaining course and waiting for what is largely known is not a satisfactory solution, particularly when what is currently happening for stock rebuilding is missing the mark simply based on the same analysis (projections) used to implement the changes. If we are missing the mark, change course.

Final thought:

Public frustration towards a regulatory agency is expected and understandable, especially when it involves access to a public trust resource and requires allocation among competing sectors. However, the public, by and large, understands the need for harvest controls and conservation efforts. It is probably safe to say that at no time in history has public sentiment towards fisheries management in NC been lower and expressed by more people than what has happened under current southern flounder management. I'll trust your personal experiences to validate this point. Unfortunately, in the current environment, many people have lost faith and equate breaking fishery regulations to going 60 in a 55-mph zone. Therefore, for a management strategy to be successful, while enforcement is critical, it is even more critical that there is restored "buy in" from the public to the conservation value and fairness of regulations. That "buy in" starts with fisheries staff and officers and the MFC. If you don't believe the management is working, what do you expect from the public? While sentiment expressed is frustrating to hear, it is the erosion of public confidence that is the true threat to successful management. This is precisely why the management goals of this plan need to be attainable and if they aren't, a course correction is needed. Otherwise, further erosion of public confidence and further non-compliance will continue. Without reasonable compliance, fisheries management is undermined. It undermines the effectiveness of regulations to meet management goals and creates greater uncertainty in the evaluation of those regulations. The irony is, this failure leads to further unnecessary regulations because the first set of regulations did not meet the desired goals. This is rarely discussed or evaluated, but it should be. Like a stool with three legs, fisheries management, education to create public buy-in and effective enforcement/compliance need to work together.